

**TO: ENVIRONMENT, CULTURE AND COMMUNITIES OVERVIEW AND SCRUTINY
PANEL
24 APRIL 2012**

**FOOD LAW ENFORCEMENT PLAN 2012-13
Chief Officer: Environment and Public Protection**

1 PURPOSE OF REPORT

- 1.1 The Council has responsibility for the enforcement of Food Law in particular food hygiene and food standards within the Borough.
- 1.2 This report set out the basic framework within which a mandatory service is provided. It sets out the typical tasks undertaken during a 'typical' year. The Work Plan (Annex A) sets out the proposal for delivery in line with direction from the Food Standards Agency (FSA). The Plan is required in order to comply with Food Standards Act 1999. The objective is to ensure that national priorities and standards are delivered effectively and consistently at a local level.

2 RECOMMENDATION(S)

- 2.1 **That the Panel considers the draft Work Plan as set out in Annex A providing any comment for consideration prior to approval by the Executive Member for Culture, Corporate Services & Public Protection.**

3 REASONS FOR RECOMMENDATIONS

- 3.1 To comply with the statutory requirement under the Food Standards Act 1999 to ensure that national priorities and standards are delivered effectively and consistently at a local level.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None. The production of an annual plan is a legal requirement. After consideration by the Executive Member the full Plan and Outturn Report for 2011/12 is published for the purposes of consultation prior to being finalised and submitted to the Food Standards Agency.

5 SUPPORTING INFORMATION

- 5.1 As has been the case in previous years the purpose of the Plan is to reassure members that key needs are being met. From 1st April 2012 officers from Environmental Health, Trading Standards and Licensing were combined to form Regulatory Services under a single Head of Service. The impact and potential benefits arising from the reorganisation has not been fully accounted for within this draft plan. Work is under way to affect the benefits but these may not be fully realised over the coming year as there will be training and other issues to address to ensure required staff competency levels are assured.

Unrestricted

- 5.2 The Plan has been redrafted into a simplified format reflecting previous comments received. The Annex shows the proposed annual work plan for 2012-13 and its format is intended to make it easier to read and update. The Plan has to be able to reflect a refocusing of priorities identified by the Food Standards Agency.
- 5.3 The Borough currently has over 1,220 food premises where it is responsible for ensuring compliance with the Food Safety Act 1990, the European Communities Act 1972 and associated Regulations. A risk rating is allocated to all food premises in accordance with Statutory Codes of Practice to ensure that all relevant premises are inspected according to risk. Doing so meets the requirement of the Food Standard Agency's 5 year inspection programme. Some of the Borough's premises are deemed sufficiently low risk and they are therefore not subject to routine inspection. In such instances alternative strategies are deployed such as the provision of information and advice through the use of newsletters, mail shots and seminars. Visits to businesses will where appropriate encompass multiple regulatory functions in order to seek to minimise the burden to businesses
- 5.4 The necessary activities to deliver a Food Safety programme to satisfy our legal obligations for 2012-13 are shown in Annex A. Progress against the Plan is reported to Members in the Quarterly Service Report. The Plan is also underpinned by written procedures to ensure effective service delivery.

6 **ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

Borough Solicitor

- 6.1 The Borough Solicitor is satisfied that the relevant legal provisions are contained within the body of the report

Borough Treasurer

- 6.2 The Borough Treasurer is satisfied that no significant financial implications arise from this report.

Equalities Impact Assessment

- 6.3 The Plan will target premises based on the history of risk and identified need. Where issues of equality may arise provision is made to help as necessary. The activity is regulatory and the current plan for 2011-2012 is covered by the overarching document entitled Enforcement Policy 2008 and Equalities Impact Assessment (Executive November 2008). This document is being updated for adoption by the Council and the Food Safety Law Enforcement Plan will be covered by the new enforcement policy. Members will be asked to approve the final plan later in the year.

Strategic Risk Management Issues

- 6.4 The Council has to ensure compliance with the Food Standards Act 1999. The Plan sets out how the Council intends to comply with those obligations and in so doing militates against the risk of adverse inspection report followed by intervention.

7 CONSULTATION

Principal Groups Consulted

- 7.1 The nature of the Plan is such that we have consultation with stakeholders after its adoption. All feedback is taken into account and helps inform the Plan's future development.

Method of Consultation

- 7.2 The Plan will be published on the Council's website and issued to key locations in the Borough, including all the Council's Libraries and Town and Parish Council offices.

Representations Received

- 7.3 Not applicable.

Background Papers

Food Law Enforcement Plan 2012-13
Framework Agreement on Local Authority Food Law Enforcement (2003 as amended)

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