

# Southend-on-Sea Borough Council

Report of Corporate Director of Place

To  
Cabinet  
On

23 June 2015

Agenda  
Item No.

Report prepared by: Dipti Patel – Head of Public Protection/  
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**The Official Feed and Food Control Service Plan 2015/16**  
**Place Scrutiny Committee - Executive Council: Cllr Norman**

**A Part 1 Public Agenda item**

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## **1. Purpose of Report**

- 1.1 To agree the Official Feed and Food Controls Service Plan 2015/16 required by the Food Standards Agency (FSA).

## **2. Recommendation**

- 2.1 **That Cabinet agrees the official Feed and Food Controls Service Plan 2015/16 set out in Appendix 1 of this report and commend it to Full Council for approval.**

## **3. Background**

- 3.1 The Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a Service Plan to ensure the highest achievable levels of food control (food safety, standards and feeding stuffs) are maintained throughout the borough. Every local authority is required to develop an annual food enforcement service plan, which is the basis on which the local authorities are monitored and audited by the FSA.
- 3.2 To ensure local transparency and accountability, it is a requirement that the official Feed and Food Controls Service Plan is submitted to the relevant Member forum for approval.
- 3.3 The Legislative and Regulatory Reform Act 2006 requires Regulators to have regard to the Principles of Good Regulation. This means that our regulatory activities should be carried out in a way that is proportionate, accountable, consistent, transparent, and targeted to situations that need action when we

carry out a regulatory function and to have regard to guidance issued. The Statutory Code of Practice for Regulators which will include the provisions contained in the Regulators Code April 2014 contains details of how this should be carried out.

#### **4 Official Feed and Food Service Plan 2015-6.**

- 4.1 The Service Plan for 2015/16 is attached as Appendix 1, forming an integral part of the organisation of the Regulatory Services within Public Protection.
- 4.2 In accordance with the requirements contained within the Framework Agreement, the food service is a mix of enforcement, intelligence based work, investigation and education.
- 4.3 The Service Plan is to ensure all high and medium risk category programmed inspections are completed within the current financial year and appropriate alternative approaches adopted for the remaining inspections. In Southend there are 1729 food premises, 874 premises requiring an official food hygiene intervention this year. In addition, there are 9 Approved Food Premises within Southend which includes the cockle processors which are inspected annually. Food Standards inspections will not be targeted separately and will be undertaken at the same time as food hygiene inspections where they are due. The Inspection Programme is included at 2.4 in the Service Plan.
- 4.4 Regulatory Services assists businesses to comply with legislation and thereby protect the health of the public from food related illness. Resources will be targeted to ensure a balanced mix of services, which benefit the business sector, consumers and other stakeholders. In accordance with the amendments to the Food Safety Code of Practice in 2015 and the published Regulatory Services Team Enforcement Policy, the service will continue to focus enforcement action on the poorer performing businesses.
- 4.5 Priority was given to high risk premises with all high risk inspections being completed.

#### **5. Other Options**

The Food Standards Agency Framework Agreement sets out the statutory duty for Southend on Sea Borough Council in developing the Service Plan. There is no alternative to the statutory duty.

#### **6 Reasons for Recommendation**

In order for the Council to comply with the Food Standards Agency Framework Agreement and in line with the Food Standards Agency Audit findings reported to Cabinet on 18<sup>th</sup> June 2013.

#### **7 Corporate Implications**

- 7.1 Contribution to Council's Vision & Corporate Priorities

The Plan contributes to the Safer, Prosperous and Excellent corporate priorities. Safe by ensuring those Southend residents, workers and visitors are protected from disease and harm. Prosperous by assisting local businesses to comply and protecting the reputation of the Southend on Sea as a tourist destination.

## 7.2 Financial Implications

The Service Plan for 2015/16 seeks to prioritise resources to fulfil the inspection programme. The inspection programme can be completed through the outsourcing inspections and with the additional funding of £30K annually agreed by Cabinet on 5<sup>th</sup> November 2013.

## 7.3 Legal Implications

The FSA places a requirement on local authorities to develop and submit a Service Plan. Local Authorities are audited and assessed by the FSA on the basis of their food law enforcement service. The Council's Constitution requires the adoption of the official Feed and Food Control Service Plan to be reserved to Full Council.

## 7.4 People Implications

The Service Plan is seen as key in protecting public health of the town, and critical in reducing the incidence of food related illness and thus assists in reducing the number of complaints and enforcement action associated with food businesses.

## 7.5 Property Implications

There are no property implications as a result of this report.

## 7.6 Consultation

The Service Plan has not previously been consulted on. It is developed utilising government guidelines. The Service Plan will be published on the Council's website and feedback encouraged.

## 7.7 Equalities and Diversity Implications

Equality and diversity implications have already been considered in the Regulatory Service Enforcement Policy and as part of the general work in the Service. A further equalities assessment was carried out when the Enforcement Policy was updated in 2015 in line with the updated Regulators Code April 2014.

## 7.8 Risk Assessment

Progress against the Plan will be reviewed on a quarterly basis. The Plan seeks to explore new ways of working to better target resources and enhance protection with resources currently available.

#### 7.9 Value for Money

The Service Plan is to be delivered within existing budget.

#### 7.10 **Community Safety Implications**

There are no community safety implications as a result of this report.

#### 7.11 **Environmental Impact**

Food related inspections and investigations place controls on commercial food waste and impact on the natural environment.

### **8 Background Papers**

Food Standards Agency Framework Agreement  
Food Law Code of Practice (England) (Issued April 2015)  
Feed Law Enforcement Code of Practice (Issued May 2014)  
Regulatory Service Enforcement Policy 2015  
Food Standards Agency Audit and Action Plan. Cabinet Report Dated 18 June 2013

### **9. Appendices**

Appendix 1: Official Feed and Food Control Service Plan 2015-16