

HUNTINGDONSHIRE DISTRICT COUNCIL

Title:	Service Plan for Food Law Enforcement 2019-20
Meeting/Date:	Licensing and Protection Committee – 13 March 2019
Executive Portfolio:	Executive Councillor for Operations and Regulation – Councillor M L Beuttell
Report by:	Head of Community – Chris Stopford
Ward(s) affected:	All

Executive Summary:

Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement functions within the district. The Food Standards Agency (FSA) is the Central Competent Authority and National Regulator for food safety and hygiene issues within England and it requires every local authority (food authority) to outline how it will fulfil its duty to deliver official food controls within the district. The arrangements detailing how and at what level the official controls will be delivered must be laid down in the form of a Service Plan for Food Law Enforcement ('Service Plan') and approved by the Council.

Guidance on the content of the Food Enforcement Service Plan is contained within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations.

The food safety and hygiene enforcement function within the Council is delivered by the Business Team of the Community Division and the purpose of the Service Plan is to explain how that enforcement function will be delivered. It also details the resources required to deliver it, together with a review of the previous year's performance.

Recommendation(s):

Members are requested to: -

- 1. Comment on, and if in agreement approve the 'Service Plan for Food Law Enforcement 2019-20' in accordance with the Council's Constitution;**
- 2. If in agreement with the approval of the Service Plan, delegate to the Head of Community the ability to update the 2018/19 performance data within the Service Plan prior to publication**

1. PURPOSE OF THE REPORT

- 1.1. The report formally presents the Food Law Enforcement Service Plan 2019-20 (Appendix 1) to the Licensing and Protection Committee. It invites their comments and their approval of the plan. This enables the Council to discharge its duty as an enforcing authority for food safety and hygiene.
- 1.2. The Council's Constitution allows the Licensing and Protection Committee to consider and approve Service Plans.

2. WHY IS THIS REPORT NECESSARY?

- 2.1. Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement within the district. The Food Standards Agency (FSA), as England's Central Competent Authority and National Regulator for food safety and hygiene requires every local authority to outline how it will fulfil its duty to deliver official food controls within the district. The FSA requires local authorities to lay down details of the arrangements in the form of a Service Plan, specifying how and at what level the official controls will be delivered. This requirement is formalised within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations.
- 2.2. The food safety and hygiene function within the Council is delivered by the Business Team of the Community Division and the purpose of the Service Plan is to explain how that service will be delivered. It also details the resources required to deliver the service, together with a review of the previous year's performance.
- 2.3. The Business Team is a part of the Community Division, delivering the Council's statutory functions for food law, health and safety, licensing and infectious disease control. The team aims to support business to comply with the legislation by using a range of enforcement tools including advice, training, promotional campaigns and social media.

3. OPTIONS CONSIDERED

- 3.1. The service has considered the requirements of the FSA Framework Agreement, the Corporate Plan 2018-22 and the predicted 2019-20 figures based upon work delivered since 1 April 2018.
- 3.2. Figures predicted for 2019-20 are generated from the premises database held by the service and are all rated according to the risk presented by activities undertaken by the business. The plan highlights the number of interventions required and the flexibility available in how these might be approached.
- 3.3. Key priorities for the coming year include
 - Procurement of a new Environmental Health Management System and development of a project plan to implement and migrate data to the new system including training for staff and updating procedures. This project may span over more than one year.
 - Building on the communicating for compliance approach we will provide training for regulators to improve their skills in influencing and supporting business with confidence.
 - Better Business for All Primary Authority Pilot. Working with business support colleagues we will be promoting primary authority to small businesses whilst improving their regulatory knowledge and making it simpler for them to speak to the person who can best support their needs.

- The Food Standards Agency are moving to a national Online Registration system for all food businesses. It is anticipated that we will move to Stage 1 implementation during 2019-20.
- Prepare for transition of legislation into UK law following exit from the EU, ensuring staff are trained and businesses are kept up to date
- To continue to promote the Healthier Options initiative to help local businesses make healthier changes to their menu and food preparation methods, supporting the Healthy Weight Strategy for Cambridgeshire and the Ramsey Pathfinder Pilot.

4. KEY RISKS

- 4.1. A failure to produce a Service Plan could invite criticism from the Food Standards Agency which, as the central competent authority, oversees local authorities' food law enforcement activities. This in turn may lead to contact from the FSA's Local Authority Audit team.
- 4.2. Vacancies within the team during 2018 impacted on the delivery of the service, particularly in the promotion of the service and delivery of training. Whilst the posts have been filled there appears to be a growing issue with availability of suitably qualified Environmental Health Officers.
- 4.3. Both future changes to the operating model for food law enforcement (FSA's Regulating our Future Programme) and to legislative amendments once the UK has negotiated its exit from the EU will have resource implications for service delivery throughout 2019.
- 4.4. The management information system, Civica APP currently used by the service to manage the premises database and risk engine process will need to be replaced to enable the authority to deliver an agile and integrated service. Funding has been secured for the project and procurement is underway. Implementation will have a resource implication for the team over the delivery period of the plan.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Service Plan will be delivered during the 2019-20 financial year alongside the Business Team's other core functions of health and safety and licensing.

6. LINK TO THE CORPORATE PLAN

- 6.1. Service Plans support the Council's Corporate Plan and contribute to the strategic priorities therein.

7. LEGAL IMPLICATIONS

- 7.1. The FSA has a key role in overseeing official food controls undertaken by local authorities. Powers enabling the Agency to monitor and audit local authorities are contained in the Food Standards Act 1999 and the Official Feed and Food Controls Regulations.
- 7.2. The Framework Agreement on Official Feed and Food Controls by Local Authorities issued by the FSA recognises that Service Plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.
- 7.3. This Plan replaces the 2018-19 Service Plan and builds upon the aim of providing support for local business. Service Plans must include a review of performance in

order to consider any variances from meeting the requirements of the previous service plan and to identify areas for improvement.

- 7.4. The authority has a duty to comply with the Framework Agreement. These duties include requirements for the planning, management and delivery of the local food law enforcement service

8. RESOURCE IMPLICATIONS

- 8.1 The budget for 2019-20 remains largely the same as that for 2018-19 although there is growth of 1% in the salary allocation. Achievement of income targets will depend on the degree of primary authority activity, requests for export certificates and the number of FHRS rescore visits coming through from business. The number of formal training sessions delivered will also impact on income generated.

9. OTHER IMPLICATIONS

- 9.1. The FSA expects local authorities to carry out official controls in an effective, risk-based, proportionate and consistent way. The production, publication and delivery of the Service Plan will set out how we meet those expectations.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1. Huntingdonshire District Council is required to produce and approve a Food Law Enforcement Service Plan. This Provisional Plan gives the Committee an opportunity to comment on the priorities identified and shape delivery of the service to ensure that the Council can deliver its statutory function according to local circumstances and within approved resources.

LIST OF APPENDICES INCLUDED

Appendix 1 – Draft Service Plan for Food Law Enforcement 2019-20

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