

**Public**  
**Key Decision – No**

## **HUNTINGDONSHIRE DISTRICT COUNCIL**

**Title/Subject Matter:** Monitoring Report on the delivery of the Service Plans for Food Law Enforcement and Health and Safety Regulation

**Meeting/Date:** Licensing and Protection Committee – 16 October 2024

**Executive Portfolio:** Executive Councillor for Resident Services & Corporate Performance – Cllr S Ferguson

**Report by:** Kate Penn – Environmental Health Service Manager

**Ward(s) affected:** All

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### **Executive Summary:**

The Service Plans for Food Law Enforcement and Health and Safety Regulation 2024-25 were approved by committee on 15 May 2024.

The report provides information about the delivery of the two Service Plans for Quarter 1 and Quarter 2.

For both service areas programmed work such as food hygiene inspections 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.

Appendices 1 and 2 contain detailed information about the delivery of Service Plans for Food Law Enforcement and Health and Safety Regulation 2024-25.

### **Recommendation(s):**

The Committee is asked to review progress and provide any comments considered appropriate on the delivery of the two Service Plans for Q1 and Q2.

## **1. PURPOSE OF THE REPORT**

- 1.1 The report provides information about the delivery of the Service Plans for Food Law Enforcement and Health and Safety Regulation for Quarters 1 and 2 2024-25.

## **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**

- 3.1 The overall aim of the Service Plan for Food Law Enforcement 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

- 3.2 The overall aim of the Service Plan for Health and Safety Regulation is to work with businesses and employees to protect all people, including members of the public, from unsafe working conditions by fulfilling the council's statutory role as a 'Health and Safety Enforcing Authority'

## **4. KEY IMPACTS / RISKS**

- 4.1 The main risk of not carrying out the work on these plans would be to the health, wellbeing and safety of those who live, work or visit the Huntingdonshire area. They could be exposed to unsafe food or unsafe working conditions.
- 4.2 The failure to monitor the delivery of the approved Service Plans could invite criticism from the Food Standards Agency (FSA) and the Health and Safety Executive (HSE) in their capacities as the national regulators.
- 4.3 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. PROGRESS AGAINST APPROVED SERVICE PLANS

### 5.1 Service Plan for Food Law Enforcement

5.1.1 The main focus of this service plan is the planned routine inspections of food businesses. All food businesses are risk rated category A to E with A being the highest risk. The risk rating mechanism is provided in the Food Law Code of Practice (England) and considers the consumers at risk; the level of current compliance with statutory obligations and any relevant industry codes of recommended practice in relation to the hygiene and structure of the premises; and the confidence in management/control processes in place. For example, a care home or nursery may be Category A due to their consumers being in a vulnerable group and inspected every six months. Most restaurants, pubs and catering businesses are Category C or D and will be inspected every 18 or 24 months. Category E are the lowest risk premises and will include small retailers selling pre-packed food and home caterers making cakes only.

The table below shows the categorisation of food businesses in Huntingdonshire on 31 March 2024, with the data from 31 March 2023 as a comparison:

Category	Number of Premises 31 March 2023	Number of Premises 31 March 2024
A	6	3
B	63	79
C	290	340
D	542	460
E	720	645
Unrated	53	58

*There are 67 food business outside the rating programme (66 in 2023/24)*

5.1.2 In Quarter 1 there were 186 food hygiene inspections carried out and in Quarter 2 there were 207 food hygiene inspections carried out which gives a total of 393 for the first half of the year. This exceeds the level of activity predicted.

5.1.3 In Quarters 1 and 2 there were 141 new food business registrations received, this shows the continuing flux of food businesses. A new business registration can occur when an existing business changes hands and a new food business operator takes over or an entirely new business starts up. The service is still finding that some businesses are registering a long time before they intend to open and this has been fed back to the Food Standards Agency.

5.1.4 In Quarters 1 and 2 there were 16 compliance checks undertaken, these are revisits to check compliance where the food hygiene inspection has uncovered issues that need attention. This is in line with the expected activity.

5.1.5 Work has been continuing to go through the list of Category E businesses that remain overdue for inspection and confirm whether they are still

operating and then create an inspection for the relevant officer to undertake in person. So far 167 premises records have been reviewed.

The process for sending out questionnaires to Category E premises routinely due for inspection under the Alternative Enforcement Strategy has been reviewed and digitised with businesses receiving emails with a link to a webform to complete. The first 23 of these were sent out in Q2 and this is the figure shown in Appendix 1.

- 5.1.6 There was a prosecution in Quarter 2 where a business in the district had failed to maintain appropriate standards of hygiene and cleanliness. Shezan Gul Nawaz, sole director of Somersham Curry & Kebab Ltd, pleaded guilty to 15 food hygiene offences and was fined £2,500.00, and was also asked to pay £2,718.00 costs and a £1000 victim surcharge.
- 5.1.7 Appendix 1 also shows that requests for export certificates was slightly lower than anticipated based on previous years data, this is something that as a service we cannot influence and is determined by what manufactures are exporting where.
- 5.1.8 Requests for rescores continue to be slightly higher than anticipated in Quarters 1 and 2 showing businesses are striving to get the highest food hygiene rating of 5. When a business scores lower than 5 they can request a rescoring inspection by providing details of how they have addressed any matters outstanding at their programmed inspection.
- 5.1.9 Officers have continued to take part in UK Health Security Agency's sampling study, the topic for Q1 and Q2 was 'Unpasteurised and pasteurised milk cheeses (UK and non-UK)'. Where samples were unsatisfactory notification was provided to the Food Standards Agency and additional visits have been undertaken to provide advice and guidance to businesses and further samples carried out to check for improvement to the required standard.
- 5.1.10 The level of activity with regard to infectious disease control has been as anticipated now notifications of certain confirmed food and waterborne gastrointestinal pathogens from the UK Health Security Agency have restarted.

## 5.2 **Service Plan for Health and Safety Regulation**

- 5.2.1 The majority of health and safety work in Quarters 1 and 2 was reactive, there were 21 accidents reported of which 9 investigations commenced. The selection of accidents for investigation is founded upon the risk-based criteria in Local Authority Circular (LAC) 22/13. There were 72 other service requests responded to and the majority of these were licensing consultations where a new premises, street trading or pavement licence had been applied for by a business in the district.
- 5.2.2 In Quarter 4 there were 18 skin piercing registrations issued for premises and practitioners within the district. In April 2022, the Health and Care Act gave the Secretary of State for Health and Social Care the power to

introduce a licensing regime for non-surgical cosmetic procedures in England. We are still waiting to see if this will be taken forward by the new government and in what format as this will have resource implications.

- 5.2.3 Following the incident at Legacy Independent Funeral Directors in Hull the previous Government wrote written to all local authorities requesting that every funeral director in the country is visited to check on the care of the deceased and provide reassurance to the public. Officers from the Environmental Health team undertook visits to 14 funeral directors during June and July 2024 following the guidance from DLUHC, SAIF (Society of Allied & Independent Funeral Directors) and NAFD (National Association of Funeral Directors).

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

- 6.1 The work covered by the two Service Plans largely sits under Priority 3 – Doing our core work well - Delivering good quality, high value-for-money services with good control and compliance with statutory obligations.

## **7. RESOURCE IMPLICATIONS**

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

## **8. LIST OF APPENDICES INCLUDED**

Appendix 1 - Food Activity 2024-25

Appendix 2 - Health and Safety Activity 2024-25

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