

Southend-on-Sea Borough Council

Report of Corporate Director of Place

To
Cabinet
On
23 September 2014

Agenda
Item No.

16

Report prepared by: Dipti Patel – Head of Public Protection
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The Official Feed and Food Control Service Plan 2014/15

Executive Councillor: Cllr M Assenheim

A Part 1 Public Agenda item

1. Purpose of Report

- 1.1 To agree the Official Feed and Food Controls Service Plan 2014/15 required by the Food Standards Agency (FSA).

2. Recommendation

- 2.1 **That Cabinet agrees the official Feed and Food Controls Service plan 2014/15 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 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 Council 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 July 2013 contains details of how this should be carried out.

4 Official Feed and Food Service Plan 2014-5.

- 4.1 The Service Plan for 14/15 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 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 1754 food premises 913 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 2014 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.
- 4.6 The Food Standards Agency has completed a consultation on the Code of Practice and has changed the banding for C risk premises. This will reduce the intervention frequency of 305 premises from 18 months to 24 months.

The Food Standards Agency revisited the authority in April 2014 to assess progress with the action agreed with them following the audit they undertook in December 2012. They have signed off the action plan from this audit as being completed and this went to Cabinet on the 5th November 2013.

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 (Appendix 2) which were agreed by Cabinet on 18th 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- 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 2014/15 identifies the need for additional resource to fulfil the inspection programme, which is detailed in the Service Plan. The inspection programme can be completed through outsourcing the required inspections with additional funding of £30K each year which was agreed at Cabinet on 5th 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 issues associated with this report

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 impact assessment will be carried out when the Enforcement Policy is updated in 2014-15 in line with the updated Regulators Code July 2013.

7.8 Risk Assessment

Food safety is an important part of public health and risks associated with food premises can have an impact on residents and visitors to Southend as well as a reputational impact for the Council and the town. Monitoring and managing food safety inspections therefore is a key aspect of delivering the service.

Progress against the actions contained in the plan will be reviewed on a quarterly basis and premises inspections are also monitored within the team on a monthly basis.

The Plan seeks to explore new ways of working to better target resources to ensure standards at premises where the greatest risks are inherent are improved and that existing good standards are maintained, thus enhancing 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

Premises inspections ensure that food safety standards are maintained and improved to safeguard residents and visitors to the borough. Improving food safety standards also help to reduce the impact of dealing with illness on wider public health services.

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 2014)
Feed Law Enforcement Code of Practice (Great Britain)
Regulatory Service Enforcement Policy 2011 (DETE11002)
Report of the Corporate Director for Place 'Food Standards Agency Action Plan'
to Cabinet July 2013

9. Appendices

1. Official Feed and Food Control Service Plan 2014-15