

Meeting: Cabinet
Date: 18 July 2023
Classification: Part 1
Key Decision: Yes
Title of Report: **Official Feed and Food Control Service Plan 2023-24**

Executive Director: Alan Richards (Interim Executive Director - Environment & Place)
Report Author: Elizabeth Georgeou (Head of Regulatory Services)

1. Executive Summary

- 1.1. The service plan has been drafted in accordance with the service planning guidance of the Framework Agreement.
- 1.2. The plan has been developed in line with the Food Standards Agency priorities for both feed and food, ensuring a risk-based controls in place across the region. It seeks to meet the requirements of the Food Law Code of Practice.
- 1.3. This plan details the national enforcement priorities for animal feed, with inspections being co-ordinated through the National Trading Standards Board (NTSB) and the Food Standards Agency (FSA).
- 1.4. It reports the activities for the previous inspection year against the plan for 2022-23.

2. Recommendations

- 2.1. The Food Standards Agency provides guidance on the priorities for the delivery of the official food controls and sets out what the local authority should include in the service plan. There is a requirement for the plan to be approved at an appropriate level. The plan details how this authority will prioritise its resources and provides an estimate of the resource required to deliver those priorities.

It is recommended that Cabinet:

- 2.2. **Note the achievements against the previous Plan 2022-23**
- 2.3. **Approve the Official Feed and Food Control Service Plan 2023-24 'The Plan' (Appendix 1) and recommend its adoption by Full Council.**

3. Background

- 3.1. The Food Standards 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 city. Every local authority is required to develop an annual food service plan, which is the basis on which the local authorities are monitored and audited by the FSA.
- 3.2. The Service Plan recognises that resource may be required to assist Public Health in the event of future pandemic controls, which may be provided by Regulatory Services.
- 3.3. To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to an appropriate level of approval, which can be determined by the local authority.
- 3.4. The Legislative and Regulatory Reform Act 2006 requires Regulators to have regard to the Principles of Good Regulation. This means that activities should be carried out in a way that is proportionate, accountable, consistent and transparent. 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.
- 3.5. The Food Standards Agency directs the Authority on the priorities for inspection and interventions, which is based on risk. The details of the risk-based approach are detailed in the Food Law Code of Practice¹.
- 3.6. Regulatory Services completed all the targeted interventions that were required by the Food Standards Agency in 2022-23 based the recovery plan issued by the Agency.
- 3.7. Businesses are supported with advice, which assists them to comply with legislation. The plan also supports Southend businesses to export to the EU. This is achieved through the inspection of fishing vessels, reviewing controls at exporting premises and a certification service to enable goods to move freely across the EU.
- 3.8. The Service Plan for 2023-2024 is attached as **Appendix 1** and forms an integral part of the organisation of the Regulatory Services within Public Protection.
- 3.9. In accordance with the requirements contained within the Framework Agreement, the food service is a mix of enforcement, intelligence-based work, investigation, advice and education.
- 3.10. Progress through the Service Plan is monitored monthly. Resource will be directed to additional contracted inspections where required.

¹ The Food Law Code of Practice - <https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice>

4. Reasons for Decisions

- 4.1. To comply with the Food Standards Agency Framework Agreement and in line with the Food Standards Agency audit findings. The audit findings were agreed by Cabinet on 18 June 2013.

5. Other Options

- 5.1. The Food Standards Agency Framework Agreement sets out the statutory duty for Southend-on-Sea City Council to develop a Service Plan. There is no alternative to statutory duties and the inspection priorities are detailed in the Food Law Code of Practice. Deviation from these priorities may initiate an audit by the Food Standards Agency, and the authority may be required to agree an action plan to bring the inspection programme back into compliance.
- 5.2. The council could reduce the non-statutory activities, such as routine sampling, support for events and the certification of fishery products. This may reduce the council's ability to understand and respond to emerging issues which support the prosperity of the town.

6. Financial Implications

- 6.1. The Service Plan for 2023-2024 identifies resources allocated to the service and the budget is within the Regulatory Services' overall budget. The plan recognises that resource may be diverted to assist with emerging issues and the Service Plan may be altered in response to that demand.
- 6.2. Where relevant grant funding is available the service will make an application. Last year the service secured funding to undertake surveillance sampling for imported foods and to undertake a data cleansing exercise.
- 6.3. The report has been reviewed by a senior officer of the finance team.

7. Legal Implications

- 7.1. The FSA places a requirement on local authorities to develop a Service Plan and provides guidance on what should be contained within the plan.
- 7.2. The authority has the flexibility to decide locally whether the plan is approved at Member, Member forum or suitably delegated senior officer level.
- 7.3. The plan is in the Council's policy framework and is required to be recommended by Cabinet for adoption at Full Council.
- 7.4. Local Authorities are audited and assessed by the FSA on the basis of their compliance with the framework agreement.

8. Policy Context

- 8.1 Supports economic regeneration and business development and enhances tourism, cultural and the leisure offer, through the regulation and advice provided to businesses.
- 8.2 The plan also enables people to age well, live well and care well through enabling a safe food environment and to the promotion of preventing waste.
- 8.3 Contributes to Pride and Joy, Safe and Well, Opportunity and Prosperity and Active and Involved.

9. Carbon Impact

- 9.1. The plan adopts the principle of making every contact count. When completing interventions the team will assess against compliance with the new legislation on single use plastic use, including the use of straws. The purpose of this is to prevent waste and protect the natural environment. The Head of Climate Change has reviewed the report.

10. Equalities

- 10.1. An equalities impact assessment has been completed. Where potential impacts were identified there were measures in place within the plan to mitigate these impacts.

11. Consultation

- 11.1. There is no consultation undertaken on this plan as it is developed in line with the Food Standards Agency statutory requirements. The plan is publicly available following adoption.

12. Appendices

- 12.1. **Appendix 1** Official Feed and Food Control Service Plan 2023-24