

Public

HUNTINGDONSHIRE DISTRICT COUNCIL

Title: Provisional Service Plan for Food Law Enforcement 2017-18

Meeting/Date: Licensing and Protection Committee - 22 March 2017

Executive Portfolio: Executive Councillor for Housing and Regulatory Services - Cllr Ryan Fuller

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 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.

The food safety and hygiene enforcement function within the Council is delivered by the Business Team of the Community Division and 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.

Recommendation(s):

Members are requested to:-

1. **Comment on and approve the 'Provisional Service Plan for Food Law Enforcement 2017-18' in accordance with the Council's Constitution;**
2. **Consider whether a final Service Plan should be presented at their next meeting on 5 July 2017.**

1. PURPOSE OF THE REPORT

- 1.1. The report formally presents the Provisional Food Law Enforcement Service Plan 2017-18 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?

- 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 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.
- 2.2. The food safety and hygiene function within the Council is delivered by the Business 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.
- 2.3. The Business Team is a part of the recently restructured Community Division. The leadership and composition of the team will take shape over the next few weeks as the recruitment of staff to new and vacant posts is finalised.

3. OPTIONS CONSIDERED

- 3.1. The service has considered the requirements of the FSA Framework Agreement, the Corporate Plan 2016-18 and the predicted 2017-18 figures based upon work delivered since 1 April 2016.

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 Provisional Service Plan will be reviewed over the next few weeks as the leadership and composition of the Business Team is finalised. It is hoped that any new appointments will be in post by 1 June and a further report will be presented to the meeting on 5 July.
- 5.2. The Service Plan will be delivered alongside the Business Team's other core functions of health and safety and licensing.

6. LINK TO THE CORPORATE PLAN

- 6.1. Service Plans support the Council's Corporate Plan and contribute 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 provisional plan replaces the 2016-17 Service Plan and a final version will be presented on 5 July. 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.
- 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 2017-18 is 9.4% lower than for 2016-17. This is largely attributable to the revised methods of calculating internal recharges and overheads.

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 Provisional Service Plan will be reviewed and a final version may be presented to the next meeting. Subject to successful recruitment to vacant posts, it is achievable within the aspirations of the Council and the approved resources.

LIST OF APPENDICES INCLUDED

Appendix 1 - The Provisional Food Safety Service Plan 2017-18

CONTACT OFFICERS

Mr Chris Stopford
Head of Community
Tel: 01480 388280

Mr Keith Lawson
Commercial Team Leader
Tel 01480 388291