

**Public**  
**Key Decision - No**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Service Plan Food Law Enforcement 2022-23

**Meeting/Date:** Licensing and Protection Committee – 29 June 2022

**Executive Portfolio:** Executive Councillor for Customer Services – Cllr S Ferguson

**Report by:** Claudia Deeth – Interim Community Service Manager

**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 and the FSA's Food Law Practice Guidance (England).

The food safety and hygiene enforcement function is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader

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.

### **Recommendations:**

The Committee is asked to:

- 1. Comment on, and if in agreement approve the Service Plan for Food Law Enforcement 2022-23 in accordance with the Council's Constitution.**
- 2. If in agreement with the approval of the Service Plan, delegate to the Interim Community Service Manager the ability to update the 2021-22 performance data within the Service Plan prior to publication.**
- 3. Request Quarterly reports to monitor progress against the Service Plan.**

## **1. PURPOSE OF THE REPORT**

- 1.1 The report formally presents the Food Law Enforcement Service Plan 2022-23 (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/BACKGROUND**

- 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 and the FSA's Food Law Practice Guidance (England).
- 2.2 The food safety and hygiene enforcement function is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader. The officers providing the service also deliver the statutory functions for health and safety 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.
- 2.3 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.

## **3. OPTIONS CONSIDERED/ANALYSIS**

- 3.1 The Service has considered the requirements of the FSA Framework Agreement, the Corporate Plan 2018-22 when developing the Service Plan.
- 3.2 The predicted 2022-23 figures based upon work delivered since 1 April 2021, information held on the Environmental Health and Licensing management system premises database and guidance given in the FSA Recovery Plan. It is noted that the Covid 19 pandemic impacted on the work that took place during 2021-22. Food businesses are inspected according to their inspection rating category. The highest risk businesses

(category A) are the subject of an inspection, partial inspection or audit at least every 6 months whereas the lowest risk businesses (category E) are subject to alternative enforcement strategies. 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:

- Final implementation of and embedding of the new Environmental Health and Licensing management system went live in April 2021.
- Update of Standard Operating Procedures (SOPs) to align with the new system and permanent reporting structure for Community.
- Review our programme of training courses and investigate the viability of the reinstatement of classroom training courses.
- Promote the service as widely as possible collaborating with the Communications Team to use all available media outlets and support any relevant national strategies such as the FSA's National Food Safety Week.
- Publish a newsletter for food businesses to promote good practice and provide relevant guidance and information.
- Continue to undertake official controls (including proactive food hygiene inspections) in line with the requirements of the Foods Standards Agency code of practice.
- Continue to provide a reactive food hygiene service responding to the concerns of residents of Huntingdonshire, the customers of Huntingdonshire food businesses and new challenges such as food poverty and scarcity of certain foods.

## 4. KEY IMPACTS / RISKS

- 4.1 The failure to produce and have approved a Service Plan could invite criticism from the FSA in their capacity as national regulator.
- 4.2 The integration and implementation of the new Environmental Health and Licensing management system is continuing and has created challenges impacting on efficiency which are being worked through.

## 5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Service Plan will be delivered during the 2021-22 financial year.

## 6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The Service Plan supports the Council's Corporate Plan 2018-22 and is appended to the overarching Service Plan for the Council's Community service area.

## **7. CONSULTATION**

7.1 No consultations required as part of this report.

## **8. LEGAL IMPLICATIONS**

8.1 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.

8.2 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.

8.3 This Plan replaces the 2021-22 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

8.4 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.

## **9. RESOURCE IMPLICATIONS**

9.1 The budget for 2023-23 is slightly increased and reflects that the service is now fully staffed and the 2% annual pay award. Achievement of income targets will depend on 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.

## **10. OTHER IMPLICATIONS**

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

## **11. REASONS FOR THE RECOMMENDED DECISIONS**

11.1 Huntingdonshire District Council is required to produce and approve a Food Law Enforcement Service Plan. This draft 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.

## **12. LIST OF APPENDICES INCLUDED**

Appendix 1 – Draft Food Safety Service Plan

## **CONTACT OFFICER**

Name/Job Title: Claudia Deeth – Interim Community Service Manager  
Tel No: 01480 388233  
Email: [claudia.deeth@huntingdonshire.gov.uk](mailto:claudia.deeth@huntingdonshire.gov.uk)