

**COUNCIL**

15 July 2010

**Agenda Item 12**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Official Feed and Food Controls Service Plan 2010/11</b>		
<b>Date of Meeting:</b>	<b>15 July 2010</b>	<b>Council</b>	
	19 April 2010	Environment & Community Safety Overview & Scrutiny Committee	
	25 March 2010	Environment Cabinet Member Meeting	
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name: Nick Wilmot</b>	<b>Tel: 29-2157</b>	
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<b>Key Decision</b>	<b>Yes</b>	<b>Forward Plan No: ENV13301</b>	
<b>Wards Affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To agree the Official Feed and Food Controls Service Plan previously known as Food Law Enforcement Service Plan required by the Food Standards Agency.

**2. RECOMMENDATIONS:**

- 2.1 That the Cabinet Member endorses the Official Feed and Food Controls Service Plan 2010/2011 and recommends Council to approve it.

**3. RELEVANT BACKGROUND INFORMATION/IMPLICATIONS**

- 3.1 The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan. Every local authority is required to develop an annual food enforcement service plan, which provides the basis on which local authorities are monitored and audited by the Food Standards Agency.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to the relevant member forum for approval.
- 3.3 The attached plan (Appendix A) is an integral part of the organisation of the food service within Environmental Health & Licensing and Trading Standards. Both services come within the Environment Directorate. As a result of this close relationship a joint service plan is submitted. This reduces duplication, improves the effectiveness of service delivery and meets the monitoring requirements of the Food Standards Agency.

- 3.4 In accordance with the Standard outlined in the Framework Agreement the food service should be a mix of enforcement, intelligence based work, investigation and education. It is planned that a performance targets of the completion of 98% of programmed food safety interventions of risk category A to D premises, the employment of an alternative enforcement strategy in respect of low risk premises (category E and F) and 90% of complaints responded to within 5 days are met.
- 3.5 NI 184 measures the number of number of food establishments that are broadly compliant with food hygiene law. In addition to achieving 98% of the intervention due the service will aim to achieve a target of 85% of premises broadly compliant.
- 3.6 In addition, areas of current good practice, and opportunities for further improvement, have been identified, both in Food Safety and Food Standards, in section 6.3 of the Service Plan. The targeting of resources to these areas of work aims to provide a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. In line with the amendment to the Food Safety Code of Practice in June 2008 the service will continue to focus enforcement action on the poorer performing businesses.
- 3.7 A healthy food award scheme has been developed to improve healthy life expectancy and tackle obesity. Health Development Advisers also provide NHS vascular risk assessments (health checks).

#### 4. CONSULTATION

- 4.1 This integrated report covers Food Safety and Food Standards, has been produced after close consultation and joint working between the relevant officers of Environmental Health & Licensing and Trading Standards.
- 4.2 Brighton & Hove Food Partnership were consulted during the drafting of this plan.

#### 5. FINANCIAL & OTHER IMPLICATIONS:

##### Financial Implications

- 5.1 **Food Safety** - The projected budget for 2010/2011 providing the food safety service within Environmental Health is detailed below. The staffing figures include a figure to cover the appropriate proportion of the Head of Environmental Health & Licensing and administrative support:-

	Food Safety	Infectious Disease
Staffing	659,900	52,780
Transport	13,330	1,110
Supplies and Services	10,510	1,470
Total	683,740	55,360

- 5.2 **Food Standards** - It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring

is not currently used to apportion time to the food function. Cost of the food standards function in 2009/10 was as follows based on the percentage of time officers spend on the food function. Similar apportionments would be expected for 2010/11.

**Inspection, complaints and advice**

Staffing	
Management	£ 3200
Food Team	£30,680
Total	£ 33,880

**Sampling**

Purchases	£500
Supplies	£8,650
Total	£9,150

<b>Total</b>	<b>£43,030</b>
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*Finance Officer consulted: Karen Brookshaw Date: 03/02/10*

Legal Implications

- 5.3 The Food Standards Agency under The Framework Agreement on Local Authority Food Law Enforcement that incorporates the latest guidance, places a requirement on local authorities to develop and submit a service plan. Local authorities are audited and assessed by the Food Standards Agency on the basis of their food law enforcement service as provided for in their Service Plans. The Council's Commercial Enforcement Policy gives due regard to the Human Rights Act 1998 in respect of the Council's enforcement powers under food safety laws. The Food Safety Act 1990 (Code of Practice) places a requirement on local authorities to operate an inspection rating scheme, which determines frequency of intervention of food premises. The Official Feed and Food Controls Service Plan 2010/11 identifies the planned number of interventions for that period. The Council's Constitution requires the adoption of the Official Feed and Food Controls Service Plan be reserved to full Council.

*Lawyer consulted: Simon Court Date: 01/02/10*

Equalities Implications:

- 5.4 See 2.4.5 of appendix 1 for profile of food premises registering with the food service during the year 2009/2010. The service is mindful of the greater assistance food business operators require where their first language is not English. Written information, translation and interpreting services are employed where necessary to assist businesses to comply with regulatory requirements.

Sustainability Implications:

- 5.5 Liaison with relevant agencies in connection with local food initiatives, including the Brighton & Hove Food Partnership

Crime & Disorder Implications:

5.6 None

Risk and Opportunity Management Implications:

5.7 SMART target for the food safety service is (98%of due interventions achieved x 0.3 + 85 %of broadly compliant premises x 0.7)

Corporate / Citywide Implications:

5.8 Food safety standards protect the City's reputation, helps develop tourism and the local economy and helps visitors have a positive experience.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

6.1 There is no legal alternative to the statutory service plan.

**7. REASONS FOR REPORT RECOMMENDATIONS**

7.1 In order to comply with the Food Standard Agency Code of Practice.

**SUPPORTING DOCUMENTATION**

**Appendices**

1. Official Feed and Food Controls Service Plan 2010/2011

**Documents in Members' Rooms**

None

**Background Documents**

None