

A meeting of the **LICENSING AND PROTECTION COMMITTEE** will be held in **CIVIC SUITE (LANCASTER/STIRLING ROOMS, PATHFINDER HOUSE, ST MARYS STREET, HUNTINGDON PE29 3TN** on **WEDNESDAY, 29 JUNE 2022** at **2:00 PM** and you are requested to attend for the transaction of the following business:-

AGENDA

1. MINUTES (Pages 5 - 10)

To approve as a correct record the Minutes of the meetings of the Licensing and Protection Committees held on 10th November 2021 and 18th May 2022.

Contact Officer: Democratic Services - (01480) 388234

2. MEMBERS INTERESTS

To receive from Members declarations as to disclosable pecuniary, other registerable and non-registerable interests in relation to any Agenda Item. See Notes below.

Contact Officer: Democratic Services - (01480 388169)

3. MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW ENFORCEMENT AND HEALTH AND SAFETY SERVICE PLANS (Pages 11 - 22)

To consider the monitoring report on the delivery of the Service Plans for the period 1 October 2021 to 31 March 2022, together with the cumulative figures for the year 1st April 2021 to 31st March 2022.

Contact Officer: C Deeth - (01480) 388233

4. SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2022-23 (Pages 23 - 50)

To consider the draft Service Plan for Food Law Enforcement 2022-23.

Contact Officer: Claudia Deeth - (01480) 388233

5. SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2022-23 (Pages 51 - 70)

To consider the draft Service Plan for Health and Safety Regulation 2022-23.

Contact Officer: Claudia Deeth - (01480) 388233

6. REPRESENTATIONS ON EXTERNAL ORGANISATIONS (Pages 71 - 72)

To make nominations to the organisations listed on the report by the Elections and Democratic Services Manager.

Contact Officer: Democratic Services - (01480 388169)

7. HACKNEY CARRIAGE FARE REVIEW

Interim Licensing Manager to update the Committee on the recent request from Hackney Carriage Proprietors to review the table of fares, which has been the subject of a consultation exercise from 31st May to 27th June 2022.

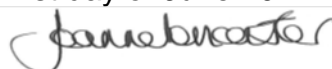
Contact Officer: Licensing - (01480) 387075

8. SUSPENSION & REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES (Pages 73 - 74)

To consider a report summarising the actions which have taken place since the 1st January 2022.

Contact Officer: Licensing - (01480) 387075

21st day of June 2022



Head of Paid Service

Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests.

Further information on [Disclosable Pecuniary Interests and other Registerable and Non-Registerable Interests is available in the Council's Constitution](#)

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Arrangements for these activities should operate in accordance with [guidelines](#) agreed by the Council.

Please contact Democratic Services, Tel: 01480 388234 / email: Democratic.Services@huntingdonshire.gov.uk if you have a general query on any Agenda Item, wish to tender your apologies for absence from the meeting, or would like information on any decision taken by the Committee/Panel.

Specific enquiries with regard to items on the Agenda should be directed towards the Contact Officer.

Members of the public are welcome to attend this meeting as observers except during consideration of confidential or exempt items of business.

Agenda and enclosures can be viewed on the [District Council's website](#).

Emergency Procedure

In the event of the fire alarm being sounded and on the instruction of the Meeting Administrator, all attendees are requested to vacate the building via the closest emergency exit.

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HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 10 November 2021

PRESENT: Councillors B S Banks, J R Clarke, Mrs A Dickinson, Mrs S A Giles, Mrs P A Jordan, L W McGuire, B M Pitt and R J West.

APOLOGYIES: Apologies for absence from the meeting were submitted on behalf of Councillors D J Mead and K I Prentice.

16 ELECTION OF CHAIRMAN

RESOLVED

that Councillor L W McGuire be elected Chairman of the Committee for the remainder of the Municipal Year.

Councillor L W McGuire in the Chair.

17 MINUTES

The Minutes of the meeting held on 22nd September 2021 were approved as a correct record and signed by the Chairman.

18 MEMBERS INTERESTS'

No declarations were received.

19 MONITORING REPORT ON THE DELIVERY OF THE FOOD LAW AND HEALTH AND SAFETY SERVICE PLANS

With the assistance of a report by the Operational Manager (People) the Committee received an update on progress made against the delivery of work on the Council's Food Law Enforcement and Health and Safety Plans during the period 1st July to 31st September 2021.

The Committee were informed that whilst performance had continued to be impacted by the ongoing Pandemic, the period had seen the return of a degree of normality with the reopening of businesses and the hospitality sector and the recommencement of full physical inspections for food hygiene businesses.

With regards to progress being made in the delivery of the Food Law Enforcement Service Plan, a Member commended on the number of food, water and environmental samples which had been conducted during the period. Members were informed this in part related to the ability of the team to visit the

sites and the reduced resources within the team had meant the priority had been given to food safety and food standards issues. Members were pleased to note that the service was now fully resourced which would address this issue.

Comment was also made with regards to the absence of any Alternative Enforcement Strategy inspections during the period and Members were informed that this was not an immediate concern given their low-risk status which could be assessed by alternative means. These would be followed up throughout the remainder of the year.

Having noted that the food hygiene training programme remains suspended, the Committee were informed that plans would be put in place to re-establish this programme now the Service was fully resourced. However, this may be impacted by the course of the ongoing pandemic.

Whereupon it was

RESOLVED

that progress on the delivery of the two Service Plans for the period 1st July to 30th September 2021 be noted.

20 TAXI LICENSING POLICY - PENALTY POINTS SYSTEM

Pursuant to Minute No. 21/8 the Committee received a report by the Operational Manager (People) (a copy of which is appended in the Minute Book) setting out a proposed Penalty Points System for inclusion with the District Council's Hackney Carriage and Private Hire Licensing Policy.

The Committee were informed that the proposal supports the recently issued Department for Transport Statutory Guidance and provides an opportunity to further enhance the District Council's current policies. It was intended to address lower-level enforcement functions where suspension or revocation was not deemed proportionate to the severity of the offence.

Members were advised that public consultation on the proposals had been undertaken between 19th July and 8th October 2021 and there had been no comments or representations received. It was confirmed that the maximum set of penalty points for minor offences would be set at 12, before a Driver, Vehicle Proprietor or Operator would be subject to more formal disciplinary proceedings.

In reviewing the proposals, the Committee discussed how the Policy would be utilised by Regulatory Officers employed by the District Council and emphasised the need for officers to be able to utilise their own discretion before issuing any penalty points. Members also noted that there would be a period of 21 days appeal period.

In response to a comment by a member regarding a specific problem currently being experienced in St Ives, Officers undertook to feedback to the Licensing Team for further investigation.

Having noted that it was proposed to implement the new scheme with effect from 1st January 2022, the Committee asked about the communications which would

be undertaken with drivers and operators in advance of this date. Members were assured that efforts would be made to communicate as widely as possible, with the Operators themselves being identified as a useful point of distribution to drivers. Copies would also be issued with all new applications.

Having noted the introduction of the new system would enable Officers to engage more effectively with those who were committing regular low level enforcement offences and having received feedback regarding the operation of the scheme at other authorities and as part of any Appeals process, it was

RESOLVED

- a) that the draft penalty points scheme as set out in Appendix 1 be approved for adoption and inclusion in the District Council's Hackney Carriage and Private Hire Licensing Policy (Annex 8); and
- b) that the Operational Manager (People) be authorised to make any minor amendments to the policy that are considered necessary as a result of any further legislation or guidance received during the policy period.

21 TAXI LICENSING POLICY

Pursuant to Minute No. 21/7 and with the assistance of report by the Operational Manager (People) (a copy of which is appended in the Minute Book) the Committee considered the contents of a revised draft Hackney Carriage and Private Hire Licensing Policy for the District Council which had recently been subject to a period of public consultation.

Members were advised that public consultation on the proposals had been undertaken between 19th July and 8th October 2021 and overall, there had been a positive response to the proposed changes. Member's attention was drawn to the responses set out in Appendix 2 to the report and those issues raised as part of the consultation which were not recommended for inclusion at this time. These were set out, together with the reasons for non-inclusion in the Executive Summary to the report which were reviewed by Members and clarification was sought where necessary.

In reviewing the proposed policy document, Members commented on the fact that medicals were only required to be undertaken by drivers on application and then every 6 years. However, the Committee were reassured to note that should a drivers medical circumstances change during the period of the licence, they were required to notify the Licensing Authority within a period of 7 calendar days.

Following a question as to whether carbon emissions were considered as part of the licensing of vehicles, the Committee were informed there was no indication that the trade was moving towards the use of environmentally friendly vehicles (hybrid, electric or LPG). Reference having been made to the findings and recommendations of the Cambridgeshire and Peterborough Independent Commission on Climate, Members were informed that environmental issues were being considered on a wider basis across the authority with a view to renewing Huntingdonshire's Strategy for the Environment, which would set the wider agenda of the Authority and may introduce further changes in this area in due course.

Clarification was also sought and provided on the implications of Section 7.3 and 7.4 of the Relevance and Treatment of Convictions Section within the Policy. Members were also reminded that there was always the opportunity drivers to appeal to elected Members or the Magistrates Court if they were unsatisfied with a decision made by the Licensing Authority.

Having noted the intention to distribute copies of the revised policy to all operators in the new year and to make a copy publicly available on the District Council's website, it was

RESOLVED

- (a) that the draft Licensing Policy – Hackney Carriage and Private Hire Licensing Policy as attached as an Appendix to the report now submitted be approved for introduction from 1 January 2022; and
- (b) the Operational Manager (People) be authorised to make any minor amendments to the policy that are considered necessary as a result of any changes in Department for Transport guidance or legislative change during the term of the policy.

22 SUSPENSION AND REVOCATION OF HACKNEY CARRIAGE AND PRIVATE HIRE LICENCES

With the aid of a report by the Licensing Team (a copy of which is appended in the Minute Book) the Committee noted the details of actions which had been taken since the last meeting under delegated authority.

In reviewing those cases which had been referred to appeal, Members sought and received further information on both cases.

Chairman

HUNTINGDONSHIRE DISTRICT COUNCIL

MINUTES of the meeting of the LICENSING AND PROTECTION COMMITTEE held in the Civic Suite, Pathfinder House, St Mary's Street, Huntingdon PE29 3TN on Wednesday, 18 May 2022 **ON THE RISING OF THE EMPLOYMENT COMMITTEE**

PRESENT: Councillors B S Banks, M L Beuttell, J Clarke, A E Costello, S J Criswell, S A Howell, A R Jennings, P A Jordan, P Kadewere, B M Pitt, D Terry and C H Tevlin.

1 ELECTION OF CHAIRMAN

RESOLVED

that Councillor B S Banks be elected Chair of the Committee for the ensuing Municipal Year.

Councillor B S Banks in the Chair.

2 MEMBERS INTERESTS

No declarations were received.

3 APPOINTMENT OF VICE-CHAIRMAN

RESOLVED

that Councillor C H Tevlin be appointed Vice-Chair of the Committee for the ensuing Municipal Year.

4 LICENSING TRAINING

The Committee noted that Mandatory Training for Committee Members would be held on Wednesday 25 May 2022.

Chairman

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter:	Monitoring Report on the Delivery of the Food Law Enforcement and Health and Safety Service Plans.
Meeting/Date:	Licensing and Protection Committee – 29 June 2022
Executive Portfolio:	Executive Councillor for Customer Services – Cllr S Ferguson
Report by:	Claudia Deeth – Interim Community Service Manager
Ward(s) affected:	All

Executive Summary:

The Food Law Enforcement Service Plan and Health and Safety Service Plan 2021-22 were approved by committee on 10 March 2021.

The report provides information about the delivery of the two Service Plans for Q3 and Q4 of 2021-22, the period 1 October 2021-31 March 2022 and it also provides cumulative figures for the year between 1 April 2021 and 31 March 2022.

Programmed work is delivered alongside reactive work, the volume of which by definition is impossible to predict. This work is carried out according to risk. Complaints and accident investigations are prioritised using risk-based selection criteria, and the volume of work is reported here to attempt to identify any emerging risks in terms of resource provision.

The Food Standards Agency permitted all planned food safety inspections to resume mid June 2021 and activities are being completed in line with the Food Standards Agency Recovery Plan.

Appendices 1 and 2 contain detailed information about the delivery of the Food Law Enforcement Service Plan. Appendix 3 contains detailed information about the delivery of the Health and Safety Service Plan.

Recommendation:

The Committee is asked to review progress and provide any comments considered appropriate on the delivery of the two Service Plans for Q3 and Q4 of 2021-22, the period 1 October 2021-31 March 2022.

1. PURPOSE OF THE REPORT

- 1.1 The report provides information about the delivery of the two Service Plans for Q3 and Q4 of 2021-22, the period 1 October 2021-31 March 2022 and it also provides cumulative figures for the year between 1 April 2021 and 31 March 2022.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Members have asked to be kept informed about the delivery of the work in the approved plans.

3. SERVICE AREAS COVERED BY THE REPORT AND ANALYSIS

- 3.1 Food Law Enforcement consists of the following areas of work:

- Planned activities such as routine inspections of food businesses, food and environmental sampling and the provision of food hygiene training courses;
- Unplanned (reactive) work such as the investigation of customer complaints, dealing with requests for compliance advice and following up notifications of food poisoning;
- Liaison with other departments in the interests of coordinated service delivery: in particular licensing and planning;
- Supporting national strategies and the wider public health agenda.

- 3.2 Appendix 1 and 2 provide details of the number of proactive and reactive activities that have taken place throughout the year compared to the number of activities predicted.

- 3.3 Health and Safety regulation consists of these areas of work:

- Planned activities such as unannounced inspections of high risk businesses and targeted interventions in line with the HSE's strategic aims;
- Unplanned (reactive) work such as the investigation of notifiable accidents, prescribed diseases, complaints and dealing with serious risks that are identified during other activities (Matters of Evident Concern);
- The provision of compliance advice to businesses.

- 3.4 Appendix 3 provide details of the number of activities that have taken place throughout the year compared to the number of activities predicted.

4. KEY IMPACTS / RISKS

- 4.1 The failure to monitor the delivery of the approved Service Plans could invite criticism from the Food Standards Agency and the Health and Safety Executive in their capacities as the national regulators.
- 4.2 Members have asked to be kept informed about the delivery of the approved Service Plans in order that they can comment on the way in which the service is provided as well as the available resources.

5. ACTIONS TAKEN AND PROGRESS AGAINST THE APPROVED PLANS

5.1 Food Safety Service Plan

5.1.1 The service plan for 2021-22 was approved during the Covid 19 pandemic without knowing what the impact of Covid 19 would be throughout 2021-22 and what restrictions there would be food businesses operating and officers undertaking inspections.

5.1.2 The Food Standard Agency permitted all planned food safety inspections to resume mid June 2021, prior to this all inspections were suspended. It is also noted that there was not a full compliment of authorised officers at this time and the service was not fully staffed until October 2021. These are the main reasons why the number of inspections completed was less than anticipated and remains as Red status in Appendix 1. Since inspections restarted they have been undertaken in line with the Food Standards Agency Recovery Plan focussing on the highest risk (A and B rated premises) and new businesses first. The Food Standards Agency Recovery Plan

5.1.3 Appendix 1 shows that the alternative enforcement strategy is currently at red; this is not however an immediate concern as these are our very low risk premises therefore considered appropriate to be assessed by other means than visits.

5.1.4 Appendix 2 refers to the number of unplanned, reactive activities undertaken. The number of customer complaints and service requests is driven by demand which was unpredictable throughout the pandemic, however, as businesses reopened over twice as many complaints and service requests were received in Q3 and Q4 compared to Q1 and Q2.

5.1.5 The food hygiene training programme remains suspended in a classroom format although training is available online through the Council's website. The team will be investigating the viability, and demand for, the reinstatement of classroom training courses in 2022-23.

5.2 Health and Safety

5.2.1 Over the last year, the Service's health and safety interventions have been impacted by Covid-19 in that most proactive inspections and non-inspection interventions, including face-to-face contact and visits, were suspended unless there was a significant cause for concern, in accordance with Government guidance. Where non-inspection

intervention visits were requested, most were dealt with by telephone and via photographs rather than undertaking face-to-face visits.

5.2.2 However, we continued to support businesses and work collaboratively with colleagues and agency partners to raise awareness of Health & Safety matters, providing advice and guidance on compliance, numbers of activities are shown in Appendix 2.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

6.1 These reporting arrangements support the wider corporate objectives to

- Create, protect and enhance our safe built environment
- Support people to improve their health and wellbeing
- Accelerate business growth and remove barriers to growth

7. CONSULTATION

7.1 No consultations are required as part of this report.

8. LEGAL IMPLICATIONS

8.1 None.

9. RESOURCE IMPLICATIONS

9.1 The failure to report the delivery of the approved Service Plans may prejudice the Council's ability to provide the necessary resources.

10. OTHER IMPLICATIONS

10.1 None.

11. REASONS FOR THE RECOMMENDED DECISIONS

11.1 To keep Members informed about the delivery of the approved Service Plans.

12. LIST OF APPENDICES INCLUDED

Appendix 1 - Food Safety Service Plan: Programmed (proactive) Activity
Appendix 2 - Food Safety Service Plan: Reactive Activity
Appendix 3 - Health and Safety Activity

CONTACT OFFICER

Name/Job Title: Claudia Deeth – Interim Community Service Manager
Tel No: 01480 388233
Email: claudia.deeth@huntingdonshire.gov.uk

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Appendix 1 – Food Safety Service Plan: Programmed (proactive) Activity

Proactive Tasks	Level of Activity				Progress
	Predicted activity 2021-22	Recorded activity Q1 & Q2 1 April 2021-30 September 2022	Recorded activity Q3 & 4 1 October 2021-31 March 2022	Total activity 2021-22	RAG Status
Programmed food hygiene inspections (risk group A-D, new food businesses, FHSR scoring, ceased trading and closed premises inspections)	492	125	266	391	Amber
Alternative Enforcement Strategy (AES) (e.g. cake makers and childminders)	110	0	0	0	Red
Revisits	20	3	10	13	Amber
Primary Authority Partnership Activity – includes requests for advice, attendance at meetings and provision of training	2 hrs	0 hrs	0 hrs	0 hrs	Amber
Other proactive visits (food, water and environmental samples/advisory)	100	1	18	19	Red
Prosecutions and cautions	2	0	0	0	Green
Formal action (service of notices, closures)	10	0	0 (2 voluntary closures)	0	Green

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Appendix 2 – Food Safety Service Plan: Reactive Activity

Reactive Tasks	Level of activity				Risk Monitoring
	Predicted Activity 2021-22	Recorded activity Q1 & Q2 1 April 2021-30 September 2022	Recorded activity Q3 & 4 1 October 2021-31 March 2022	Total activity 2021-22	RAG Status
Complaints and service requests about food and about/from food businesses	550	138	395	533	Green
FHRS re-score requests (low is good)	30	2	11	13	Green
Food, water and environmental samples taken	25	2	24	26	Green
Infectious disease control - notifications of food-borne/food poisoning illnesses (low is good)	80	4	11	13	Green
FSA food alerts for action	2	1	0	1	Green

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Appendix 3 – Health and Safety Activity

Activity	Level of Activity			
	Predicted activity 2021-22	Recorded activity Q1 & Q2 1 April 2021-30 September 2021	Recorded activity Q3 & 4 1 October 2021-31 March 2022	Total activity 2021-22
Premises inspections and interventions (including activities identified in Work Plan)	10	1	36	37
Health and safety complaints and requests for service (including advice to business/enquiries) *	125	60	17	77
Accident and dangerous occurrence investigations commenced **	50	46	22	68
Specific smoke free enforcement visits***	0	0	0	0
Matters of Evident Concern (MEC)****	30	3	0	3
Health and safety promotional activity	0	0	0	0
Liaison with other organisations	0	1	2	3

* This figure includes statutory notifications about working with asbestos, Adverse Insurance Reports (AIR) about unsafe work equipment and requests for advice and information. The diversity of work illustrates the importance of maintaining resources in order that effective investigations can be carried out.

**The selection of accidents for investigation is founded upon the risk-based criteria in Local Authority Circular (LAC) 22/13.

*** This figure is driven by the number of relevant complaints received by the service.

**** Matters of Evident Concern are significant health and safety problems that officers have noted during non-health and safety activities. (The fewer the better)

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Service Plan Food Law Enforcement 2022-23

Meeting/Date: Licensing and Protection Committee – 29 June 2022

Executive Portfolio: Executive Councillor for Customer Services – Cllr S Ferguson

Report by: Claudia Deeth – Interim Community Service Manager

Ward(s) affected: All

Executive Summary:

Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement functions within the district. The Food Standards Agency (FSA) is the Central Competent Authority and National Regulator for food safety and hygiene issues within England and it requires every local authority (food authority) to outline how it will fulfil its duty to deliver official food controls within the district. The arrangements detailing how and at what level the official controls will be delivered must be laid down in the form of a Service Plan for Food Law Enforcement ('Service Plan') and approved by the Council.

Guidance on the content of the Food Enforcement Service Plan is contained within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations and the FSA's Food Law Practice Guidance (England).

The food safety and hygiene enforcement function is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader

The purpose of the Service Plan is to explain how that enforcement function will be delivered. It also details the resources required to deliver it, together with a review of the previous year's performance.

Recommendations:

The Committee is asked to:

- 1. Comment on, and if in agreement approve the Service Plan for Food Law Enforcement 2022-23 in accordance with the Council's Constitution.**
- 2. If in agreement with the approval of the Service Plan, delegate to the Interim Community Service Manager the ability to update the 2021-22 performance data within the Service Plan prior to publication.**
- 3. Request Quarterly reports to monitor progress against the Service Plan.**

1. PURPOSE OF THE REPORT

- 1.1 The report formally presents the Food Law Enforcement Service Plan 2022-23 (Appendix 1) to the Licensing and Protection Committee. It invites their comments and their approval of the Plan. This enables the Council to discharge its duty as an enforcing authority for food safety and hygiene.
- 1.2 The Council's Constitution allows the Licensing and Protection Committee to consider and approve Service Plans.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement within the district. The Food Standards Agency (FSA), as England's Central Competent Authority and National Regulator for food safety and hygiene requires every local authority to outline how it will fulfil its duty to deliver official food controls within the district. The FSA requires local authorities to lay down details of the arrangements in the form of a Service Plan, specifying how and at what level the official controls will be delivered. This requirement is formalised within the FSA's 'Framework Agreement on Official Controls by Local Authorities', which was developed in consultation with local authorities, the LGA and other professional organisations and the FSA's Food Law Practice Guidance (England).
- 2.2 The food safety and hygiene enforcement function is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader. The officers providing the service also deliver the statutory functions for health and safety and infectious disease control. The team aims to support business to comply with the legislation by using a range of enforcement tools including advice, training, promotional campaigns and social media.
- 2.3 The purpose of the Service Plan is to explain how that service will be delivered. It also details the resources required to deliver the service, together with a review of the previous year's performance.

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 The Service has considered the requirements of the FSA Framework Agreement, the Corporate Plan 2018-22 when developing the Service Plan.
- 3.2 The predicted 2022-23 figures based upon work delivered since 1 April 2021, information held on the Environmental Health and Licensing management system premises database and guidance given in the FSA Recovery Plan. It is noted that the Covid 19 pandemic impacted on the work that took place during 2021-22. Food businesses are inspected according to their inspection rating category. The highest risk businesses

(category A) are the subject of an inspection, partial inspection or audit at least every 6 months whereas the lowest risk businesses (category E) are subject to alternative enforcement strategies. The plan highlights the number of interventions required and the flexibility available in how these might be approached.

3.3 Key priorities for the coming year include:

- Final implementation of and embedding of the new Environmental Health and Licensing management system went live in April 2021.
- Update of Standard Operating Procedures (SOPs) to align with the new system and permanent reporting structure for Community.
- Review our programme of training courses and investigate the viability of the reinstatement of classroom training courses.
- Promote the service as widely as possible collaborating with the Communications Team to use all available media outlets and support any relevant national strategies such as the FSA's National Food Safety Week.
- Publish a newsletter for food businesses to promote good practice and provide relevant guidance and information.
- Continue to undertake official controls (including proactive food hygiene inspections) in line with the requirements of the Foods Standards Agency code of practice.
- Continue to provide a reactive food hygiene service responding to the concerns of residents of Huntingdonshire, the customers of Huntingdonshire food businesses and new challenges such as food poverty and scarcity of certain foods.

4. KEY IMPACTS / RISKS

- 4.1 The failure to produce and have approved a Service Plan could invite criticism from the FSA in their capacity as national regulator.
- 4.2 The integration and implementation of the new Environmental Health and Licensing management system is continuing and has created challenges impacting on efficiency which are being worked through.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Service Plan will be delivered during the 2021-22 financial year.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The Service Plan supports the Council's Corporate Plan 2018-22 and is appended to the overarching Service Plan for the Council's Community service area.

7. CONSULTATION

7.1 No consultations required as part of this report.

8. LEGAL IMPLICATIONS

8.1 The FSA has a key role in overseeing official food controls undertaken by local authorities. Powers enabling the Agency to monitor and audit local authorities are contained in the Food Standards Act 1999 and the Official Feed and Food Controls Regulations.

8.2 The Framework Agreement on Official Feed and Food Controls by Local Authorities issued by the FSA recognises that Service Plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.

8.3 This Plan replaces the 2021-22 Service Plan and builds upon the aim of providing support for local business. Service Plans must include a review of performance in order to consider any variances from meeting the requirements of the previous service plan and to identify areas for improvement

8.4 The authority has a duty to comply with the Framework Agreement. These duties include requirements for the planning, management and delivery of the local food law enforcement service.

9. RESOURCE IMPLICATIONS

9.1 The budget for 2023-23 is slightly increased and reflects that the service is now fully staffed and the 2% annual pay award. Achievement of income targets will depend on requests for export certificates and the number of FHRS rescore visits coming through from business. The number of formal training sessions delivered will also impact on income generated.

10. OTHER IMPLICATIONS

10.1 The FSA expects local authorities to carry out official controls in an effective, risk based, proportionate and consistent way. The production and delivery of the Service Plan sets out how we meet those expectations.

11. REASONS FOR THE RECOMMENDED DECISIONS

11.1 Huntingdonshire District Council is required to produce and approve a Food Law Enforcement Service Plan. This draft Plan gives the Committee an opportunity to comment on the priorities identified and shape delivery of the service to ensure that the Council can deliver its statutory function according to local circumstances and within approved resources.

12. LIST OF APPENDICES INCLUDED

Appendix 1 – Draft Food Safety Service Plan

CONTACT OFFICER

Name/Job Title: Claudia Deeth – Interim Community Service Manager
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COMMUNITY DIVISION

SERVICE PLAN FOR FOOD LAW ENFORCEMENT 2022-23

**Drawn up in accordance with the
Food Standards Agency Framework Agreement**

For approval by Licensing & Protection Committee 29 June 2022

June 2022

INTRODUCTION

This is Huntingdonshire District Council's Food Safety Service Plan. It covers all the elements of food safety and hygiene for which the Council has statutory responsibility.

The requirement to have a Service Plan is laid down by the Food Standards Agency (FSA) in its *Framework Agreement on Official Feed and Food Law Controls by Local Authorities, 2010, Amendment number 5*. One of the FSA's aims is to make Local Authorities' delivery of official controls effective, risk-based, proportionate and consistent.*

This Service Plan outlines how Huntingdonshire District Council aim to deliver official food law controls in 2022-23. Any references to work delivered in 2021-22 are based upon data recorded between 1 April 2021 and 31 March 2022. The references to programmed work for 2022-23 are based on predictions made from the risk rated premises database on 31 March 2022.

** Framework Agreement on Official Feed and Food Law Controls by Local Authorities, 2010, Amendment number 5*

EXECUTIVE SUMMARY

AIMS AND OBJECTIVES

The overall aim of the service is to work with businesses and consumers to secure the production, distribution and service of safe and wholesome food within Huntingdonshire. The plan is linked to Huntingdonshire District Council's Corporate Plan 2018 – 2022 which strives to support a safe and healthy environment, deliver economic growth and provide value for money services for the people of Huntingdonshire. Covid 19 has impacted greatly on the service over the previous two years and continues to do as the regulatory delivery is restarted in line with the FSA's Local Authority Recovery Plan.

These are the key objectives which contribute to the overall aim of the plan:

- Planned and reactive inspections of registered and approved food establishments in line the FSA's Local Authority Recovery Plan, dealing with the highest risk overdue inspections and new businesses first.
- The investigation of service requests and complaints relating to food and food premises.
- The submission of samples of food and water and environmental swabs for analysis following the UK Health Security Agency's (UKHSA) targeted studies.
- The investigation of cases and outbreaks of food-borne and food poisoning illnesses.
- Delivery of the Food Hygiene Rating Scheme.
- Promotion of key messages for consumer safety.

A balanced programme of work is proposed for 2022-23 which incorporates a full range of official food controls. Due to the nature of the service some interventions are carried out during evenings and weekends. The plan is based upon the service being fully staffed. This plan will incorporate the recovery plan implemented to address the backlog of food inspections created by Covid 19 pandemic.

DEVELOPMENT PLAN

The following developments are planned during 2022-23. This work is in addition to the proactive and reactive work undertaken as part of the normal daily workload. It is linked to the objectives and outcomes identified in the Corporate Plan and any regional or national strategies.

- The new Environmental Health and Licensing Management system went live in April 2021. The system is being used but work is ongoing to get the most out of the system and embed it fully into everyday work, there are still issues with reporting and accuracy of migrated data to work through.
- Now the system is live Standard Operating Procedures (SOPs) will need to be updated to align with the new system and remote working initiatives.
- The Community Service is currently operating under an interim structure and once a permanent structure is in place this will also need to be reflected in the SOPs.
- Review our programme of training courses in light of the broader acceptance of online training to help food businesses comply with food hygiene requirements and to help them achieve the highest possible food hygiene rating for their business. Investigate the

viability of the reinstatement of classroom training courses.

- Continue to integrate the FSA's Online Registration system for all food businesses into the Environmental Health and Licensing Management system. The system went live in 2021 after delays following Covid 19.
- We will continue to provide data to the FSA on food business registrations to inform the development of their policies and path towards modernisation of the food hygiene delivery module.
- As the transition of European legislation into UK law continues, continue to ensure staff are trained and businesses are kept up to date via direct contact, social media and HDC website.
- Promote the service as widely as possible collaborating with the Communications Team to use all available media outlets and support any relevant national strategies such as the FSA's National Food Safety Week.
- Publish a newsletter for food businesses to promote good practice and provide relevant guidance and information.
- Continue to undertake official controls (including proactive food hygiene inspections) in line with the requirements of the Foods Standards Agency code of practice.
- We will actively implement any new guidance issued by the FSA regarding allergens.
- Continue to provide a reactive food hygiene service responding to the concerns of residents of Huntingdonshire, the customers of Huntingdonshire food businesses and new challenges such as food poverty and scarcity of certain foods.

SECTION 1: FOOD SAFETY SERVICE - AIMS AND OBJECTIVES

1.1 Aims and Objectives

The overall aim of the service is to ensure that food placed or intended to be placed on the market for human consumption which is produced, stored, distributed, handled or purchased within Huntingdonshire is without risk to public health or the safety of the consumer. This is fulfilling our statutory duty under the Food Safety Act 1990 and the Food Hygiene and Safety (England) Regulations 2013. There are several key objectives which contribute to the delivery of the overall aim.

- The delivery of a programme of inspections and other interventions in accordance with the FSA's Code of Practice
- To respond to complaints and requests for service in accordance with any internal service standards
- To respond to any FSA Food Alerts for Action (FAFA) subject to available resources

1.2 Links to Corporate Objectives and Plans

The Service Plan supports the Council's Corporate Plan 2018-22 and is appended to the overarching Service Plan for the Council's Community service area. It is acknowledged that the Corporate Plan is being updated but the 2018-22 plan remains the current published plan. It contributes to several of the Strategic Objectives, with particular reference to the following:

Create, protect and enhance our safe built environment – dealing with significant breaches of food safety requirements which have the potential to put the public at risk

Develop more resilient communities to help people help themselves – the provision of information and advice to businesses and to the wider public ensures that those businesses who achieve compliance are rewarded and the public can use this information to inform their decisions on where to eat

Accelerate business growth and remove barriers to growth – the provision of compliance advice to new and emerging businesses in order to help them “get it right first time”. Signpost businesses to other teams such as Economic Development where they can obtain advice and guidance on growth.

Become a customer focused organisation – dealing with new and established businesses in an advisory and educative way in order to build sustainable and trusting relationships at an early stage (see 3.5) and maintain these to ensure compliance throughout the lifecycle of the business.

SECTION 2: BACKGROUND

2.1 Authority Profile

- 2.1.1 Covering almost 360 square miles and situated in the valley of the Great Ouse, the District of Huntingdonshire forms the most westerly part of Cambridgeshire. It is the largest district in the County by both land area and population. The 2021 population is estimated to be 182,420 and is forecast to grow to 212,200 by 2036 (data from Cambridgeshire Insight).

- 2.1.2 The main centres are the market towns of Huntingdon, St Neots, St Ives, Yaxley and Ramsey. A large proportion of the district is rural, with village settlements providing the main population centres and facilities outside the market towns.
- 2.1.3 The employment rate in the district is 77.4% with 79% of people being economically active (1 January 2021 – 31 December 2021) 98% of businesses are classified as small or micro (2021) (Office for National Statistics; nomis UK).

2.2 Organisational Structure

- 2.2.1 The food safety service is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader. The Environmental Health Team Leader reports to the interim Community Service Manager who reports to the Chief Operating Officer.
- 2.2.2 The Environmental Health Team Leader is responsible for the day to day management and co-ordination of the food safety service supported by a Lead Food Officer acting as the technical expert on food safety related matters.
- 2.2.3 There are six officers in the Business Team with specific responsibility for the delivery of the food safety service of which 4.8 FTE is allocated to food safety or approximately 85% of the teams available time. The officers are a combination of Environmental Health Officers, Environmental Health Protection Officers and a Graduate Environmental Health Officer.
- 2.2.4 Each officer has been allocated a specific geographical area which contains a diverse range of food businesses. The number and type of businesses is consistent with the officer's knowledge and experience. There is a "buddy" system in place to ensure that at least two officers have some knowledge of specialist or unusual businesses.
- 2.2.5 The service uses several agencies and companies to support the delivery of official food controls. These are summarised in the table below.

Table 1: Provision of External Services

Name of Organisation	Type of Service	Frequency of Service
UK Health Security Agency and East of England Health Protection Team, Thetford and Colindale	Microbiological food and water sampling and advice on infection and disease control	Weekly, as required
Anglian Water, Huntingdon	Chemical and microbiological water sampling	As and when required
Campden BRI	Food and foreign body/contaminant examinations and identifications	As and when required via annual subscription

Chartered Institute of Environmental Health (CIEH)	Information and advice. Materials for food hygiene courses	Weekly
Food Standards Agency (FSA)	Monitoring of performance, Information and advice	Daily Communication

2.3 Scope of the Food Service

2.3.1 The food safety service consists of the following elements

- Food safety advice and enforcement, proactive and reactive, including interventions, inspections, requests for service and working with businesses, including event organisers, other regulators and members of the public
- Provision of health certificates for exported foods which is anticipated to increase with Brexit
- Investigations and control of food poisoning and food-borne disease and other relevant infections as a result of information from businesses, members of the public and at the request of the Consultant in Communicable Disease Control (CCDC)
- Responding to food alerts and requests for action from the FSA and other regulatory bodies
- Sampling of food and water supplies
- Work with the colleagues in the wider Environmental Health team to investigate complaints about refuse, drainage and odour nuisance associated with food businesses
- Consultee for premises licences and planning applications.
- Remain prepared to undertake additional duties should it be required as part of any further HDC response to Covid 19 i.e. in the case of a new variant of concern

2.3.2 The officers undertaking the food safety service are also responsible for health and safety regulation and the smoking in public places legislation.

2.4 Demands on the Food Service

2.4.1 As of 1 April 2022, there are currently 1721 food businesses on the database, plus a number of business who have registered and are waiting to be added to the database. This is an increase of 57 food businesses over 2021-22. This figure includes home-based cake-making businesses, child-minders and businesses based outside of the district but which trade within it. It does not include businesses which only trade occasionally or temporarily within the district such as at Continental Markets or community events.

Table 2: Breakdown of food business in Huntingdonshire by FSA classification. Figures in brackets show 2021-22 data

Primary Producers (e.g. farms)	25 (34)
Manufacturers/Packers	58 (55)
Importers	4 (4)

Distributor/Transporters	63 (70)
Food Retailers	336 (261)
Caterers – restaurants, cafes, hotels, mobile traders, pubs, clubs and takeaways	1223 (1013)
Outside district	12 (62)
Total	1721 (1499)

2.4.2 Food businesses are inspected according to their inspection rating category. The highest risk businesses (category A) are the subject of an inspection, partial inspection or audit at least every 6 months whereas the lowest risk businesses (category E) are monitored using alternative enforcement approaches. New businesses are classified as “Unrated”. The breakdown of premises by inspection rating category is :-

Table 3: Breakdown of food premises by inspection rating category

	A	B	C	D	E	Unrated
As at 31/03/2021	5	53	304	451	492	119
As at 31/03/2022	4	46	333	481	713	132

2.4.3 Food hygiene regulations require certain premises which handle food products of animal origin to be approved by virtue of their nature, scale or complexity. Within Huntingdonshire there are eleven approved premises: five approved for meat products; three approved for egg packing; one for meat and fish; and two approved for dairy/composites.

2.4.4 There are three manufacturing businesses which regularly supply food to non-EU countries and which require an Export Certificate for each consignment. These arrangements support the businesses in question and have generated income of £12,240 during 2021-22, this is up from 2020-21 which was £8,500.

2.4.5 There has been an increase in export certificates to non EU countries but as yet no increase for certificates to the EU since Brexit. This is due to the low number of manufacturers in the district and currently there being no businesses that we are aware of which fall under the remit of the local authority for the export of meat/meat products. All officers have taken the Food Competent Certifying Officer (FCCO) training qualification. FCCO's are authorised by and act on behalf of Animal and Plant Health Agency (APHA) and must be employed by a Local Authority (LA). FCCOs act on behalf of APHA to certify certain Export Health Certificates (EHCs) to other countries.

2.4.6 The impact of Brexit is becoming clearer, however, legislation and guidance is still emerging relating to import controls and some of the controls due to be implemented in July 2022 have been postponed

2.4.7 There are also businesses that use complex equipment such as vacuum packing

machines and businesses carrying out complex processes such as sous-vide, cook-freeze and the curing of meat products. Suitably qualified and trained officers carry out interventions in businesses associated with specialist and complex processes and equipment.

2.4.8 Throughout the pandemic the work of the Food Service officers had realigned priorities and as the inspection programme paused following FSA guidance officers supported the NHS Test, Track and Trace scheme and implemented the various Coronavirus Regulations which placed restrictions on businesses. As we have moved to live with Covid and business as usual this work has now ceased although it is acknowledged the Food Service could be called on again to provide this support in future.

2.4.9 The Environmental Health team is based on the first floor of Pathfinder House, St Mary's Street, Huntingdon. Customers can contact officers in the following ways:

- In person or by telephone between 08:45 and 17:00hrs Monday to Thursday, 08:45 and 16:30hrs Friday (01480 388302)
- By fax on 01480 388361
- By email: EnvHealth@huntingdonshire.gov.uk or food@huntingdonshire.gov.uk
- Advice and information about good practice and the service is available on the Council's website.
- Since Covid the officers have adopted a combination of home and office work

Officers are not on standby outside office hours but arrangements have been made with the FSA, Cambridgeshire Constabulary and UKHSA so that officers can be asked to respond to major incidents and emergencies during evenings and weekends.

2.4.10 The following factors can have an impact on the delivery of the Service Plan:

- An outbreak of food poisoning or a work-related death as the same officers covering food safety also cover health and safety in the workplace.
- Major outdoor events during the course of a year which involve food safety, water and health and safety considerations. Preparation for such large-scale events can account for 60 - 80 hours of officer time, since the pandemic large events have restarted and there are a number of large events booked to take place in 2022-23 including one event for 30,000 attendees and another for 20,000 attendees.
- Officers may have to respond to FSA Food Alerts for Action. Some can be very time-consuming, particularly if they require action to be taken to identify and if necessary remove suspect or unsafe food from the food chain.
- There are three food businesses which regularly export food products to countries outside the EU. These products require an Export Certificate and additional checks may need to be carried out before the certificate is issued. 136 certificates were issued during the last year which has increased since Brexit, in 2020-21 90 certificates were issued.
- The implementation of changes to existing legislation, Codes of Practice, Government guidance and monitoring arrangements have resource implications for the service.
- The continuing impact of Covid 19 is a major issue for the overall delivery of the food safety programme, inspections were placed on hold and have now restarted with officers back to undertaking inspections in person and working through the

backlog focussing on highest risk and new businesses.

2.5 Enforcement Policy

- 2.5.1 In February 2018 Huntingdonshire District Council adopted a Corporate Enforcement Policy. This sets out its approach to proportionate, transparent, fair and effective regulation and enforcement, following the principles set down in the Regulators Code. This overarching framework is intended to provide customers with a clear understanding of the Council's approach to regulatory and enforcement activity.
- 2.5.2 In order to promote consistent and proportionate enforcement the service is an active member of Cambridgeshire and Peterborough Food and Safety Group. Senior officers represent the council at these meetings which seek to share best practice and liaise with wider partners. Task and finish groups are periodically set up to develop consistency exercises, training programmes or peer review models.

SECTION 3: SERVICE DELIVERY

3.1 Interventions at food businesses

- 3.1.1 These consist of the "official food controls" specified in the Food Law Code of Practice together with any other activities where the purpose is to monitor compliance with food hygiene law. There are around 864 A - D businesses that will require some sort of intervention during 2022-23. Progress will be reported on a quarterly basis.
- 3.1.2 The food hygiene intervention rating is used to determine the type of intervention that is suitable for that particular operation. Unannounced inspections are carried out at businesses in categories A, B, C and D unless they are based in a domestic premises. Category A and B interventions may comprise an inspection, partial inspection or audit at appropriate intervals. Category C premises will be assessed using either a full/partial inspection or audit, until they are deemed broadly compliant, once this is achieved planned interventions may alternate between the above and another type of official control. Category D premises will be subject to alternate official control and non-official controls unless they are also rated 30 or 40 for "type of food and method of handling" when they are restricted to a full/partial inspection or audit. Other official controls comprise food sampling, surveillance, verification visits and audits.
- 3.1.3 The Code of Practice allows local authorities to use Alternative Enforcement Strategies (AES) for Category E businesses. The AES approach typically involves the completion of a self-assessment questionnaire by the business. There are currently 608 out of 712 Category E businesses overdue, this is largely due to inspections stopping during the pandemic and the restart focussing on the highest risk premises.
- 3.1.4 Other interventions that are not official controls include education, advice, coaching at a food establishment and information and intelligence gathering.
- 3.1.5 There are approximately 142 businesses on the database at which the nature of the operation is either temporary, so low as to present little or no public health risk or unlikely to be viewed as a food business by the general public. These premises cannot be removed from the database but are excluded from the scope of the Food Hygiene Rating

Scheme. The available resources mean it is very unlikely that they will be inspected but they may be captured by AES approaches or visited in response to complaints.

- 3.1.6 Planned inspections do not include inspections of new businesses or those which change hands during the year. Nor do they include inspections of temporary or occasional businesses at markets, fairs or large public events.
- 3.1.7 Food businesses that fail to comply with significant statutory requirements must be subject to appropriate enforcement action and revisit(s). Such businesses will be identified by a compliance score of 15 or higher for hygiene and/or structure and/or a confidence in management score/control procedures score of 20 or higher as laid out in the Intervention Rating Scheme described in the Food Law Code of Practice.
- 3.1.8 The frequency at which businesses must be inspected is outlined in Chapter 5 of the Food Law Code of Practice December 2021. Information gathered at inspection is also used to determine the Food Hygiene Rating Scheme (FHRS) score. The FHRS is operated in accordance with the FSA Brand Standard May 2021. Businesses can appeal against their rating and can also request a rescoring visit (subject to the payment of a fee) after the inspection upon which their rating was based. During 2021-22 there have been 13 re-score requests, compared to 9 in 2020-21.
- 3.1.9 All officers who carry out official food controls are authorised in accordance with the Code of Practice.
- 3.1.10 Officers will also carry out spot checks at businesses if they have concerns or intelligence about the business or about a specific activity within a business. The outcome of a spot check may affect future planned inspections of the business.

3.2 Complaints and Requests for Service

- 3.2.1 These generally fall into one of the following categories:

Complaints about the food premises themselves (e.g. poor staff hygiene, allegations of pests, poor standards of cleanliness)

Complaints about the condition or contamination of food (extraneous matter, mould, dirty containers)

Complaints about food labelling and food information ('use by' dates and allergen information).

- 3.2.2 Based on previous years it is estimated that there is expected to be about 500 complaints/requests for service in 2022-23, which is in line with previous years (533 complaints/requests for service were received in 2021-22). Progress against this will be reported quarterly.

3.3 Primary Authority Scheme

- 3.3.1 Primary Authority is based on legal partnerships between businesses and local authorities. The scheme was originally launched in 2009 but has since expanded so all businesses can benefit from access to relevant, authoritative tailored advice.

3.3.2 In line with corporate priorities to support local businesses, further opportunities to develop the primary authority scheme will be pursued subject to resourcing.

3.4 Advice to Businesses

3.4.1 Officers provide information and advice to businesses to help them comply with the law and to encourage the use of best practice. This is part of our enforcement policy and is achieved through a range of activities including:

- Advice to new businesses
- Advice during the course of inspections and other visits
- Site visits on request - where appropriate and resources allow
- Proactively contacting businesses to comment on plans at the planning application stage
- Proactively contacting businesses to comment on applications for premises and temporary licences
- Publication and distribution of a food and safety newsletter to all businesses
- Maintenance and development of the website with links to the FSA's website.
- Key information issued via Council website and social media by the Communications Team.

3.4.2 These activities are integrated into the service's general interventions and food safety promotion functions. There have been 43 requests for advice/training in the first two months of 2022-23 and it is expected that there will be at least as many in 2022-23 as 2021-22 where there were 184 such requests.

3.5 Food and Environmental Sampling

3.5.1 Sampling is a recognised official food control. In 2022-23 the commitment to sampling will continue following the UKHSA on targeted studies.

3.5.2 Sampling is undertaken by all officers working in the service.

3.5.3 UKHSA does not currently charge for the analysis of samples.

3.5.4 All sampling will be carried out in accordance with relevant legislation, the Code of Practice issued under the Food Safety Act 1990, guidance on the sampling intervention designed by UKHSA and the departmental Standard Operating Procedure (SOP).

3.6 Food Safety Incidents

3.6.1 FSA food alerts for action will be dealt with in accordance with:

- the departmental SOP
- the Food Law Code of Practice issued under the Food Safety Act 1990 and
- any instructions issued by the FSA.

3.6.2 Most food alerts are Product Withdrawal Information Notices or Product Recall Information Notices which require little or no action. There are a significant number of allergy alerts but these too require little or no action or are dealt with by Trading Standards

Officers (TSOs). Occasionally TSOs may ask for our support. Food Alerts for Action (FAFA) and ad hoc requests for action may have an impact upon programmed work but the numbers are relatively low.

- 3.6.3 Given the nature of food alerts, it is impossible to predict the likely demands and requisite resources with any accuracy. If a food alert is associated with a business based within Huntingdonshire then officers will be expected to devote more time to that alert than to one which originates elsewhere.

3.7 Liaison with Other Organisations

- 3.7.1 The Council recognises the importance of ensuring its enforcement approaches are consistent with those of neighbouring local authorities. Officers have access to the LGA Knowledge Hub and there is dialogue and liaison in a number of settings:

- Cambridgeshire and Peterborough Food and Safety Group (CPFSG)
- Cambridge Water Company Liaison meetings
- Anglian Water Liaison meetings
- Tascomi User Group
- FSA regional events
- UKHSA/Environmental Health liaison days
- CIEH update events

- 3.7.2 The CPFSG promotes consistency between officers and authorities and where possible produces common policies and procedures. Where appropriate, subgroups can be convened to deal with a specific issue. The membership includes Lead Food Officers from Cambridgeshire and Peterborough as well as representatives from UKHSA, the FSA and Trading Standards.

- 3.7.3 There is routine liaison and contact with officers from Development Control, Planning Enforcement, Building Control, Business Rates, Fraud, Licensing and Legal as well as liaison and consultation with the Town Centre Managers where appropriate.

3.8 Food safety and standards promotional work

- 3.8.1 The main priority for the year will be the inspection programme.

- 3.8.2 However, there are four key drivers which contribute to the service and work priorities. In broad terms they are as follows.

- **Intervention driven:** work which is largely determined by the FSA Food Law Code of Practice. In the main this consists of programmed inspections and interventions at frequencies prescribed by the Code of Practice together with revisits and enforcement action in accordance with the Enforcement Policy
- **Demand driven:** work in response to complaints and requests for advice and guidance; investigation of food poisoning notifications; responses to FSA Food Alerts (in particular those which require action); and liaison with other Council services in support of wider corporate objectives
- **Intelligence driven:** responses to credible or verifiable information which suggests a risk to public health

- **Education driven:** the provision of advice, education and support to businesses and consumers; supporting national campaigns and strategies which are in the interests of public health and/or consumer safety (e.g. Food Safety Week).

3.8.3 Subject to resources promotion proposals for 2022-23 include the following:

- Promotion of online food hygiene training
- Promotion of the National Food Hygiene Rating Scheme (FHRS)
- Production of food safety newsletters sent to all businesses on our database
- Hygiene and food safety linked press releases
- Maintenance and development of relevant information on the Council's website
- Providing support to existing businesses and to new businesses on food safety legislation, compliance and best practice
- Contribute to any further requirements to support any future pandemic response

3.9 Control and Investigation of Food-related Infectious Diseases

3.9.1 Officers will investigate food-related infectious disease notifications in accordance with protocols agreed with the Consultant in Communicable Disease Control (CCDC), Anglian Water and Cambridge Water Company. The general aims of any investigation are to identify the source and cause of the infection and prevent further spread.

3.9.2 Due to work priorities of UKHSA for covid very little information in the form of notifiable disease notifications have been forthcoming for food poisonings. It is not clear if this will change as they move back to 'Business as Usual'. Therefore, it is difficult to analyse any trends in notifications with any certainty.

3.9.3 The Council has appointed the Consultant in Communicable Disease Control (CCDC) from UKHSA as the 'Proper Officer' under the Public Health (Control of Disease) Act 1984.

SECTION 4: RESOURCES

4.1 Financial Allocation

4.1.1 The budget for 2022-23 is shown in the Table below

Table 4: Food Safety Service Budget 2022-23

	2022-23
Direct Costs	£
Employees	
Salary (NI, Pension, training)	241,600
Transport, mileage	4,000
	245,600
Other	
Equipment, furniture and materials	1,450
Premises hire	600
Laundry	380
Printing and postage	1,350
Training expenses	1,300
Books and Publications	640
Subscriptions	2,000
	7,720
Total	253,320
Income	
Costs recovered (Export Certificates,-17,100 Primary Authority Partnership, delivery of training courses and fees for FHRS re- score visits)	
Total Expenditure	236,220

- 4.1.2 The estimated income of £17,100 comprises fees for export certificates, delivery of training courses and FHRS re-score visits.
- 4.1.3 The roll out of new mobile phones, laptops and Council anywhere during 2019-20 enabled the team to maximise and continue to work efficiently and agilely during the Covid pandemic and this has continued with officers combining home working and office working.
- 4.1.4 In the event of a serious or major incident or a large outbreak of food poisoning or food-borne illness requiring additional resources, officers undertaking food safety and health and safety work as part of their usual work will assist in the first instance and if necessary officers can be drafted in from the wider Environmental Health team to support the response.
- 4.1.5 There are no financial restrictions placed upon legal action, each case being considered on its merits. In the event of enforcement action that would place unforeseen demands on resources, local authorities can apply for financial support from the FSA but this fund is discretionary and may be withdrawn at any time

4.2 Staffing Allocation for the Food Service

4.2.1 Food law enforcement and compliance advice activities are provided by specialist officers from the Environmental Health Team. The team is led by the Environmental Health Team Leader and contains another six authorised officers, one of which is working towards full authorisation and two of which work part time. Once the officer that is not fully authorised has undertaken a profession qualification and gained the necessary competencies, they will be able to undertake the full range of official controls. The team is supported by the Business Support Team.

4.3 Staff Development Plan

4.3.1 Staff must be appropriately trained and are required to undertake 20 hours of continuing professional development every year to maintain their competency. Currently all members of the team are subscribed to the ABC on-line training service which delivers accessible modular packages in specific areas of food law. This is also supplemented by training organised by authorities within the Cambridgeshire and Peterborough Food and Safety Group, UKHSA, FSA and the CIEH.

4.3.2 The Graduate Environment Health Officer is being supported to obtain the experience required to complete the CIEH Competency Development Portfolio.

SECTION 5: QUALITY ASSESSMENT

5.1 Quality Assessment and Internal Monitoring

5.1.1 The Environmental Health Team Leader working closely with the Lead Food Officer is responsible for the overall monitoring of the service. In general terms the service is monitored internally in accordance with Standard Operating Procedure (SOP) CT04. The practical arrangements include the following

- Review of premises inspection records in accordance with SOP CT04
- Observed and accompanied inspections
- Periodic reviews of policies and procedures
- Weekly team meetings – programmed work is monitored against targets; reactive work is monitored with reference to management and closure of service requests
- Quarterly one-to-ones between the Environmental Health Team Leader and Officers
- Peer review and consistency exercises led by the CPFSG
- Peer review and consistency exercises led by the FSA.

5.1.2 There are several SOPs which cover the different aspects of the service. They will be subject to on-going review in 2022-23 to reflect changes in the code of practice, practice guidance, FHRB Brand Standard and changes within the service structure when these have been finalised.

SECTION 6: REVIEW

6.1 Review Against the Service Plan

- 6.1.1 The service plan for 2021-22 was approved during the Covid 19 pandemic without knowing what the impact of Covid 19 would be throughout 2021-22 and what restrictions there would be food businesses operating and officers undertaking inspections.
- 6.1.2 The focus of activity has been inline with the FSA Recovery Plan focussing on the highest risk businesses and new business.
- 6.1.3 320 inspections were made of A-D and new businesses, this is less than the number predicted (492). Of the inspections made 4 were for the highest risk A rated premises, 37 for B rated premises, 53 for C rated premises and 9 for D rated premises. 217 out of 226 new food business were inspected.
- 6.1.4 No interventions took place using the alternative enforcement strategy.
- 6.1.5 533 complaints and service requests were received, this includes complaints about food and food businesses and requests from food businesses. This is line with what was anticipated.

6.2 Identification of Any Variance form the Service Plan

- 6.2.1 Covid 19 has impacted greatly on the service over the previous two years and continues to do as the regulatory delivery is restarted in line with the FSA's Local Authority Recovery Plan.
- 6.2.2 The Food Standard Agency permitted all planned food safety inspections to resume mid June 2021. However, it is noted that there was not a full compliment of authorised officers at this time and the service was not fully staffed until October 2021. These are the main reasons why the number of inspections completed was less than anticipated.

6.3 Areas of Improvement and Actions for 2022-23

- 6.3.1 The service is committed to the delivery of official food controls and in accordance with the Code of Practice and the Food Standard Agency Recovery Plan.
- 6.3.2 The service will respond to complaints, enquiries and requests for service in accordance with internal procedures and with regard to public health risk and will be reported quarterly.
- 6.3.3 Subject to resources the service will also make the following commitments to the Council's corporate aims and objectives.
- The new Environmental Health and Licensing Management system went live in April 2021. The system is being used but work is ongoing to get the most out of the system and embed it fully into everyday work, there are still issues with reporting and accuracy of migrated data to work through.
 - Now the system is live Standard Operating Procedures (SOPs) will need to be

updated to align with the new system and remote working initiatives.

- The Community Service is currently operating under an interim structure and once a permanent structure is in place this will also need to be reflected in the SOPs.
- Review our programme of training courses in light of the broader acceptance of online training to help food businesses comply with food hygiene requirements and to help them achieve the highest possible food hygiene rating for their business. Investigate the viability of the reinstatement of classroom training courses
- Continue to integrate the FSA's Online Registration system for all food businesses into the Environmental Health and Licensing Management system. The system went live in 2021 after delays following Covid 19.
- We will continue to provide data to the FSA on food business registrations to inform the development of their policies and path towards modernisation of the food hygiene delivery module.
- As the transition of European legislation into UK law continues, continue to ensure staff are trained and businesses are kept up to date via direct contact, social media and HDC website.
- Promote the service as widely as possible collaborating with the Communications Team to use all available media outlets and support any relevant national strategies such as the FSA's National Food Safety Week.
- Publish a newsletter for food businesses to promote good practice and provide relevant guidance and information.
- Continue to undertake official controls (including proactive food hygiene inspections) in line with the requirements of the Foods Standards Agency code of practice.
- We will actively implement any new guidance issued by the FSA regarding allergens.
- Continue to provide a reactive food hygiene service responding to the concerns of residents of Huntingdonshire, the customers of Huntingdonshire food businesses and new challenges such as food poverty and scarcity of certain foods.

6.3.4 Appendix 1 identifies service plan targets for pro active interventions for 2022-23

6.3.5 Appendix 2 identifies estimated levels for reactive work during 2022-23

6.3.6 This document will be considered as a live working document and be kept under review through team meetings and regular monitoring meetings with the Interim Community Service Manager and Chief Operating Officer.

Appendix 1 – Food Safety Service Plan: Programmed (proactive) Activity

Proactive Tasks	Level of Activity	
	Predicted activity 2022-23	Total activity 2021-22
Programmed food hygiene inspections (risk group A-D, new food businesses, FHRs scoring, ceased trading and closed premises inspections)	864 A-D 100 new	320
Alternative Enforcement Strategy (AES) (e.g. cake makers and childminders)	300	0
Revisits	20	?
Primary Authority Partnership Activity – includes requests for advice, attendance at meetings and provision of training ²	2 hrs	0
Other proactive visits (food, water and environmental samples/advisory)	100	?
Prosecutions and cautions	2	0
Formal action (service of notices, closures)	10	0

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Appendix 2 – Food Safety Service Plan: Reactive Activity

Reactive Tasks	Level of activity	
	Predicted Activity 2022-23	Total activity 2021-22
Complaints and service requests about food and about/from food businesses	550	533
FHRS re-score requests (low is good)	30	13
Food, water and environmental samples taken	25	26
Infectious disease control - notifications of food-borne/food poisoning illnesses (low is good)	80	13
FSA food alerts for action	2	

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Service Plan for Health and Safety Regulation

Meeting/Date: Licensing and Protection Committee – 29 June 2022

Executive Portfolio: Executive Councillor for Customer Services – Cllr S Ferguson

Report by: Claudia Deeth – Interim Community Service Manager

Ward(s) affected: All

Executive Summary:

Huntingdonshire District Council is a Health and Safety Enforcing Authority. The Health and Safety Executive (HSE) is the National Regulator for Health and Safety and requires every Local Authority to outline how it will fulfil its duty “to make adequate arrangements for the enforcement of the relevant statutory provisions within its area”. This requirement is supported by the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (Revision 11).

Recommendation(s):

The Committee is requested to:

- 1. Comment on, and if in agreement approve the “Service Plan for Health and Safety Regulation 2022-2023” (Appendix 1) in accordance with the Council’s Constitution.**
- 2. If in agreement with the approval of the Service Plan, delegate to the Interim Community Services Manager the ability to update the 2021-2022 performance data within the Service Plan prior to publication, if required.**
- 3. Request quarterly reporting figures on progress against the annual “Service Plan for Health and Safety Regulation 2022-2023”.**

1. PURPOSE OF THE REPORT

- 1.1 The report formally presents the Service Plan for Health and Safety Enforcement 2022-2023 to the Licensing and Protection Committee. It invites their comments and their approval of the Plan. This enables the Council to discharge its duty as an enforcing authority for Health and Safety regulation.
- 1.2 The health and safety enforcement function is one of the services provided by specialist officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader. The officers providing the service also deliver the statutory functions for food safety and hygiene and infectious disease control. The team aims to support business to comply with the legislation by using a range of enforcement tools including advice, training, promotional campaigns and social media.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Huntingdonshire District Council is a Health and Safety Enforcing Authority. The Health and Safety Executive (HSE) is the National Regulator for Health and Safety and requires every Local Authority to outline how it will fulfil its duty “to make adequate arrangements for the enforcement of the relevant statutory provisions within its area”. This requirement is supported by the National Local Authority Enforcement Code and Local Authority Circular (LAC) 67/2 (Revision 11).

3. OPTIONS CONSIDERED/ANALYSIS

- 3.1 The Service has considered the National Enforcement Code, the Corporate Plan 2018-22 and the predicted 2022-2023 workload based upon commitments, resources and work delivered since 1 April 2021. It is noted that the Covid-19 pandemic has had a significant impact on workload in 2021-22 with severe restrictions on working practices and an increase in health and safety and Covid-19 related service requests.
- 3.2 The workplan priorities are guided by the content of Local Authority Circular 67/2 (rev 11), the National Local Authority Enforcement Code and the Corporate Plan 2018-22. Whilst the primary responsibility for managing health and safety risks lies with the business that creates the risk, regulators have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting communities and contributing to the wider public health agenda.
- 3.3 Key priorities for the coming year include:
 - Integration and continued implementation of the new Environment Health and Licensing management system.
 - Health and Safety advice will continue to be provided to organisations through engagement with the Event Safety Advisory Group.

- A risk-based approach to complaint handling and HSE’s incident selection criteria will continue to select relevant incidents and complaints for investigation.
- Working with colleagues and businesses on certain specified Local Authority projects, as outlined in Annex A of LAC 67/2 (Revision 11), such as:
 - Inflatable amusement devices.
 - Electrical safety in hospitality settings.
 - Preventing injury to members of the public from accessing large commercial waste and recycling bins.
- Vigilance will be maintained around the ongoing uncertainties with Covid-19 to ensure advice or enforcement in such matters will be a high priority in any resurgence, based on the risk identified.

4. KEY IMPACTS / RISKS

- 4.1 The failure to monitor the delivery of the approved Service Plans could invite criticism from the HSE in their capacity as the National Regulator for Health and Safety. This in turn could result in contact from the HSE’s Local Authority Unit. The plan must be resourced and should only target proactive inspections or interventions, identified for specific Local Authority projects, as outlined in Annex A of LAC 67/2 (Revision 11); and at those premises identified within the highest priority sectors, known as the list (Annex B LAC 67/2 (Revision 11)).
- 4.2 The integration and implementation of the new Environmental Health and Licensing management system is continuing and has created challenges impacting on efficiency which are being worked through.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1 The Service Plan will be delivered during the 2022-2023 financial year.

6. LINK TO THE CORPORATE PLAN, STRATEGIC PRIORITIES AND/OR CORPORATE OBJECTIVES

- 6.1 The Service Plan supports the Council’s Corporate Plan 2018-22 and is appended to the overarching Service Plan for the Council’s Community service area.

7. CONSULTATION

- 7.1 No consultations required as part of this report.

8. LEGAL IMPLICATIONS

- 8.1 The HSE has a key role as the National Regulator in overseeing Health and Safety regulation undertaken by Local Authorities.

8.2 The HSE's National Local Enforcement Code recognises that Service Plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.

8.3 This Service Plan replaces the Health and Safety Service Plan for 2021-2022 and identifies the priorities for Huntingdonshire District Council in delivering this statutory function. Service Plans must include a review of performance in order to consider any variances from meeting the requirements of the service plan and to identify areas for improvement.

9. RESOURCE IMPLICATIONS

9.1 The budget for 2023-23 is slightly increased and reflects that the service is now fully staffed and the 2% annual pay award.

10. OTHER IMPLICATIONS

10.1 The HSE, as the National Regulator, expects Local Authorities to carry out regulatory activity in an effective, risk based, proportionate and consistent way. The production, publication and delivery of the Service Plan will set out how we meet those expectations.

11. REASONS FOR THE RECOMMENDED DECISIONS

11.1 Huntingdonshire District Council is required to produce and approve a Health and Safety Service Plan. This Provisional Plan gives the Committee an opportunity to comment on the priorities identified and shape delivery of the service within approved resources

12. LIST OF APPENDICES INCLUDED

Appendix 1 – Draft Service Plan for Health & Safety Regulation 2022-23

CONTACT OFFICER

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COMMUNITY DIVISION

SERVICE PLAN FOR HEALTH AND SAFETY REGULATION 2022-2023

**Drawn up in accordance with the National Local Authority
Enforcement Code and Local Authority Circular LAC 67/2 (rev 11)**

Draft for approval by Licensing and Protection Committee on 29 June 2022

June 2022

EXECUTIVE SUMMARY 2022-2023

The overall aim of the service is to work with businesses and employees to protect people from unsafe working conditions.

The service is linked to the Council's Corporate Plan and aims to comply with the Health and Safety Executive's (HSE) "National Local Authority Enforcement Code".

Much of the work is directed by a national Local Authority Circular (LAC 67/2 Revision 11) which outlines the ways in which local authorities should comply with the national code and reflects the HSE Strategy "Protecting People and Places" 2022-2032.

The Service Plan outlines how Huntingdonshire District Council will deliver health and safety regulation in 2022-23. Any references to work delivered in 2021-22 are based upon the data recorded for the period between 1 April 2021 and 31 March 2022. The references to programmed work for 2022 - 2023 are estimates at this time.

The health and safety service is one of the functions carried out by officers within the Community service. The specialist officers currently report to the Environmental Health Team Leader and also deliver regulatory and advisory functions in the fields of food safety, infectious disease control, drinking water safety and smoke free legislation. Business Support staff provide the following: recording of enquiries, service requests, notices and reportable accidents onto the Environmental Health and Licensing Management System (Tascomi).

The full time equivalent (FTE) of officer's time spent on the Health and Safety function is currently between 0.1-0.2 leading to an overall resource of 0.89 FTE. The overall budget for 2022-23 remains largely the same as 2021-22.

2022-2023 WORKPLAN PRIORITIES

The work plan priorities are guided by the content of Local Authority Circular 67/2 (rev 11), the National Local Authority Enforcement Code and the HSE's new ten-year strategy 2022-2032: Protecting People and Places. Whilst the primary responsibility for managing health and safety risks lies with the business that creates the risk, regulators have an important role in ensuring the effective and proportionate management of risks, supporting businesses, protecting communities and contributing to the wider public health agenda.

- The code requires local authorities to have a means of monitoring, capturing and sharing health and safety intervention, enforcement and prosecution activity. The new Environmental Health and Licensing Management system went live in April 2021. The system is being used but work is ongoing to get the most out of the system and embed it fully into everyday work, there are still issues with reporting to work through
- The Corporate Plan 2018-22 places a commitment to support people to improve their health and well-being through the facilitation of cultural and leisure activities. It is acknowledged that this plan is currently being updated. Working in collaboration with Agency partners as part of the Safety Advisory Group, we will ensure that health and safety advice is disseminated to event organisers and where appropriate proactively inspect large scale

public gatherings to ensure risks, including from crowd management, fireworks and inflatables, are controlled effectively.

- The HSE's risk-based approach to complaint handling and incident selection criteria will be adopted to fulfil a statutory duty and select relevant incidents and complaints for investigation so that resources can be targeted effectively.
- The drive to simplify regulation and ensure that employers are aware of their responsibility is a continuing thread of government policy. Therefore, the focus of any proactive, planned interventions will be in line with the National Local Authority Enforcement Code and the HSE's LAC 67/2 (rev 11) 'national priorities' targeted interventions, alongside any interventions identified through local intelligence.

1.0 SERVICE AIMS AND OBJECTIVES

- 1.1 The overall aim of the service is to work with businesses and employees to protect people from unsafe working conditions.
- 1.2 Section 18(4) of the Health and Safety at Work Act etc. 1974 places a statutory duty on Local Authorities to make 'adequate arrangements for the enforcement' of health and safety and the National Local Authority Enforcement Code sets out what is meant by 'adequate arrangements for enforcement'.
- 1.3 Health and safety regulation is an important mechanism for reducing accidents and ill health in the workplace as well as contributing to economic growth and a safe working environment. The aim is to ensure that everyone can enjoy a working environment that is safe and without undue or unreasonable risk to health.
- 1.4 The service aims to:
- Help the Council to fulfil its statutory role as a "Health and Safety Enforcing Authority" accountable for the effective regulation of health and safety standards; and
 - Deliver a complementary programme of advice and enforcement to ensure that businesses and duty holders are better placed to comply with their duties.
- 1.5 The service seeks to meet these aims through a number of key objectives which include:
- Securing compliance with health and safety law, having regard to relevant legislation, Approved Codes of Practice and Guidance.
 - Investigating complaints and taking appropriate action as necessary, having regard to relevant legislation, approved codes of practice and guidance.
 - Delivering a programme of targeted and proportionate regulatory interventions, in accordance with the HSE's LAC 67/ 2 (rev 11) and statutory guidance.
 - Investigating reported accidents, dangerous occurrences and notifiable diseases, in line with the HSE's incident selection criteria guidance (LAC 22/13), and taking appropriate enforcement action as necessary, having regard to relevant legislation, approved codes of practice and guidance.
 - Maintaining a register of premises for which the Council has enforcement responsibility.
 - Maintaining a register of relevant evaporative condensers and water cooling towers, as required by The Notification of Cooling Towers and Evaporative Condensers Regulations 1992.
 - Responding to statutory notifications concerning the removal of Asbestos or Asbestos-containing materials (ACM) (The Control of Asbestos Regulations 2012).
 - Responding to statutory notifications of 'A' defects ("defects which could cause a danger to persons") of lifting equipment, during thorough examinations. (The Lifting Operations and Lifting Equipment Regulations 1998).

- Taking samples of articles and substances, as required, as part of any health and safety investigation or intervention.
- Providing relevant, targeted health and safety advice and guidance, in particular to new businesses.
- Working in partnership with other organisations to promote health and safety in the workplace.

1.6 The plans and initiatives to which the service must have regard include:

- The Council's Corporate Plan 2018-22, it is noted that this is currently being updated in 2022
- The Council's Service Plan for Community to which this Service Plan is appended
- The HSE's new strategy 2022-2032: "Protecting People and Places".
- The HSE's National Local Authority Enforcement Code
- Local Authority Circular (LAC) 67/2 (Revision 11)
- The Regulators' Code

2.0 BACKGROUND

2.1 Authority Profile

2.1.1 Covering almost 360 square miles and situated in the valley of the Great Ouse, the District of Huntingdonshire forms the most westerly part of Cambridgeshire. It is the largest district in the County by both land area and population. The 2021 population is estimated to be 182,420 and is forecast to grow to 212,200 by 2036 (data from Cambridgeshire Insight).

2.1.2 The main centres are the market towns of Huntingdon, St Neots, St Ives, Yaxley and Ramsey. A large proportion of the district is rural, with village settlements providing the main population centres and facilities outside the market towns.

2.1.3 The employment rate in the district is 77.4% with 79% of people being economically active (1 January 2021 – 31 December 2021) 98% of businesses are classified as small or micro (2021) (Office for National Statistics; nomis UK).

2.2 Organisational Structure

2.2.1 The Health and Safety service is delivered by specialised officers within the Community service area. Community is currently operating an interim structure and the officers undertaking the work covered by this service plan currently report to the Environmental Health Team Leader. The Environmental Health Team Leader reports to the interim Community Service Manager who reports to the Chief Operating Officer.

3.0 SERVICE DELIVERY

3.1 Remit of Huntingdonshire District Council

3.1.1 Huntingdonshire District Council are responsible for enforcing health and safety at certain workplaces including: offices (except government offices), shops, hotels, restaurants, leisure premises, nurseries and playgroups, pubs and clubs, museums (privately owned), places of worship, sheltered accommodation and care homes. Full listings are given in the Health and Safety (Enforcing Authority) Regulations 1998 and the accompanying A-Z guide to allocation published by HSE.

3.1.2 There is no longer a statutory requirement for businesses to notify authorities when starting to operate, it is estimated there are approximately 2,500 business premises in the district that HDC regulates for health and safety. Records are held on the Environmental Health and Licensing management system but as there is no requirement for businesses to notify the council of their operations the data can only be used as a guide.

3.1.3 Data from the Office for National Statistics nomis shows in 2020 the largest employment areas within Huntingdonshire are Wholesale And Retail Trade; Repair Of Motor Vehicles And Motorcycles (15.8%), Manufacturing (13.2%) and Human Health And Social Work Activities (11.8%).

3.2 Health and Safety Interventions

3.2.1 The service will deliver a mixture of proactive and reactive interventions which will be consistent with HSE's LAC 67/2 (rev 11) and any statutory guidance. In practice this is likely to comprise of planned interventions for the highest risk workplaces, alongside targeted projects aligned with HSE's LAC 67/2 (rev 11). These will be supplemented with risk-based reactive interventions in response to reported accidents, statutory notifications and work-related incidents, diseases, dangerous occurrences and complaints.

3.2.2 Targeted advice, visits and support to local businesses can aid local business growth particularly with new business start-ups. It is recognised that by supporting business to manage their risks effectively and proportionately, communities will be better protected, and the wider public health agenda will benefit.

3.2.3 National Local Authority Enforcement Code (supported by LAC 67/2) states that targeted planned interventions should only be used for:

- Specific projects/programmes of interventions identified by HSE for LA attention, either contained within Annex A of the HSE's LAC 67/2 (Rev 11) or by directly communication to LAs for urgent attention as a result of new intelligence arising from an incident/ investigation.
- High risk activities listed in Annex B of the HSE's LAC 67/2 (Rev 11).
- Where specific local intelligence indicates that a business is failing to effectively manage their health and safety risks.

3.2.4 The national priorities, from LAC 67/2 (Rev 11), Annex B, which are suitable for proactive inspections and planned interventions include:

- Communal/amenity buildings on caravan/camping parks with buried metal LPG pipework- explosion caused by leaking LPG.
- Open farms and animal visitor attractions- infection control.

- High volume warehousing and distribution- workplace transport, manual handling and work at height.
- Industrial retail/wholesale premises- workplace transport, work at height, lifting and cutting equipment, noise, exposure to RCS and welding fume.
- In-store bakeries and retail craft bakeries- exposure to flour dust and associated enzymes.
- Residential care homes- manual handling
- Large scale public events- crowd management.
- Commercial catering premises using solid fuel cooking equipment- CO poisoning.
- Premises with vulnerable working conditions (e.g. lone working) – violence at work.
- Professional firework display operators- risk of fire due to initiation of explosives.

3.2.5 The national priorities, from LAC 67/2 (Rev 11), Annex A, which are suitable for proactive inspections and planned interventions include:

- Raising awareness of the work-related stress and mental health campaign 'Working Minds' with businesses
- Electrical safety in hospitality settings
- Raising awareness to commercial premises who are clients for construction work re: the duty to manage Asbestos, falls from height due to work on/adjacent to fragile roofs/materials; moving and handling construction materials and the health risks from respirable silica dust (RSD).
- Visitor attractions to prevent or control ill-health arising from animal contact.
- Inflatable amusement devices.
- Raising awareness with trampoline park operators regarding improved information provision and supervision of users.
- Gas safety in commercial catering premises.
- Regulation of pesticide application.
- Spa pools and hot tubs on display regarding Legionella risks.
- Welfare facilities for delivery drivers.
- Work related road safety in particular user of two-wheeler vehicles (motorbikes, mopeds, bicycles etc.).
- Awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling bins.
- Promoting worker involvement in safety management systems

3.3 Other health and safety interventions

3.3.1 There is a range of intervention types which can be used as an alternative to unannounced proactive inspections. These include the following:

- Visits by appointment.
- The provision of advice and information.
- Sector-specific initiatives which target local problems.
- Responding to "local intelligence" which gives cause for concern.
- Dealing with serious matters as they are observed or brought to an inspector's attention during advisory or other interventions.
- These include Matters of Evident Concern (MECs) – issues that create a risk of serious personal injury or ill-health; and Matters of Potential Major Concern (MPMCs)

– those with a realistic potential to cause either multiple fatalities or multiple cases of acute or chronic ill-health.

3.4 New business enquiries and advice to businesses

3.4.1 Health and safety legislation does not require new businesses to notify the Council when they start their operation. The service maintains a commitment to the provision of advice to new businesses. Where possible, the first contact with a new business will focus on the provision of compliance advice. When the service becomes aware of new businesses, they are added to the Environmental Health and Licensing database and the enforcing authority is identified.

3.4.2 All planning applications are circulated to officers for review, and advice is provided to the applicant where necessary.

3.4.3 The Council supports the philosophy that effective regulation involves working with businesses. Officers will work with businesses to help them to comply with the law and to encourage the use of best practice.

3.4.4 Officers will work with the Communications Team to use all available media outlets, including the Council's website to promote any relevant national strategies, changes in legislation or identified areas of concern.

3.5 Health and safety complaints and requests for service

3.5.1 These fall into one of the following broad categories:

- Complaints about unsafe working conditions, practices or equipment.
- Complaints about welfare-related issues such as working hours, welfare facilities, and meal breaks.
- Complaints about the lack of suitable training, supervision or instruction for employees.

3.5.2 These are investigated in accordance with internal procedures and central guidance. Enforcement action is in accordance with the Corporate Enforcement Policy with reference to the Enforcement Management Model

3.6 Notifiable accidents, injuries, diseases and dangerous occurrences (RIDDOR)

3.6.1 Investigations are carried out in accordance with relevant guidance and procedures, including the HSE's incident selection criteria guidance. Enforcement action is in accordance with the Corporate Enforcement Policy with reference to the Enforcement Management Model.

3.7 Licensing and registration

3.7.1 The service works closely with the Licensing team and provides technical advice and support regarding health and safety and the administration of licensing activities, including zoo licensing, riding establishments licensing, and skin piercing registrations. Technical

health and safety advice and support is also provided to event organisers via the premises licence and TEN notification statutory consultee process, and via safety advisory groups, managed by the Licensing team.

3.8 Formal notifications

3.8.1 The Council receives formal notifications from specialist engineers relating to lifting equipment (statutory notifications of 'A' defects - defects which could cause a danger to persons); work with asbestos; pressure systems and location of cooling towers. Follow-up work is often required in all these areas to ensure that safe working practices are in place.

3.9 Health and Safety Partnership Working

3.9.1 The Council supports the principles of the Primary Authority Partnership Scheme (PAP) and when dealing with business will check to see if they have a relevant partnership in place. Inspection Plans and Primary Authority (Assured) Advice must be taken into consideration when dealing with any relevant business.

3.9.2 There are a number of businesses operating in Huntingdonshire who are in a Primary Authority Environmental Health Partnership with another local authority. The Council does not currently have any health and safety partnerships but maybe open to exploring them with interested parties, subject to resources and in line with Corporate plans and policies. Costs are recovered from the business partner.

3.9.3 The Council recognises the importance of liaison with businesses and statutory bodies to ensure a consistent approach to enforcement. The most established mechanisms for this are through working with colleagues via the Cambridgeshire and Peterborough Food and Health and Safety Managers Group; liaising with businesses and Trading Standards colleagues regarding the Licensing of Sports Stadia; and liaising with organisations and Agency partners when attending safety advisory group meetings.

3.10 Enforcement Policy

3.10.1 In February 2018 Huntingdonshire District Council adopted a Corporate Enforcement Policy which sets out its approach to proportionate, transparent, fair and effective regulation and enforcement in accordance with the principles laid down in the Regulators' Code. Any Health and Safety at Work Enforcement will be in accordance with the Corporate Enforcement Policy.

4.0 SERVICE DELIVERY

4.1 Staffing

4.1.1 The Interim Community Services Manager is responsible for the overall management of the service which is delivered by six officers who currently report to the Environmental Health Team Leader. Some administrative support is provided by the Business Support Team.

	2022-23
Environmental Health Officers/Graduate Officer/Environmental Health Protection Officers	0.74
Business Support Officers	0.10
Total	0.84

4.1.2 These figures represent the proportion of the establishment posts which is allocated to health and safety activity is 15% The full time equivalent (FTE) of officer's time spent on the Health and Safety function is currently 0.1-0.2.

4.1.3 The current staffing levels allocated to the Health and Safety function is 0.84 FTE which is slightly reduced from 2021-22 largely due to the interim structure in place.

4.1.4 Business Support staff provide the following: recording of enquiries, service requests, notices and reportable accidents onto the Environmental Health and Licensing Management System (Tascomi).

4.2 Financial

Direct Costs	2022-23 (£)
Employees (salaries, NI, pensions)	42600
Other (Legal fees, PPE, equipment etc.)	1400
Transport	700

4.2.1 The budget for 2023-23 is slightly increased and reflects that the service is now fully staffed and the 2% annual pay award

4.3 Competency and Professional Development

4.3.1 All members of staff are involved in a staff review and development process with annual appraisals and quarterly reviews. Staff training needs are identified as part of this process together with routine assessments of competency and each informs their training programme.

4.3.2 Officers who are routinely involved in health and safety enforcement are appropriately qualified and training is provided for them in order maintain their level of professional competency. During 2022-2023 they will continue to have access to any training which is necessary to maintain their professional competency and level of authorisation.

5.0 QUALITY ASSESSMENT

5.1 The following methods are used to assist with the quality assessment of the service:

- Standard Operating Procedures
- Periodic benchmarking and peer review exercises
- Review of post-inspection paperwork
- Periodic assessment of competencies

- Periodic accompanied visits
- Regular team meetings
- Review of officers' personal work plans
- Annual performance appraisal and development interviews
- County-wide working groups addressing specific issues and/or consistency of enforcement.
- Access to HSE Local Authority Advisory Unit and local liaison officer

6.0 REVIEW

6.1 Review of Performance 2021-2022

- 6.1.1 The Health and Safety Executive (HSE) has issued guidance to all local authorities. This requires them to review their performance in order that any variances from the requirements of the Service Plan can be identified.
- 6.1.2 The service was not fully staffed for the whole year. The two vacant environmental health officers (one full-time, one part-time) were filled part way through the year.
- 6.1.3 The continuation of the Covid-19 pandemic into 2021-2022 severely impacted the delivery of the Service Plan as officers were called to officers support the NHS Test, Track and Trace scheme and implement the various Coronavirus Regulations.

6.2 Formal Enforcement Action

- 6.2.1 The Corporate Enforcement Policy Statement states that sequential, proportionate and transparent action will be taken and that, as a general rule, officers initial contact with businesses will be supportive. Wherever possible, officers will aim to ensure compliance with legislation through the provision of support, advice and information, ensuring that they promote understanding of both statutory responsibilities (minimum standards) and good practice (desirable standards).
- 6.2.2 In most cases, compliance is secured by informal means, most commonly by letter. However, it is sometimes necessary to use formal methods. Table 1 provides the level of enforcement activity in 2021-2022.

Table 1 – Enforcement Action

	2021-22
Total number of proactive inspections, visits and revisits	37

Improvement notices (<i>the fewer the better</i>)	0
Prohibition notices (<i>the fewer the better</i>)	0
Simple cautions (<i>the fewer the better</i>)	0
Prosecutions (<i>the fewer the better</i>)	0
Health & Safety complaints and service requests	77
Accident Notifications	68

6.2.3 The number of visits is in line with the expectation that local authorities will only carry out unannounced inspections of high-risk businesses that are identified within LAC 67/ 2 (Rev 11) or by local priorities.

6.3 A Review of the 2021-22 Service Plan

6.3.1 Where possible and according to risk, the first contact with a new business is focused on the provision of compliance advice.

6.3.2 We continue to support businesses and work collaboratively with colleagues and agency partners to raise awareness of Health & Safety matters, providing advice and guidance on compliance. There has been a rise in the number of outdoor events and festivals this last year and the Safety Advisory Group continues to provide advice and guidance to ensure these are managed safely. Officers have attended at least 19 Safety Advisory Group meetings at which time health and safety information, advice and guidance were shared with event organisers.

6.3.3 During food hygiene inspections, officers have identified matters of concern on at least 18 occasions which were highlighted to food business operators at the time of the inspection.

6.3.4 Officers have carried out at least 13 pre-registration skin piercing visits at which time health and safety information, advice and guidance, and any health and safety matters of concern were shared with the skin piercing practitioner.

6.3.5 One accident, which resulted in a fatality, took up more time than initially anticipated for the officer involved.

6.3.6 Over the last year, the Service's health and safety interventions have been impacted by Covid-19 in that most proactive inspections and non-inspection interventions, including face-to-face contact and visits, were suspended unless there was a significant cause for concern, in accordance with Government guidance. Where non-inspection intervention

visits were requested, most were dealt with by 'phone and via photographs rather than undertaking face-to-face visits.

6.3.7 Over the past year there have been resource issues in that the team responsible for health and safety regulation was not fully staffed until October 2021 and there have also been significant illnesses within the team which has impacted output. As such, the main focus this year has been responding to accident notifications, requests for advice and matters of evident concern.

6.3.8 Over the past year, the service has migrated across to a new cloud-based information management system, which has had an impact on resources and on effective and efficient data input and retrieval.

7.0 PLAN OF WORK FOR 2022-23

7.1 The work will be guided by the content of Local Authority Circular (LAC) 67/2 (Rev 11) and the National Local Authority Enforcement Code.

7.2 The code requires local authorities to have a means of monitoring, capturing and sharing health and safety intervention, enforcement and prosecution activity. The new Environmental Health and Licensing Management system went live in April 2021. The system is being used but work is ongoing to get the most out of the system and embed it fully into everyday work, there are still issues with reporting to work through. This is impacting on resources as officers spend additional time accessing, inputting and retrieving data.

7.3 The Corporate Plan 2018-22 places a commitment to support people to improve their health and well-being through the facilitation of cultural and leisure activities. Working in collaboration with Agency partners as part of the Safety Advisory Group, we will ensure that health and safety advice is disseminated to event organisers and where appropriate proactively inspect large scale public gatherings to ensure risks, including from crowd management, fireworks and inflatables, are controlled effectively.

7.4 The HSE's risk-based approach to complaint handling and the HSE's incident selection criteria will be adopted to select relevant incidents and complaints for investigation so that resources can be targeted effectively.

7.5 It is very difficult to plan for 2022-2023 due to the knock-on effects from the Covid-19 pandemic creating a backlog of work which is currently impacting the officers who undertake health and safety work. However, a balanced workload has been proposed for 2022-2023, which incorporates a range of intervention activities. The proposed plan assumes that the service remains fully staffed and continues to have access to the Business Support team and other resources within the Council, such as the Communications Team for raising awareness campaigns.

7.6 Unforeseen events can place unexpected demands on the service which can impact our ability to deliver the plan. Such events include, fatal accident investigations, major food safety issues and any staffing issues during the year, such as staff leaving or staff illness.

Ongoing uncertainties around Covid-19, such as a recurrence or change in Covid-19 variant may also impact the delivery plans.

7.7 Health and Safety Project Work for 2022-2023

These projects are taken from LAC 67/2 Rev 11 and are considered to be relevant and achievable within 2022-23 given current resources and other pressures on the wider Environmental Health service.

	Project	Action
1	Inflatable amusement devices – Would need to do some research/ brainstorm what businesses in district have permanent inflatables- soft play places- or may hire in inflatables for events (fetes/ parties at pubs etc)- before doing email or letter mail shot, visits etc.	Officers to target relevant businesses and events
2	Raising awareness of electrical safety in hospitality settings- reminders to duty holders to get their fixed installations and electrical appliances inspected by competent people, especially any in outdoor settings. Could do email or letter mailshot or business newsletter	Officers to target relevant businesses and work with Communications Team to raise awareness
3	Raising awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling bins- Could produce reminder leaflet to go out with commercial bins or email from Waste Services to customers of commercial bin service/ business newsletter.	Officers to target relevant businesses work with Communications Team to raise awareness

Appendix 1 – Health and Safety Activity 2022-23

Activity	Level of Activity
	2022-23 estimate
Premises inspections and interventions (including activities identified in Work Plan)	40
Health and safety complaints and requests for service (including advice to business/enquiries) *	100
Accident and dangerous occurrence investigations commenced **	30
Specific smoke free enforcement visits***	0
Matters of Evident Concern (MEC)****	3
Health and safety promotional activity	3
Liaison with other organisations	4 (Quarterly Cambridgeshire and Peterborough Food and Health and Safety Managers Group meetings)

* This figure includes statutory notifications about working with asbestos, Adverse Insurance Reports (AIR) about unsafe work equipment and requests for advice and information. The diversity of work illustrates the importance of maintaining resources in order that effective investigations can be carried out.

**The selection of accidents for investigation is founded upon the risk-based criteria in Local Authority Circular (LAC) 22/13.

*** This figure is driven by the number of relevant complaints received by the service.

**** Matters of Evident Concern are significant health and safety problems that officers have noted during non-health and safety activities. (The fewer the better)

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Public
Key Decision -No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: **Representation on External Organisations**

Meeting/Date: Licensing and Protection Committee – 29 June 2022

Report by: Elections and Democratic Services Manager

Executive Summary:

The Council’s representation on a variety of organisations and partnerships is reviewed following the District Council Elections and on the occasion on which a vacancy emerges. The Licensing and Protection Committee currently nominate representatives to -

- ❖ Cambridgeshire Consultative Group for the Fletton Brickworks Industry
- ❖ Little Barford Power Station
- ❖ Needingworth Quarry Local Liaison Committee
- ❖ Warboys Landfill Local Liaison Committee.

A full review of the organisations to which the District Council appoints to was undertaken in March / April 2022 and is subject to a separate report to the Cabinet on 16th June 2022. This included the four organisations appointed to by the Licensing and Protection Committee as outlined above.

Listed below are the proposed organisations that the Licensing and Protection Committee appoint to for the period 2022/23 until 2026, together with details of the previous appointees. Appointees have in the past tended to be local ward members and it is proposed that this practise is continued. Proposed appointees have been consulted and are content with the proposals.

Organisation	Proposed Representative(s) for 2022-2026	Previous Representative	Approx Number of Meetings Per Annum	Allowance Payable S - Subsistence T - Travelling	Term of Appointment
Needingworth Quarry Local Liaison Committee	Councillors P Hodgson-Jones and J Neish	Councillor L Besley and J Neish	2	S & T	4 years
Warboys Landfill Local Liaison Committee	Councillor C Lowe	Councillor M Haines	1	S & T	4 years

As part of the review and following the comments received by Officers and appointed members regarding the absence of any contact from these groups, it is proposed to

discontinue the Council's appointments to the Cambridgeshire Consultative Group for the Fletton Brickworks and the Little Barford Power Station Liaison Committee.

The Committee is

RECOMMENDED

- a) to make nominations to the organisations as outlined above for the period 30th June 2022 until 7th May 2026.**

- b) in the event that change or new appointments are required to the District Council's representation during the course of the four year term, the Elections and Democratic Services Manager be delegated after consultation with the Chairman of the Licensing and Protection Committee to nominate and authorise alternative representatives as necessary.**

CONTACT OFFICER

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Public
Key Decision - No

HUNTINGDONSHIRE DISTRICT COUNCIL

Title: Suspension & Revocation of Hackney Carriage & Private Hire Licences.

Meeting/Date: Licensing and Protection Committee – 29 June 2022

Executive Portfolio: Executive Councillor for Customer Services – Cllr Stephen Ferguson

Report by: Licensing Team.

Ward(s) affected: All.

1. INTRODUCTION

The Council has delegated authority to refuse, suspend or revoke private hire and hackney carriage driver and vehicle licences under the powers delegated by or on the recommendation of the Licensing and Protection Committee.

Below is a summary of the actions that have taken place since the start of 2022, slightly longer than normal but the meeting for March 2022 was not held.

2. REPORT

01.01.2022 to 14.06.2022

2.1

Date	Licence type	Decision	Reason	Outcome
01.02.2022	Private Hire Vehicle	Revoked	Suspended under S68 following an accident. Had 60 days to fix otherwise revoked	Revoked
01.03.2022	Private Hire Vehicle	Revoked	Suspended under S68 following an accident. Had 60	Revoked

			days to fix otherwise revoked.	
06.05.2022	Dual Driver	Suspended	CLPD from police	Licence now expired, awaiting update from Police.
09.05.2022	Dual Driver	Suspended	CLPD from police	Still currently suspended, awaiting update from Police
10.05.2022	Dual Driver	Suspended	CLPD from police	Still currently suspended, awaiting update from Police
26.05.2022	Private Hire Vehicle	Suspension – S68	Accident	Currently still suspended
06.06.2022	Private Hire Vehicle	Suspension – S68	Accident	Currently still suspended

3. MATTERS TO BE TAKEN INTO ACCOUNT

3.2 We currently have no outstanding licensing decisions that are awaiting a court date.

Date of original HDC decision	Licence type	Result
0	0	0

5. RECOMMENDATION

5.1 Members are requested to note and consider the above information

Contact Officer: Licensing Team
licensing@huntingdonshire.gov.uk