
Food Law Enforcement Plan 2014-16

To: Cabinet – 11 September 2014

Main Portfolio Area: Corporate & Regulatory Services

By: Cllr Johnston, Leader of Council and Cabinet Member for Community Services

Classification: Unrestricted

Ward: All Wards

Summary: The Food Law Enforcement Plan sets out how this Council intends to provide an effective food safety service that meets the requirements of the Food Standards Agency Framework Agreement. It covers the functions carried out by authorised officers of the Public Protection Team under the provisions of the Food Safety Act 1990, the Food Hygiene (England) Regulations 2006 and relevant regulations made under the European Communities Act.

For Decision

1.0 Introduction and Background

- 1.1 The Food Standards Agency requires local authorities to produce a Plan that outlines how we intend to provide an effective food safety service. The plan sets out how the Public Protection Team prioritises and manages their work for the next 24 months.
- 1.2 The work of the team which is included in this Plan includes inspections of food businesses, shell fish sampling and general sampling, approval of food manufacturing premises, imported food controls and complaints about food premises.
- 1.4 The Plan also indicates the level of resources required to undertake the services required.

2.0 The Current Situation

- 2.1 There have been a number of changes over the last six months which have required the Food Law Enforcement Plan to be updated. The two which have a major impact on the Public Protection Team are the closure of the Designated Point of Entry, which saw the responsibility for imported food return to the team, and a change in the guidance on the frequency of inspections.
- 2.2 The impact of these changes means that we now require 1 FTE Manager, 2 FTE Environmental Health Officers and 3.5 FTE Public Protection Officers. Due to recent staff changes in the team we have a number of vacant posts so there are no staff directly affected by the changes to the Food Law Enforcement Plan.
- 2.3 The Service Plan is a key document in setting out the focus of the team for the next two years and will lead to a consistent work programme for the next year as well as complying with our statutory responsibilities.

3.0 Options

3.1 To approve the Service Plan

3.2 To not approve the Service Plan

5.0 Corporate Implications

5.1 Financial and VAT

5.1.1 There are no additional costs associated with the new staffing levels calculated within the Food Law Enforcement Plan.

5.2 Legal

5.2.1 The statutory duty is imposed on the Council under the Food Safety Act 1990 to ensure the effective implementation of Government Strategy on food safety issues, having regard to the Food Law Code of Practice issued by the Food Standards Agency and guidance issued by the Local Authority Co-ordinating Body and Regulatory Services (LACORS).

5.3 Corporate

5.3.1 Failure to comply with the effective implementation of the Food Safety Act 1990 and the relevant guidance and codes of practice leaves the authority open to challenge by the Food Standards Agency. More importantly though it leaves our residents and visitors at risk of food poisoning and in worse case death due to the poor hygiene standards practiced in food premises.

5.3.2 The Service Plan links into the 2012/16 Corporate Plan on a number of levels including:

- Priority One – Support the growth of our economy and the number of people in work;
- Priority Two – Tackle disadvantage across our district;
- Priority Three – support our community and voluntary organisations;
- Priority Four – make our district a safer place to live;
- Priority Six – make our district cleaner and greener and lead by example on environmental issues;
- Priority Ten – influence the work of other agencies to ensure the best outcomes for Thanet.

5.4 Equity and Equalities

5.4.1 The Service Plan details the level of Service businesses and the public can expect from the Public Protection Team with regard to food safety. The Plan ensures that high risk premises are inspected with more regularity than those posing a lower risk to public health. The standard of food premises impacts on everyone in society as poor standards & practices increase the likelihood of a food poisoning outbreak.

6.0 Recommendation

6.1 Members are requested to approve the Food Law Enforcement Plan.

7.0 Decision Making Process

7.1 This is a policy framework key decision due to the impact it has on the community.

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| Contact Officer: | Penny Button, Head of Safer Neighbourhoods, Ext 7425 |
| Reporting to: | Madeline Homer, Director of Community Services |

Annex List

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| Annex 1 | Food Law Enforcement Plan |
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Background Papers

| Title | Details of where to access copy |
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| None | N/A |

Corporate Consultation Undertaken

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|----------------|---|
| Finance | Sarah Beeching, Finance Officer |
| Legal | Steven Boyle, Interim Legal Services Manager & Monitoring Officer |
| Communications | Not undertaken |