

## CABINET MEETING – 18<sup>th</sup> July 2012

### EXECUTIVE SUMMARY SHEET - PART 1

<b>Title of Report:</b> FOOD LAW ENFORCEMENT SERVICE PLAN 2012/13									
<b>Author(s):</b> Executive Director of City Services									
<b>Purpose of Report:</b> To advise Cabinet of the Service's Food Law Enforcement Service Plan for 2012/13									
<b>Description of Decision:</b> Cabinet is recommended to refer the Food Law Service Plan for 2012/13 to Scrutiny Committee for further consideration..									
<b>Is the decision consistent with the Budget/Policy Framework</b> <b>*Yes/No</b>									
<b>If not, Council approval is required to change the Budget/Policy Framework</b>									
<b>Suggested reason(s) for Decision:</b> The Foods Standards Agency which monitors and audits Local Authority activities requires Food Law Service Plans to be approved by Members to ensure local transparency and accountability. The plan forms part of the Council's policy and budgetary framework as defined in the Constitution.									
<b>Alternative options to be considered and recommended to be rejected:</b> There are no practical alternative options as failure to produce a Food Law Enforcement Plan would conflict with the requirements of the Food Standards Agency									
<b>Impacts analysed;</b>									
<table style="width: 100%; border: none;"> <tr> <td style="text-align: right; padding-right: 10px;">Equality</td> <td style="border: 1px solid black; width: 40px; text-align: center; padding: 2px;">✓</td> <td style="text-align: right; padding-right: 10px;">Privacy</td> <td style="border: 1px solid black; width: 40px; text-align: center; padding: 2px;">n/a</td> <td style="text-align: right; padding-right: 10px;">Sustainability</td> <td style="border: 1px solid black; width: 40px; text-align: center; padding: 2px;">✓</td> <td style="text-align: right; padding-right: 10px;">Crime and Disorder</td> <td style="border: 1px solid black; width: 40px; text-align: center; padding: 2px;">n/a</td> </tr> </table>		Equality	✓	Privacy	n/a	Sustainability	✓	Crime and Disorder	n/a
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<b>Is this a "Key Decision" as defined in The Constitution?</b> <div style="text-align: right;">Yes</div>	<b>Scrutiny Committee</b>								
<b>Is it included in the Forward Plan?</b> <div style="text-align: right;">Yes</div>									



**FOOD LAW ENFORCEMENT PLAN 2012/13**

**REPORT OF THE EXECUTIVE DIRECTOR OF CITY SERVICES**

**1. Purpose of the Report**

The purpose of the report is to advise Cabinet of the Food Law Enforcement Service Plan for 2012/13.

**2. Description of Decision (Recommendations)**

Cabinet is recommended to refer the Food Law Service Plan for 2012/13 to Scrutiny Committee for further consideration.

**3. Introduction/Background**

- 3.1 The Food Standards Agency is an independent food safety watchdog set up by Act of Parliament in 2000 to protect the public health and consumer interests in relation to food.
- 3.2 The White Paper “The Food Standards Agency – A Force for Change” identified that Food Standards Agency as having a key role overseeing local authority enforcement activities. The Agency is therefore proactive in setting and monitoring standards and auditing local authorities enforcement activities to ensure that they are effective and undertaken on a more consistent basis.
- 3.3 Service Plans for food safety enforcement activities are seen to be an important part of the process to ensure that national priorities and standards are addressed and delivered locally. It was recognized by both central and local government that central guidance on the content of local service plans for food enforcement work would be helpful to local authorities.
- 3.4 The Food Standards Agency Framework Agreement has been developed in close partnership with the Local Government Regulation (LGR) and the Local Government Association. They have recommended a format for food enforcement service plans and given detailed guidance on the content of the plan.

**4. Current Position**

- 4.1 The Food Law Enforcement Service Plan 2012/13 has been developed to comply with the recommendations of the Food Standards Agency’s Framework Agreement. It would be necessary to produce this plan in the event of an audit by the Agency.

## **5. Reasons for the Decision**

- 5.1 The Food Standards Agency which monitors and audits local authority activities requires the Food Law Service Plans to be approved by Members to ensure local transparency and accountability. The plan forms part of the Council's policy and budgetary framework as defined in the Constitution.

## **6. Alternative Options**

- 6.1 The option of not producing a Food Law Service Plan would place the authority at risk in the event of an audit or intervention by the Food Standards Agency. It would also weaken the Council's reputation and ability to influence businesses in this field. It has been discounted on these grounds.

## **7. Impact Analysis**

### **7(a) Equalities**

There are no direct equalities implications as a result of this decision. Equalities are embedded within the national framework with which the Food Law Service Plan complies.

### **7(c) Sustainability**

The actions promoted by the Food Law Enforcement Service Plan seek to ensure the standards of food supplied within the City meet the requirements of food standards legislation.

## **8. Other Relevant Considerations / Consultations**

- (a) **Financial Implications/ Sunderland Way of Working** – details of financial and budgetary details in this report have been extracted from information supplied by Executive Director of Commercial and Corporate Services.
- (b) **Risk Analysis** – failure to approve Plan would conflict with requirements of Food Standards Agency. Measures within the Plan promote the health of the population of the City.
- (c) **Employee Implications** – there are no employee implications resulting from this decision and the plan will be delivered through existing staff resources.
- (d) **Legal Implications** – this decision ensures continued compliance with the requirements of the Food Standards Agency.
- (e) **Policy Implications** – this decision continues the policy approach established through the previous Food Law Service Plans.
- (f) **Health and Safety Considerations** – operational health and safety issues will not change as a result of this decision.
- (g) **Property Implications** – there are no property implications resulting from this Decision.

- (g) **Implications for Other Services** – there are no implications for other services as this decision continues the approach already in place for service delivery.
- (i) **The Public** – it is considered that this decision will have a positive impact on public health and wellbeing by ensuring a comprehensive and coordinated approach to food safety.
- (j) **Compatibility with European Convention on Human Rights** – this is embedded within the national framework with which the Food Law Service Plan complies.
- (k) **Project Management Methodology** – none required as this decision continues the approach already in place for service delivery.
- (l) **Childrens Services** – there are no direct implications for Children’s Services resulting from this decision.
- (m) **Procurement** – there are no procurement implications resulting from this decision.

## **9. Glossary**

FSA Food Standards Agency.

## **10. List of Appendices**

Appendix - Food Law Enforcement Service Plan 2012/13.

## **11. Background Papers**

Framework agreement on Local Authority Food Law Enforcement.

