

**HERTFORDSHIRE COUNTY COUNCIL**

**CABINET**  
**MONDAY, 19 MARCH 2001 AT – 10.00 AM**

**EXECUTIVE COMMITTEE**  
**MONDAY, 19 MARCH 2001 AT – 2.15 PM**

Agenda Item No.

**1**

**FOOD SERVICE PLAN 2001/02**

*Report of the Director of Community Information*

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Executive Member: Gerald Game

**1 Purpose of the report**

To seek approval for the draft Food Service Plan 2001/02 in the light of the comments of the Community Information and Protection Select Committee.

**2 Summary**

The new Food Standards Agency (FSA) requires authorities who carry out food law enforcement, to have a separate plan for that activity. An appropriate member forum should consider the plan.

Authorities will be monitored, and occasionally audited on their performance, against standards set by the Agency, which has reserve powers to take over enforcement activity. All indications to date are that the FSA are keen to see the continuation of food law enforcement at a local level, reflecting the needs of the community, whilst ensuring basic inspection and sampling rates are met.

The Cabinet on 29 January 2001 proposed that the draft Food Service Plan for 2001/02 be supported and forwarded to the Community Information and Protection Select Committee for comment. The Select Committee will be considering the matter on 13 March and its comments will be reported.

**3 Conclusions**

Members are invited to consider whether to support the draft Plan in the lights of the comments of the Community Information and Protection Select Committee.

## **1 Background**

- 1.1 The Food Standards Agency (FSA) came into being in April 2000, following several high profile food scares, which undermined confidence in the way food issues were handled by government. It was established by the Food Standards Act 1999 and its aim is to ensure that food is safe to eat, and to offer independent, balanced advice. The Agency is accountable to Parliament, through Health Ministers.
- 1.2 Food Law enforcement has always been in the remit of local authorities, and where there is a two tier system of local government, food hygiene is a matter for the districts, whilst food composition and labelling is handled by the County Council. All authorities have traditionally set targets for inspection and sampling rates within their service plans, by reference to guidance and Codes of Practice linked to the Food Safety Act of 1990. Food work carried out by Trading Standards has always featured in that department's annual service plan.
- 1.3 One of the first acts of the new FSA, was to consult on new guidance relating to standards, service planning and monitoring arrangements. This consultation resulted in the issue, in October 2000, of a "Framework Agreement on Local Authority Food Law Enforcement. The agreement, accepted by the Local Government Association on behalf of authorities, consisted of four elements, namely;

**Standard** – sets out key area of food law enforcement, relevant management arrangements, and targets against which the Agency will monitor local authority service delivery.

**Service Planning Guidance** – guidance on what should be included in a service plan to ensure the standard is met. Includes the requirement for "an appropriate member forum" to consider the plan.

**Monitoring scheme** – information required by the FSA on a quarterly basis, about enforcement activities and inspection rates.

**Audit scheme** – a rolling programme by the FSA to assess the activities of authorities, and suggest areas for improvement.

- 1.4 Following that agreement, a detailed draft plan for the year 2001/2 has been developed and is appended for consideration.
- 1.5 The trading standards service, working on a risk based system, has a basic requirement of inspecting 40% of food premises in any one year, to ensure compliance with food labelling and composition standards. Samples are sent to a Public Analyst on a regular basis. In recent years we have managed to visit between 20-25% of premises, and by concentrating efforts, to the detriment of other duties, this has risen to 30% (our LLP) target in the calendar year 2000, following a conscious decision to improve our work in this field.

The target for the coming year is 35% but if confirmation is received of extra staff funding for the financial year 2001/2 this will be raised to 40%, the minimum requirement of the FSA.

**2. Points on the Plan**

- 2.1 The plan in Appendix 1 closely follows the requirements set out in the framework agreement. Some of the numerical detail may not be entirely accurate, as the agreement has changed the parameters of how some data should be recorded. Changes have been made (January 01) to our computer system, to ensure data mirrors the required format.
- 2.2 There is no doubt that the proposed increase in establishment will ensure that the authority meets its targets on food work, although we will need to consider what more can be done on promotional aspects. However, we are part of one of the strongest regional groups in the country, and this ensures that duplication is avoided, and consistency of interpretation enhanced.
- 2.3 There is no doubt that our activity in giving advice to “home authority” companies is more significant than in most authorities. A number of authorities have highlighted to the FSA that more work needs to be done in evaluating and “weighting” such activity to reflect the time it takes, but also the impact that such advice can have. The FSA have responded in positive manner, and accept that “Food Service Plans” will develop over time to the benefit of all concerned.

**3. Financial Implications.**

Food law enforcement is part of the “core” business of Trading Standards, and is carried out within existing revenue budgets. Consideration is being given elsewhere (para 1.5 above) as to whether extra resource is needed to increase activity.