

7.1



Service Plan for Food Law Enforcement 2018/19

For consideration by: Full Council

Date of meeting: 4 October 2018

Lead director: John Leach

Useful information

- Ward(s) affected: all
- Report author: Roman Leszczyszyn, Head of Regulatory Services
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1. Purpose of report

1.1 This report is presented to the Full Council for the purpose of:

- a) Adopting the Leicester City Council Service Plan for Food Law Regulation 2018/2019

2. Summary

- 2.1 This report presents Leicester City Council's Leicester City Council Service Plan for Food Law Regulation 2018/2019 for approval by Council.
- 2.2 The Plan sets out the demands on the City Council and the resources required to deliver an effective regulatory regime. The Plan also reviews the achievements for 2017-18.

3. Recommendations

Full Council is recommended to:

- 3.1 To adopt the Service Plan for Food Law Regulation 2018/2019.

4. Supporting information including options considered:

- 4.1 Leicester City Council's regulatory responsibilities relate to the safety and fitness of food made and sold in the City; the accuracy of any labels and descriptions. The City Council delivers a significant programme of food hygiene inspections, advice and training for food businesses and operatives, and investigates complaints and food poisoning incidents. The City Council response is delivered by a number of regulatory teams.
- 4.2 Leicester has a diverse food sector and notably a vibrant Asian cuisine restaurant trade. The number of registered food businesses in Leicester is around 3000 with significant turnover of business. This makes achieving and maintaining good compliance challenging. The number of food businesses that are 'broadly compliant' with food law in Leicester is 84% (the national average is 88%).
- 4.3 In 2018-19 the Food Safety Team will deliver around 1916 food hygiene interventions. These are programmed at frequencies dependent on risk as required by the statutory Code of Practice. Appendix One provides the Service Plan for Food Law Enforcement 2018-19.

4.4 Key compliance projects for 2018-19 include:

- Allergens
- Acrylamide
- Promotion of 5 rated establishments

5. Details of Scrutiny

5.1 The Director of Neighbourhood and Environmental Services submitted a report to the Neighbourhood Services and Community Involvement Scrutiny Commission on 4th July 2018, on public protection and regulation in Leicester's food sector.

The full minute is in Appendix Two.

5.2 The Commission AGREED:

1. That the work undertaken by Leicester City Council's Food Safety Team be noted and the Team congratulated on its work; and
2. That the Director of Neighbourhood and Environmental Services be asked to present a report to this Commission at an appropriate time on the operation of the food hygiene rating system, including ways in which businesses could be encouraged to display their food hygiene rating

6. Financial, legal and other implications

6.1 Financial implications

There are no direct financial implications arising from the report.

Colin Sharpe
Head of Finance
Ext 37 4081

6.2 Legal implications

6.2.1 The Food Standards Agency supervises local authority regulatory activity and the requirements from local authorities are set out in the Framework Agreement on Official Feed and Food Controls by Local Authorities.

<http://www.food.gov.uk/enforcement/enforcework/frameagree>

6.2.2 Under the Framework Agreement the local authority is required to produce a service plan that sets out how and at what level official feed and food controls will be provided in accordance with Codes of Practice.

6.2.3 Local authorities should take account of the Government's better regulation agenda when planning and delivering their services. Key to this agenda are the

five principles of good regulation:

- targeting (to take a risk-based approach);
- proportionality (such as only intervening where necessary);
- accountability (to explain and justify service levels and decisions to the public and to stakeholders);
- consistency (to apply regulations consistently to all parties); and
- transparency (being open and user-friendly).

6.2.4 The Service Plan has been produced in accordance with the guidance in the Framework Agreement.

6.2.5 Local Authorities have the flexibility to decide locally whether or not service plans should be approved at Member level.

6.2.6 The Food Law Enforcement Service Plan is an element of the City Council's Policy Framework and the Council's Constitution reserves approval of the Service Plan for Food Enforcement Service Plan to Full Council as a matter of local choice.

Kamal Adatia
City Barrister & Head of Standards
Monitoring Officer
Ext 37 1401

6.3 Climate Change and Carbon Reduction implications

No Climate Change or Carbon Reduction Implications

6.4 Equalities Implications

6.4.1 Food regulatory activities are delivered in accordance with the Food Law: Code of Practice (England), March 2017. The Code of Practice is issued pursuant to section 40(1) of the Food Safety Act 1990, regulation 24(1) of the Food Safety and Hygiene (England) Regulations 2013 and regulation 6(1) of the Official Feed and Food Controls (England) Regulations 2009.

6.4.2 The risk assessment scheme in the Code of Practice takes account of vulnerable risk groups. In this context, vulnerable risk groups are those that include people likely to be more susceptible to the effects of illness that arise from poor food hygiene such as those who are under 5 or over 65 years of age, people who are sick or immuno-compromised.

6.4.3 The Service Plan does not propose changes or departures from the Code of Practice with equalities implications.

6.5 Other Implications

Policy – No implications
Crime and Disorder – No implications
Human Rights Act – No implications
Elderly/People on Low Income – No implications

7. Background information and other papers:

None

8. Summary of appendices:

Appendix One – Service Plan for Food Law Enforcement 2018-19

Appendix Two – Relevant Minutes of Scrutiny 4 July 2018

9. Is this a private report (If so, please indicated the reasons and state why it is not in the public interest to be dealt with publicly)?

No

10. Is this a “key decision”?

No

11. If a key decision please explain reason

N/A