

# Southend-on-Sea Borough Council

Report of Corporate Director of Enterprise, Tourism and  
the Environment

To  
Cabinet  
On  
6<sup>th</sup> November 2012

Agenda  
Item No.

Report prepared by: Dipti Patel – Head of Public Protection

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**The Official Feed and Food Control Service Plan 2012/13**  
**Environment & Economic Scrutiny Committee – Executive Council: Cllr Tony Cox**

**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 previously known as the food law enforcement plan required by the Food Standards Agency (FSA).

## **2. Recommendation**

- 2.1 That Cabinet agrees the official Feed and Food Controls Service plan 2012/13 set out in Appendix A 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. Every local authority is required to develop and 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 contains details of how this should be carried out.

#### **4 Official Feed and Food Service Plan 2012/13.**

- 4.1 The Service Plan for 12/13 is attached as Appendix A, 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 plan is to ensure all high risk category programmed inspections are completed within the current financial year and appropriate alternative approaches adopted for the remaining. In Southend there are 1685 food premises with 780 high risk premises requiring inspection this year.
- 4.4 Regulatory Services assists businesses to comply with legislation and thereby protect the health of the public from food poisoning. Resources will be effectively targeted to ensure a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. In accordance with the amendments to the Food Safety Code of Practice in 2008 and the published Regulatory Team Enforcement Policy, the service will continue to focus enforcement action on the poorer performing businesses.
- 4.5 There are nine Approved Food Premises within Southend which includes the cockle processors and the other approved premises inspected annually based upon their risk rating.
- 4.6 The service has been heavily involved in the surveillance and investigations associated with oyster collection from Southend Foreshore which has resulted in diversion of resources away from undertaking programmed inspections as required within the Service Plan.

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

- 5.1 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 that the Council complies with the Food Standards Agency Code of Practice.

#### **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- 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 is to be delivered within the existing Regulatory Services budget allocation and is delivered through a planned programme of inspections and therefore does not create any additional financial burden on the authority.

## 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, with prior consideration at both Cabinet and Economic & Environment Scrutiny Committee.

## 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**

None

## 7.6 **Consultation**

The Service Plan has not previously been consulted on. It is developed utilising government guidelines. It is intended that the Service Plan be published on the website and feedback encouraged on priorities for future years.

## 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.

## 7.8 **Risk Assessment**

Progress against the plan will be reviewed on a quarterly basis. The risk is the spending reviews and required reorganisation may result in failure to achieve the inspection programme. 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**

None

## 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 2012)  
Feed Law Enforcement Code of Practice (Great Britain)  
Regulatory Service Enforcement Policy 2011 (DETE11002)

## **9. Appendices**

Official Feed and Food Control Service Plan 2012/13