

**SOUTH STAFFORDSHIRE COUNCIL**

**LICENSING & REGULATORY COMMITTEE 25<sup>th</sup> October 2023**

**FOOD INSPECTION PROGRAMME 2023-2024**

**REPORT PREPARED BY: JASMIN THOMAS, ASSISTANT TEAM MANAGER  
ENVIRONMENTAL HEALTH AND LICENSING**

**PART A – SUMMARY REPORT**

**1. SUMMARY OF PROPOSALS**

- To introduce to the Committee this year's Food Service Plan.
- To update Members on the Food Standard Agency's proposals on the future food intervention scheme and reporting mechanisms.

**2. RECOMMENDATIONS**

- 2.1** That the Committee approves the service plan for food safety and make any comments and observations on the plan.

**3. SUMMARY IMPACT ASSESSMENT**

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	Yes	Prosperous Communities
	Has an Equality Impact Assessment (EqIA) been completed?	
	Yes	Attached
SCRUTINY POWERS APPLICABLE	No	
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	Not applicable	
FINANCIAL IMPACT	No	
LEGAL ISSUES	No	

OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Opportunity for compliant businesses to thrive with good food hygiene rating outcomes.
IMPACT ON SPECIFIC WARDS	No	

## **PART B – ADDITIONAL INFORMATION**

### **4. INFORMATION**

#### **4.1 BACKGROUND**

4.2 The Food Standards Agency Framework Agreement on Official Feed and Food Controls by Local Authorities (The Framework Agreement) sets out mandatory guidance on local authority food safety performance and service planning. It recommends that the Food Service Plan be submitted annually to Members / Portfolio Holder for approval.

4.3 The plan provides the basis on which the local authority will be monitored and potentially audited by the Food Standards Agency.

4.4 The service is committed to ensuring that all food stored, manufactured and/or sold within the district is safe and without risk to health.

Through the work that the team deliver, consumers are empowered to make informed choices in relation to the food they purchase and consume through the promotion of the Food Standards Agency's National Food Hygiene Ratings Scheme.

4.5 The work of the Food and Safety Team includes undertaking food hygiene interventions, allergen awareness, infectious disease investigations, food sampling, health and safety enforcement work, event work, animal welfare licensing and licensing enforcement. The work is varied and involves undertaking inspections; investigating complaints; accidents, ensuring compliance, enforcement action which includes service of formal notices and / or instigating legal proceedings.

4.6 In 2022-23 the Team completed the work required under the Food Standards Agency's Covid Recovery Plan. All Category A, B, C and all Non-Broadly (zero, one and two rated) compliant D premises were inspected, including a substantial number of new unrated premises. Two additional part time food officers were recruited to assist with the backlog of Category D premises during a six-month period.

The overall Broadly Compliance rate achieved was 96%.

- 4.7 The backlog of new and unrated food business had been prioritised with only 18 unrated premises from 2022 – 23 remaining outstanding and most were businesses that had registered with the authority in the last months of the financial year.
- 4.8 Formal action was progressed with one business which had once repeatedly failed to comply with food hygiene and health safety laws and in line with the authorities enforcement policy a prosecution was instigated. This took a considerable amount of officer resource and was finally heard at Cannock Magistrates Court in this financial year. The results were further reported in the press:  
[The Navigation owner Daryosh Rossookh banned from food business after dead mouse and filthy conditions found - Birmingham Live \(birminghammail.co.uk\)](#)

[Staffordshire publican fined for filthy conditions - BBC News](#)

[Pub owner banned from owning food businesses after filthy conditions repeatedly found including mouse infestation | Express & Star \(expressandstar.com\)](#)

The food business operator was Prohibited from having any involvement with a food business and since then the ownership of the business has taken place.

- 4.8 Since the 1st of April 2023 the Food Standards Agency have confirmed that all temporary flexibility from the Food Law Approved Code of Practice have been removed. The service must therefore follow the requirements of the Code.
- 4.9 South Staffordshire Council's Food Service Plan 2023 -2024 reflects the requirement of the Food Law Code of Practice and guidance provided by the FSA.

## **5 Main considerations for the Council**

- 5.1 The requirement of the annual Food Service Plan for appropriate Member approval is a recommendation of the Framework Agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency under the Food Standards Act 1999. Once approved, the plan will form the basis on which the Council delivers its statutory functions.
- 5.2 The Authority will requirement of the Food Law Code of Practice and guidance provided by the FSA.
- 5.3 The most significant ongoing risk to the resources required to deliver the Council's Food Service Plan 2023-2024 is sufficient resource to tackling the inspection programme in line with other priorities namely the increase in Animal Welfare licensing requirements. Resourcing is closely monitored.
- 5.4 Other service pressures if realised may include unforeseen major incidents (e.g., any further risks posed by Covid particularly in the autumn and winter periods); or other infectious disease outbreaks and major food alerts/incidents; major health and safety accidents/incidents etc. These risks are moderately likely to occur, and the

work programme and staffing will be adjusted to deal with such emergencies if they arise.

**5.5 Risks that may arise if the proposed decision and related work is not taken**

- Audit/intervention/scrutiny by the Food Standards Agency.
- Risk to public health through unregulated food businesses.

**5.6 Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks**

The main risk is maintaining adequate resources to deliver the food inspection programme and other statutory duties and any potential requirements to assist Public Health in the event of increasing risks associated with Covid.

**6 Additional key Issues**

**6.1 The Food Standards Agency have consulted on changes to the Food Hygiene Delivery Model, which has largely remained unchanged for many years.**

Changes proposed include:

- to the intervention rating scheme which will move away from the current risk category and frequency of interventions,
- updating the risk-based approach to the timescales for new businesses and due official controls,
- changes to methods and techniques for official controls,

The aim of the new approach is targeting responses towards higher risk establishments.

**6.2 The new hygiene delivery model is likely to involve a computer system update / configuration and officer training.**

**6.3 The implications for Officer time for the new delivery model is difficult to assess now as the current delivery model and proposed model use slightly different information. The FSA have confirmed that a slight reduction in official visits is required, however for local authorities with lots of poor performance the number of interventions will increase. So, on this basis an increase in Officer time is unlikely. The implications should become clearer as the computer system providers update their application following work with the FSA.**

**6.4 The Food Standards Agency prior to Covid were in the process of reviewing the annual LAEMS (Local Authority Enforcement Monitoring System) returns. Going forward they are considered introducing Key Performance Indicators (KPI's). Once the service starts to receive further information on this area of monitoring / reporting, the service will review service planning and delivery in line with these measures.**

## **7 Timetable for implementation**

- 7.1 The service plan sets out the broad programme of food safety work for 2023 -24 and has already been implemented.

## **8 Legal Implications**

- 8.1 The submission of the annual Food Service Plan for appropriate Member approval is a recommendation of the Framework Agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency pursuant to the Food Standards Act 1999. Once approved the plan will form the basis on which the Council carries out food safety services.

## **9 Conclusions**

Deliver the food programme as detailed in the Plan

## **IMPACT ASSESSMENT – ADDITIONAL INFORMATION**

Equality Impact Assessment (EqIA) completed.

## **PREVIOUS MINUTES**

## **BACKGROUND PAPERS**

Report prepared by: Jasmin Thomas – Assistant Team Manager  
Environmental Health and Licensing

## **Appendix 1**

### **Food Safety Plan 2023 - 2024**

## **Appendix 2**

April 2023

[Consultation on developing a modernised food hygiene delivery model - England | Food Standards Agency](#)

## **Appendix 3**

Equality Impact Assessment (EqIA)