



**FULL COUNCIL**  
**MECHANICS THEATRE**

**Wednesday, 25th January, 2023 at 6.30  
pm**

**SUPPLEMENTARY AGENDA**

- |    |  |         |
|----|--|---------|
| a) | <b><i>Appointments to Committees and Panels</i></b>  | 3 - 4   |
|    | To consider amendments to committees and panels.   |         |
| c) | <b><i>Food Safety Delivery Plan 2023/24</i></b>  | 5 - 6   |
|    | To consider the Food Safety Delivery Plan for 2023/24.   |         |
| d) | <b><i>Health &amp; Safety Delivery Plan 2023/24</i></b>  | 7 - 8   |
|    | To consider the Health & Safety Delivery Plan for 2023/24.   |         |
| e) | <b><i>Lancashire 2050</i></b>  | 9 - 10  |
|    | To consider a report on the progress in developing the Lancashire 2050 Strategic Framework.  |         |
| h) | <b><i>Council Delegations</i></b>  | 11 - 18 |
|    | To consider under Local Government Act 1972 Section 100B part 4b an urgent item relating to the delegation of Council Functions in the Constitution. |         |

This is an urgent item in order that the ordinary business of the Council can continue to be progressed in the absence of a Head of Service.

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## Changes to Committee Places January 2023

The following changes are proposed following the new political balance calculation:

Committee	Remove	Add
Scrutiny	Vacancy	Cllr Alan Hosker
Audit & Standards	Cllr Alan Hosker	Cllr Howard Baker

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## EXECUTIVE

BURNLEY TOWN HALL

Thursday, 19<sup>th</sup> January 2023, at 6.30 pm

### 70. Food Safety Delivery Plan 2023

#### PURPOSE

The regulatory team responsible for Food Safety must have in place a Service Plan for the Delivery of Official Controls to meet the requirements of statutory guidance. This report formally consults the Committee on the plans prior to their approval at Full Council.

#### REASONS FOR DECISION

1. The Council has a statutory obligation to conduct a range of food enforcement functions in accordance with the provisions of the Food Safety Act 1990 and a range of regulations made under the Act. 6.
2. The Food Standards Agency's (FSA) "Framework Agreement on Official Feed and Food Controls by Local Authorities" sets out what the FSA expects from local authorities in their delivery of official controls on feed and food law.
3. It is a requirement of the Framework Agreement to produce a service plan for the delivery of official food controls. The Food Safety Service Delivery Plan appended to this report has been prepared to satisfy this requirement.

#### DECISION

The Executive resolved to **recommend that Full Council approve the Food Safety Service Delivery Plan 2022/2023, detailed at Appendix 1 to the report.**

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## EXECUTIVE

BURNLEY TOWN HALL

Thursday, 19<sup>th</sup> January 2023, at 6.30 pm

### 71. Health and Safety Delivery Plan 2023

#### PURPOSE

The regulatory team responsible for Health & Safety at Work enforcement must have in place an intervention plan to meet the requirements of statutory guidance. This report formally consults the Committee on the plans prior to their approval at Full Council.

#### REASONS FOR DECISION

Section 18 of the Health & Safety at Work Act 1974 and the subsequent National Local Authority Enforcement Code for Health and Safety (The Code) provide frameworks within which the Environmental Health & Licensing Team must operate when carrying out its public protection duties within workplaces. The frameworks require the Council to have plans in place to control these activities, and mechanisms for review. The intervention plan appended to this report has been prepared to satisfy the statutory requirements.

#### DECISION

The Executive resolved to **recommend that Full Council approve the Health & Safety Delivery Plan 2022/2023, detailed at Appendix 1 to the report.**

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## EXECUTIVE

BURNLEY TOWN HALL

Thursday, 19<sup>th</sup> January 2023, at 6.30 pm

### 68. Lancashire 2050

#### PURPOSE

To update Members on the progress in developing the Lancashire 2050 Strategic Framework.

#### REASONS FOR DECISION

This report presents progress made since January 2022, when the County Council together with Lancashire's 14 District and Unitary Councils considered and supported the proposal to develop a long-term Strategic Plan for Lancashire. It sets out the general principles and high-level priorities contained in a strategic framework for Lancashire, known as 'Lancashire 2050'. This report also sets out the continuing commitment to ensure that there continues to be opportunities for all the partner authorities to contribute to and influence thematic plans, including identifying specific schemes and activities.

#### DECISION

The Executive resolved to **recommend that Full Council:**

- 1. Endorse the outline Lancashire 2050 strategic framework (Appendix 'A') as the strategic framework that will guide further development of shared detailed priorities and actions with partners and stakeholders across the whole of Lancashire.**
- 2. Agree that the Leader of the Council continues to work with Lancashire Leaders and that the Leader will make representations to that forum on any matters arising from the Council's consideration of this report.**

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## **Council Delegations Motion**

Cllr Graham will move an altered motion to that in Minute 75 – Executive Delegations.

The amended motion (**additional text in bold**) will read:

That Council agrees to add the following delegation to those of the Chief Operating Officer:

‘The Chief Operating Officer is delegated authority to discharge delegations and functions afforded to a Head of Service **in the Constitution and Standing Orders**; in the absence of the relevant Head of Service, excluding those finance functions afforded to the Section 151 Officer.’

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**Executive Delegations to Heads of Service**

**REPORT TO THE EXECUTIVE**



<b>DATE</b>	<b>19<sup>th</sup> January 2023</b>
<b>PORTFOLIO</b>	<b>None</b>
<b>REPORT AUTHOR</b>	<b>Alison McEwan</b>
<b>TEL NO</b>	<b>7259</b>
<b>EMAIL</b>	<b><a href="mailto:amcewan@burnley.gov.uk">amcewan@burnley.gov.uk</a></b>

**PURPOSE**

1. To seek approval to;
  - Agree for the Chief Operating Officer to exercise those delegations to Heads of Service via reports to the Executive in the absence of that Head of Service.

**RECOMMENDATION**

2. That the Executive;
  - Authorise the Chief Operating Officer to exercise those delegations to specific Heads of Service in relation to actions arising from reports approved (both previously and in future) by the Executive in the absence of the relevant Head of Service.
  - That call-in be waived in order to allow urgent deadlines to be met.

**REASONS FOR RECOMMENDATION**

3. To enable the decisions approved by the Executive to be executed in a timely fashion and within contractual and funding deadlines;

## **SUMMARY OF KEY POINTS**

4. As part of the Executive approval process, Heads of Service may be authorised to carry out specific actions related to the approval at a suitable point in the future.
5. These delegations may include actions such as (but not limited to):
  - executing contract documents to give effect to the decision.
  - Carrying out negotiations and agree terms on behalf of the Executive.
  - Finalise project delivery plans
6. As the delegation is to a specific Head of Service if they are unexpectedly absent for any length of time, this delegated authority cannot be actioned, leading to contracts not being agreed, awarded, projects not meeting expenditure or grant funding deadlines leading to delays and potential losses for the Council.
7. It is proposed that the Chief Operating Officer be authorised to carry out any delegation to a Head of Service approved via a report to the Executive in their absence. This is to enable services and contracts to be delivered effectively and efficiently.
8. There are deadlines imminent which cannot be met if call-in is not waived.

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

9. None

## **POLICY IMPLICATIONS**

10. None.

## **DETAILS OF CONSULTATION**

11. N/A.

**BACKGROUND PAPERS**

12. None.

**FURTHER INFORMATION**

**PLEASE CONTACT: Alison McEwan**

**ALSO: Lukman Patel**

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# EXECUTIVE

BURNLEY TOWN HALL

Thursday, 19<sup>th</sup> January 2023, at 6.30 pm

## 75. Executive Delegations

### PURPOSE

To seek approval to agree for the Chief Operating Officer to exercise those delegations to Heads of Service via reports to the Executive in the absence of that Head of Service.

### REASON FOR DECISION

To enable the decisions approved by the Executive to be executed in a timely fashion and within contractual and funding deadlines.

### DECISION

The Executive resolved to:

1. Authorise the Chief Operating Officer to exercise those delegations to specific Heads of Service in relation to actions arising from reports approved (both previously and in future) by the Executive in the absence of the relevant Head of Service.
2. Waive call-in in order to allow urgent deadlines to be met.
3. **Recommend that Full Council approve a similar change to the Constitution Part 3 (Council Functions) Scheme of Delegation to add the following delegation to those of the Chief Operating Officer:**

**'The Chief Operating Officer is delegated authority to discharge delegations and functions afforded to a Head of Service in the absence of the relevant Head of Service, excluding those finance functions afforded to the Section 151 Officer.'**

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