

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Council

22 July 2010

AUTHOR/S: Executive Director, Operational Services

FRAMEWORK AGREEMENT ON LOCAL AUTHORITY FOOD LAW ENFORCEMENT FOOD SAFETY SERVICE PLAN

Purpose

1. To seek the Council's approval of a Food Service Plan for 2010/11. This is a key decision because:
 - It is likely to be significant in terms of its effects on communities living or working in all wards of the District.
 - It is of such significance to a locality, the Council or the services that it provides that the decision-taker is of the opinion that it should be treated as a key decision.and it was published in the April 2010 Forward Plan.

Recommendation and Reason

2. That Council approve of the Food Safety Service Plan 2010/11, which is **attached** to this report. There is a Food Standards Agency (FSA) expectation that all Local Authorities will take their 'Food Service Plan' to full Council for endorsement.

Background

3. This report is being presented as it is a requirement of the FSA and they will consider the Food Service Plan as part of any audit of the service.
4. Food Safety aspects of the Council's work have been included within the 2010/11 Health & Environmental Services Service Plan. However, the Food Standards Agency in the Framework Agreement on Local Authority Food Law Enforcement requires the production of a specific Food Service Plan to a common format. The Food Service Plan attached to this report meets this requirement. The latest Local Authorities Coordinators of Regulatory Services (LACORS) guidance has been used this year and consequently the Food Safety Service Plan is laid out differently to previous years. This new format has resulted in a much briefer document that still meets the FSA requirements. Background papers to the Food Service Plan are available in the office of the Executive Director, Operational Services.
5. The Framework Agreement sets out what the Foods Standards Agency expects from local authorities in their delivery of official controls on feed and food law. This agreement has been updated to take account of the Agency's New Vision ¹ for food law enforcement, and the FSA Framework for Regulatory Decision Making ², which takes account of the Government's better regulation agenda and of principles of good regulation.

Considerations

6. The FSA has stated the following in their framework documentation:
"... Service plans are an expression of the Local Authority's own commitment to the development of food service. However, it is also important to consider the use made

of the plans by the Food Standards Agency, which will need information about Local Authority food law enforcement activities in a common format to enable it to assess Local Authority's delivery of the service."

7. Guidelines were then given as to the details and expected content of the Food Service Plan. The Service Plan simply identifies in one single document the work and structure of the service relating to food safety.
8. This plan is included within the Policy Framework of the Council and as such the responsibility for agreeing the Food Service Plan lies with the Council.

Options

9. Members can accept, reject or amend the proposed plan. However, failure to adopt the plan would leave the service and the Council open to criticism by the FSA if they choose to conduct an audit.

Implications

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| 10. | Financial | Within existing resources and referred to in the body of the service plan. Financial provision has been included within 2010/2011 budget. |
| | Legal | Adoption of a food safety service plan although not technically a legal requirement makes clear reference to food law enforcement and legal requirements that are to be discharged. |
| | Staffing | At this time it is anticipated that existing staff will meet the fieldwork targets set for the service in the food safety area. |
| | Risk Management | Failure to adhere to the Food Service Plan could result in adverse media comment. The FSA could name and shame the Local Authority nationally. In extreme circumstances if we fail to carry out this work the FSA may take over our inspection and enforcement duties and charge the Local Authority for the work. |
| | Equal Opportunities | In line with general and specific duties under the Race Relations Act 1976 and the Race Relations Amendment Act 2000, the Council operates a Race Equality Scheme (RES) in order to eliminate unlawful discrimination and to promote race equality and good race relations. The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district. Statistics from the 2001 census also shows that, whilst only 2.9% of the district's population is made up of black and minority ethnic groups, there are greater ethnic minority communities in three wards in particular. These are the villages of Girton, Milton and Teversham where the black and minority ethnic groups are two or three times as much. An assessment of SCDC services in terms of their relevance to the statutory duty to promote race equality, which is featured in the Race Equality Scheme, rates food safety issues as of 'medium' relevance. An equality impact assessment (partial) was conducted on the 'Food Safety Service' and satisfactorily signed off on 1 December 2009. |
| | Climate Change | No implications identified. |

Consultations

11. None.

Effect on Strategic Aims

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| 12. | Commitment to being a listening council, providing first class services accessible to all. |
| | The plan refers to many ways in which the food safety service works towards this aim, i.e. Access to services through the Contact Centre and quality benchmarking. Customers of food businesses, the public, staff and business operators all receive benefit from an effective Food Service. The plan details areas where customer service standards are applied. |
| | Commitment to ensuring that South Cambridgeshire continues to be a safe and healthy place for you and your family. |
| | Good quality, safe to eat food is an essential requirement of good health. The plan will contribute to ensuring the communities in SCDC are provided with safe and wholesome food. |
| | Commitment to assisting provision for local jobs for you and your family. |
| | The plan supports the development and maintenance of small and medium sized enterprises through appropriate measured enforcement, advice and education. It is concerned with the maintenance of economic prosperity in the District. |

Conclusions / Summary

13. This service plan meets the FSA requirements under relevant legislation and guidance. This legislation includes the Food Safety Act 1990 and the Food Hygiene (England) Regulations 2006.

Background Papers:

The following background papers were used in the preparation of this report & copies of these documents can be viewed in the Executive Directors office:

The Framework Agreement on Local Authority Food Law Enforcement
The Food Standards Agency Annual Report of Incidents 2009

Contact Officer: Geoff Keerie, Principal Environmental Health Officer
Telephone: (01954) 713133

¹ The Agency's New Vision for food law regulation is set out in paper PRO06/10/02, approved by the FSA Board on 12 October 2006. This is available on the Agency's website.

² <http://food.gov.uk/multimedia/pdfs/FSAreframework.pdf>