

HUNTINGDONSHIRE DISTRICT COUNCIL

Title:	The Service Plan for Food Law Enforcement 2016-17
Meeting/Date:	Licensing and Protection Committee - 21 June 2016
Executive Portfolio:	Executive Councillor for Community Resilience - Cllr Steve Criswell
Report by:	Head of Community – Chris Stopford
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 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, national priorities and standards 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 ('Food 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.

The food safety and hygiene enforcement function within the Council is delivered by the Commercial Team of the Community Division and the purpose of the Food Enforcement 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.

Recommendation(s):

Members are requested to:-

1. Approve the 'Service Plan for Food Law Enforcement 2016-17' in accordance with the Council's Constitution.

1. PURPOSE OF THE REPORT

- 1.1. The report formally presents the Food Law Enforcement Service Plan 2016-17 ("the Service Plan") to the members of the Licensing and Protection Committee. It invites their comments on the plan and their approval for the plan. This enables the Council to discharge its duty as an enforcing authority for food safety and hygiene.
- 1.2. The Council's new Constitution allows for the approval of the Food Law Enforcement Service Plan 2016-17 by the Licensing and Protection Committee.

2. WHY IS THIS REPORT NECESSARY?

- 2.1. Huntingdonshire District Council has responsibility for most food safety and hygiene enforcement within the district. The Food Standards Agency (FSA), as the England's 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.
- 2.2. The food safety and hygiene function within the Council is delivered by the Commercial Team of the Community Division and 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

- 3.1. The Service has considered the requirements of the FSA Framework Agreement, the data from the 2015-16 Service Plan and the Corporate Plan 2016-18.

4. KEY RISKS

- 4.1. A failure to produce a Service Plan could invite criticism from the Food Standards Agency which, as the central competent authority, oversees local authorities' food law enforcement activities. This in turn may lead to contact from the FSA's Local Authority Audit team.

5. TIMETABLE FOR IMPLEMENTATION

- 5.1. The work in the Service Plan will be delivered during the financial year 2016-17. It will be delivered alongside the Commercial Team's other core regulatory functions, namely health and safety, food-related infectious disease control, smoking in public places and private water supplies.

6. LINK TO THE CORPORATE PLAN

- 6.1. The Service Plan supports the Council's Corporate Plan and contributes to the three strategic priorities therein.

7. LEGAL IMPLICATIONS

- 7.1. 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.
- 7.2. 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.
- 7.3. This plan replaces the 2015-16 Service Plan approved by Council on 29 July 2015. Service Plans must include a review of performance in order to address any variances from meeting the requirements of the service plan and to identify areas for improvement.
- 7.4. 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

8. RESOURCE IMPLICATIONS

- 8.1 The budget for 2016-17 is 3.74% higher than for 2015-16 but this is almost entirely attributable to a 12% increase in the cost of overheads. This is due to changes in the methods of internal recharging which have been driven by the need to harmonise arrangements between the shared service partners. See section 4.1 of the Service Plan for a detailed breakdown of these figures.
- 8.2 The budget is within the approved budget for 2016-17

9. OTHER IMPLICATIONS

- 9.1. The FSA expects local authorities to carry out official controls in an effective, risk-based, proportionate and consistent way. The production, publication and delivery of the Service Plan will meet those expectations.

10. REASONS FOR THE RECOMMENDED DECISIONS

- 10.1. Huntingdonshire District Council is required to produce and approve a Food Law Enforcement Service Plan. The 2016-17 Service Plan is challenging but achievable within the aspirations of the Council and the approved resources.

LIST OF APPENDICES INCLUDED

Appendix 1 - The Food Safety Service Plan 2016-17

CONTACT OFFICERS

Mr Chris Stopford
Head of Community
Tel: 01480 388280

Mr Keith Lawson
Commercial Team Leader
Tel 01480 388291