

REPORT FOR: **CABINET**

Date of Meeting:	8 September 2011
Subject:	Commercial Safety Service Plan 2011/12
Key Decision:	Yes
Responsible Officer:	John Edwards - Divisional Director – Environmental Services
Portfolio Holder:	Councillor Phillip O'Dell, Deputy Leader and Portfolio Holder for Environment and Community Safety
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Commercial Safety Service Plan 2011/12

Section 1 – Summary and Recommendations

The Council, as an enforcement authority, has a duty to have in place an annual food service plan. The attached plan covers this and also incorporates the health & safety service plan too.

Recommendations:

Cabinet is requested to consider and approve the Commercial Safety Service Plan for 2011/12 as the Council's annual food service plan for 2011/12.

Reason: (For recommendation)

By virtue of the requirements contained in the Food Standards Act 1999 and the National Food Framework Agreement (FA), issued by the Food Standards

Agency (FSA), the Council is required to have an annual service plan in place. The health & safety service aspects of the plan are subject to approval by the Licensing and General Purposes Committee.

Section 2 – Report

2.1 Introduction & Background

- 2.1.1. Harrow Council is committed through its commercial safety team to ensure that:
- a. food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the London Borough of Harrow (the 'Council') is without risk to the health or safety of the consumer; and
 - b. to protect the health, safety and welfare of people at work, and to safeguard others, mainly members of the public, who may be exposed to risks from the way work is carried out.
- 2.1.2. The Council has statutory duty under food safety legislation for providing an inspection and enforcement service. The Food Standards Agency (FSA) monitors the Council's enforcement activities.
- 2.1.3 The attached plan is drafted in the format required by the FSA in accordance with the guidance contained in the National Food Framework Agreement and includes: the service provided, service standards and performance, targets and a statement of variances against the previous years plan.

3.1 Options considered

- 3.1.1. As noted above, the Council is expected to have an annual food service plan that meets the requirements of the National Food Framework Agreement issued by the FSA. The options are to approve the plan as currently written or to make appropriate changes, whilst still following the National Food Framework Agreement.

4.1 Current situation

- 4.1.1 A food service plan has been produced annually since 1999. Following guidance issued in 2010 there is now a requirement for a

similar plan for the health and safety service too. The Commercial Safety Service Plan is the first combined plan.

5.1 Why a change is needed

- 5.1.1 The food service plan is required annually. Following the internal merger of the food and health & safety teams, and the requirement for a health & safety service plan, it is considered appropriate to have a single plan that covers both aspects.

6.1 Resources, costs and risks

- 6.1.1 Failure to have an approved plan in place puts the Council at risk of failing FSA audits. Potential sanctions may include the management of the services being taken away from the council and handed to respective national enforcing agencies.
- 6.1.2 The past 4 years has seen a reduction in the number of officers in the Council's Food Safety and Health & Safety Teams. This has an impact on service delivery. The two teams have now merged and changes are planned to restructure responsibilities that will improve efficiencies and increase capacity including an extra member of staff, which will improve the ability to continue delivering an effective minimum service.
- 6.1.3 At present, the service focuses on the highest risk premises with alternative strategies employed to deal with low risk premises.

7.1 Staffing and workforce

- 7.1.1 The FSA National Food Framework Agreement on Local Authority Food Law Enforcement clearly states "The Authority shall appoint a sufficient number of authorised officers to carry out the work set out in the service delivery plan". With the changes proposed in 6.1.2 the service will be able to meet the objectives set out in the plan.

8.1 Equalities Impact considerations

- 8.1.1 A separate and independent equalities impact screening assessment has been completed for this report. The screening assessment concluded that a full assessment was not necessary in this case as the differential impact was low.

9.1 Financial Implications

- 9.1.1 There are no additional financial implications in approving this plan for either the current budget plans or for the Medium Term Budget Strategy.

- 9.1.2 The structure of the team may change within the budget constraints to maximise field officers. No additional finance will be required for this.

10.1 Performance Issues

- 10.1.1 The plan does not impact on any of the Council's National Indicator targets.
- 10.1.2 The commercial safety service is subject to periodic auditing by the FSA. Failure to demonstrate compliance with the National Food Framework Agreement could result in adverse reporting. An extreme sanction would be for the FSA to remove the Council's food safety powers.
- 10.1.3 In the event that the attached plan is not approved, it will mean that the Council will be acting contrary to the National Food Framework Agreement on local authority food law enforcement as issued by the Food Standards Agency.

11.1 Environmental Impact

- 11.1.1 The policy is not expected to have any significant direct positive or negative effect on the environment although the amalgamation of Health and Safety enforcement duties will mean that there will be a reduction in business journeys made by officers.
- 11.1.2 Approving this policy does not require an Environmental Impact Assessment.

12.1 Risk Implications

- 12.1.1 The Commercial Safety Service Plan is not included on the Directorate or any other corporate risk register.

13.1 Corporate Priorities

- 13.1.1 The Council's three priorities are detailed in the Year Ahead Statement 2011/12. The Commercial Safety Service Plan links with these:
- a. Keeping neighbourhoods clean, green and safe: Fundamentally, the plan covers food safety and health & safety of the community, as well as the public health agenda.
 - b. United and Involved Communities: The service plan sets out statutory inspection and enforcement actions, but includes proactive health promotion and training opportunities for the community.

- c. Supporting and protecting people who are most in need: The plan covers all in its intention to protect people, including those that are vulnerable such as the elderly, the young and the sick.
- d. Supporting our town centre, our local shopping centres and businesses: The plan aims to ensure that all relevant businesses work to the required standards. without any unfair trading advantage

13.1.2 Resources permitting, there is a strong desire amongst the Officers to increase efforts in the health and wellbeing agenda to help drive down childhood obesity by providing better understanding around food quality and food labeling. Partnership working between the PCT (to be merged into the Council in 2012) and the Commercial Safety Team is already in place.

Section 3 - Statutory Officer Clearance

Name: Jennifer Hydari	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 16 August 2011		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 16 August 2011		

Section 4 – Performance Officer Clearance

Name: David Harrington	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Partnership, Development and Performance
Date: 11 August 2011		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker



on behalf of the
Divisional Director
(Environmental
Services)

Date: 15 August 2011

Section 6 - Contact Details and Background Papers

Contact: Taiq Chowdry, Service Manager Community Safety Service,
020 8736 6236 (6236)

Background Papers: None.

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]