

**TO: COUNCIL**  
**14 SEPTEMBER 2016**

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**FOOD LAW ENFORCEMENT PLAN 2016-2017**  
**Director: Environment, Culture and Communities**

**1 PURPOSE OF REPORT**

- 1.1 To ratify the draft Food Law Enforcement 2016-2017 plan in accordance with the Food Standards Agency framework agreement. The plan addresses all matters relating to food hygiene, food standards and the sale of animal foodstuff.

**2 RECOMMENDATIONS**

- 2.1 **That the Borough Council notes the supporting information in relation to the Food Law Enforcement Plan.**
- 2.2 **That the Borough Council ratifies the Food Law Enforcement Plan for 2016-2017 (attached as Annex A, Food Law Enforcement Plan 2016-2017)**

**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. Annex A sets out the proposed Work Plan for 2016-2017.

**4 ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 The production of an annual plan is a legal requirement.

**5 SUPPORTING INFORMATION**

- 5.1 The purpose of the plan is to meet the legal obligation and reassure members that key needs are being met. The plan will be delivered by officers from Regulatory Services which encompass both Environmental Health and Trading Standards practitioners and will utilise those staff to deliver support to business and residents and reduce the inspectional burden.
- 5.2 The Plan has been produced in a simplified format reflecting comments previously received. Annex A contains information on the annual work plan for 2015-16 and sets out the proposal for delivery. Annex B shows the outcome of previous years' activity. The format is intended to make it easier to read and update. The Plan reflects a refocusing of priorities identified by the Food Standards Agency and has been populated with targets and initiatives under 3 main headings i.e. (i) Protecting Consumers and Supporting Businesses, (ii) Project Working – Focussing Resources and (iii) Performance Management.
- 5.3 Food law enforcement is a function of the Environmental Health and Trading Standards professional officer disciplines in combination. The Borough currently has over 1200 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 the Statutory Codes of Practice. All relevant premises are inspected according to their risk. Doing so meets the requirement of the Food Standard Agency's 5 year minimum

## Unrestricted

inspection programme. Some of the Borough's premises are deemed very low risk and therefore are 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. Resources have been reduced over the years to reflect this change in national standards. The programme for 2016-17 is shown in Annex A attached to this report. To demonstrate the workload presently undertaken by staff, below is a table taken from 2014/15 FSA data, the 15/16 data has not yet been released for neighbouring Berkshire authorities, which shows the ratio of registered food premises within an authority against the number of officers allocated to do that work.

<b>Authority</b>	<b>Number of Professional Food Hygiene FTE (full time equivalent) Posts</b>	<b>Number of Establishments per FTE</b>
<b>Bracknell Forest</b>	<i>2.75</i>	<i>431</i>
<b>Reading</b>	<i>5.08</i>	<i>284</i>
<b>Slough</b>	<i>3.5</i>	<i>276</i>
<b>West Berkshire</b>	<i>3.05</i>	<i>426</i>
<b>Windsor and Maidenhead</b>	<i>6.0</i>	<i>216</i>
<b>Wokingham</b>	<i>3.15</i>	<i>324</i>

- 5.4 Progress against the Plan is monitored by officers monthly and quarterly progress reported to Members in the Quarterly Service Report. The Plan is also underpinned by written procedures to ensure effective service delivery. The Council's performance against this Plan is subject to independent external audit by the Food Standards Agency. Failure to deliver could result in intervention measures. The Plan seeks to protect the public's health whilst also ensuring an equitable trading environment in support of the local business economy.
- 5.5 Local businesses and residents must be consulted upon the Plan which must also be approved by Council. Any comments received as part of the consultation will be considered and where found necessary and appropriate may be included within a revision of the plan or included within the plan in 2017/18.

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

### Borough Solicitor

- 6.1 The relevant legal provisions are contained within the main body of the report.

### Borough Treasurer

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

### Equalities Impact Assessment

- 6.3 The Plan targets 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 2016-2017 is covered by the overarching document entitled Enforcement Policy 2015.

Strategic Risk Management Issues

- 6.4 By following and delivering the matters laid out within the 2016-17 Food Safety Plan there are no strategic risk management issues identified. Should the Council however fail to deliver a Food Safety service at this standard, firstly the risk of unsafe food being made available for sale within the borough increases and secondly the Food Standards Agency may consider taking over the delivery of the service and charge the Council for that delivery.

Other Officers

- 6.5 Not applicable.

**7 CONSULTATION**

Principal Groups Consulted

- 7.1 The nature of the Plan is such that it is a rolling Plan and therefore we consult with stakeholders during and after its adoption. Any 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.

Representations Received

None received following the consultation in 2015.

Background Papers

Food Law Enforcement Plan 2015-16  
Framework Agreement on Local Authority Food Law Enforcement (2003 as amended)

Contact for further information

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