

# Southend-on-Sea Borough Council

Agenda  
Item No.

Report of Corporate Director of Place

To  
Cabinet

On  
18<sup>th</sup> September 2018

Report prepared by:  
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**The Official Feed and Food Control Service Plan 2018-19**  
**Place Scrutiny Committee - Executive Council: Councillor Mark Flewitt**

**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 2018-19 required by the Food Standards Agency (FSA).

## **2. Recommendation**

- 2.1 **That Cabinet agrees the official Feed and Food Controls Service Plan 2018-19 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 2018-19**

- 4.1 The Service Plan for 18-19 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 1,786 food premises 1,030 premises requiring an official food hygiene intervention this year. In addition, there are 12 Approved Food Premises within the Council which includes the cockle processors which are inspected annually. There is 1 high risk food standards inspection that will be completed this year with all other food standards inspections to 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 Law Code of Practice in 2017 and the published Regulatory Services Team Enforcement Policy, the service will continue to focus enforcement action on the poorer performing businesses.
- 4.5 Priority for inspections and interventions was given to premises which had been risk assessed as presenting the highest risk in terms of their activity and the conditions at the premises. All high risk inspections due during 2017-18 were 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, which were agreed by 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 - assisting local businesses to comply and protecting the reputation of Southend-on-Sea as a tourist destination.

## **7.2 Financial Implications**

The Service Plan for 2018-19 identifies the resource allocated to the inspection programme and the funding is set within the Service Areas overall budget.

## **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 be reserved to Full Council and is funded from within the existing budget of the service.

## **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 is developed in line with government guidelines and priorities and is published on the 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 monthly 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**

None, in the context of feed and food safety.

## 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) 2017

Feed Law Enforcement Code of Practice (Issued May 2014)

Regulatory Service Enforcement Policy 2015

Food Standards Agency Audit and Action Plan - Cabinet Report Dated 18/06/13

## 9. **Appendices**

**Appendix 1:** Official Feed and Food Control Service Plan 2018-19