

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

Agenda Item 60

Brighton & Hove City Council

Subject:	Official Feed and Food Controls Service Plan 2009/10		
Date of Meeting:	23 March 2009 Overview and Scrutiny Commission 26 March Environment Cabinet Member Meeting 23 April Cabinet Meeting 30 April Council		
Report of:	Director of Environment		
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Wards Affected:	All		

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 members commend the Official Feed and Food Controls Service Plan 2009/2010, as set out in Appendix A of the report, to Environment Cabinet members to be reserved to Full Council.

3. RELEVANT BACKGROUND INFORMATION/IMPLICATIONS

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.

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.

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 Public Safety Division. 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.

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 target 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.

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 both 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.

4. CONSULTATION

The Lead Councillor and opposition spokesperson have been consulted. A Senior Lawyer and Senior Finance Officer have also been consulted regarding the legal and financial implications. 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.

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications

Food Safety

The projected budget for 2009/2010 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	616,770	52,550
Transport	13,260	1,090
Supplies and Services	<u>11,030</u>	<u>1,440</u>
Total	<u>641,060</u>	<u>55,080</u>

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. It is estimated that the resources are allocated as follows:

Inspection, complaints and advice

Staffing	
Management	£ 2950
Food Team	<u>£27450</u>
Total	<u>£30400</u>

Sampling	
Purchases	£1000
Supplies	<u>£12000</u>
Total	<u>£13000</u>

Total	<u>£43400</u>
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Finance Officer consulted: Karen Brookshaw Date: 2nd February 2009

5.2 Legal Implications

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 (currently being amended) 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 Council's Service Plan 2009/2010 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: Liz Culbert

Date 11th February 2009

5.3 Equalities Implications:

See 2.4 of appendix 1 for profile of food premises registering with the food service during the year 2007/2008. 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.

5.4 Sustainability Implications:

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

5.5 Crime & Disorder Implications:

None

5.6 Risk and Opportunity Management Implications:

SMART target for the food safety service is (98%of due interventions achieved x 0.3 + 90 %of broadly compliant premises x 0.7)

5.7 Corporate / Citywide Implications:

None

SUPPORTING DOCUMENTATION

Appendix 1 Official Feed and Food Controls Service Plan 2009/2010