

Committee(s):	Date(s):	Item no.
Port Health & Environmental Services Committee	13 May 2014	
<b>Subject:</b>  Approval of the 2014-2015 Food Safety Enforcement Plans for the City and the London Port Health Authority	<b>Public</b>	
<b>Report of:</b>  Director of Markets & Consumer Protection	<b>For Decision</b>	
<p style="text-align: center;"><b><u>Summary</u></b></p> <p>This report seeks your Committee's approval for two Food Service Enforcement Plans; one for the City of London and one for the London Port Health Authority.</p> <p>The Food Standards Agency (FSA) is the central competent authority for the administration of Regulation EC 882/2004 on official food and feed control in the UK and they have powers in the Food Standards Act 1999 to set standards of performance and audit and monitor local authorities. The FSA have set up a Framework Agreement with local authorities in England which we are obliged to follow when developing our food and feed services and planning our enforcement activity.</p> <p>Under this agreement, the FSA also requires each local food authority to publish an annual Food Service Enforcement Plan. for their food safety work and due to the City Corporation being the competent authority for both the City and the London Port Health Authority, we are required to produce a plan for each service.</p> <p><b>Recommendations</b></p> <p>I recommend that your Committee approves:</p> <ul style="list-style-type: none"> <li>a) the City of London Food Service Enforcement Plan 2014-2015 (see Appendix 1); and</li> <li>b) the London Port Health Authority Food Service Enforcement Plan 2014-2015 (see Appendix 2)</li> </ul>		

## **Main Report**

### **Background**

1. EC Regulation 882/2004 sets out the approach that competent authorities of Member States must adopt for official feed and food controls with the Food Standards Agency (FSA) acting as the central UK food authority and they in turn have devised a Framework Agreement that sets out what they expect from local authorities (LAs) acting as “food authorities” who are charged with the delivery of official controls on feed and food legislation.
2. Each such ‘food authority’ must produce an annual Food Service Enforcement Plan that describes the activities, techniques and approaches that will ensure they deliver on their obligations and it is a requirement that these plans are approved by elected members.
3. The Framework Agreement also contains ‘the Standard’ which LAs are obliged to follow on service delivery as well as a template format to which our plans follow.

### **Current Position**

4. The City Corporation must ensure that the services we provide to support and achieve business compliance with food safety law address the whole package set out in ‘the Standard’, and that we deliver this in line with the Government’s better regulation agenda.
5. We must also however, continue to meet the local needs of City businesses, residents, workers and visitors as set out in the Vision, Strategic Aims and Key Policy Priorities of the City of London Corporate Plan 2013-2017; this is achieved through our departmental Business Plan and individual service plans which detail the work that will be done and which is judged by our key performance indicators.
6. The City Corporation publishes its Food Service Enforcement Plans as the FSA expects as an expression of its commitment to the development of food safety in the Port and City of London and it is my intention to continue to make these plans available to our stakeholders including publishing them on the City of London website.

7. The Food Service Enforcement Plans set out the direction of future enforcement work and we aim to:-
  - a) target poor performing food businesses appropriately to secure improvements; and
  - b) work with better performing businesses to ensure they maintain full compliance.
8. However there are continuing challenges which we face and these are set out below:-

### ***The national Food Hygiene Rating Scheme***

9. In **London 2012** Olympic year, the City Corporation successful migrated from the London **Scores on the Doors** scheme to the FSA's national Food Hygiene Rating Scheme (FHRS). Since then, and in partnership with all other local authorities across the country, we have continued to promote the scheme and its [website](#) as widely as possible so that the public can make informed choices on where to eat or purchase food and consequently help push overall food hygiene standards towards improvement.
10. In 2013, the Welsh Assembly passed legislation which made the display of a business' FHRS score sticker compulsory in Wales so that the public are fully aware of how hygienic a business is and this may well become the situation UK wide in the next few years.

### ***Dealing with poor performing food businesses***

11. Whilst the vast majority of City food businesses are compliant (87%) with 53% currently in the highest category of 5●, there are a continuing group of poor performers, currently around 200 who are zero to 2●, and we will continue to concentrate time and resources on these particular businesses to improve their levels of food hygiene compliance.

### ***Increased Food Standards work***

12. In the wake of the horse meat crisis, last year the City Food Safety and Port Health teams increased their compositional sampling work in partnership with the other Port Health and London local authorities to ensure all food products were as described and are

from traceable and reputable sources and this will continue in 2014-2015.

### ***Changes to the inspection programmes***

13. There will be two changes to the inspection programmes from 2014-2015 affecting both the City and Port based teams.
14. Firstly, following the successful Port Health Review last year, 120 food businesses, primarily tourist river craft, have been transferred over to become the responsibility of the City's Food Safety Team and their inspections will be incorporated into that team's programme of inspections from now on.
15. Secondly, last month, the FSA launched their revised [Food Law Code of Practice](#) which has altered the inspection intervals of some premises. Some Category C, medium risk and broadly, compliant food premises, who score well for Structure, Hygiene and Confidence in management, will have their current inspection interval of 18 months extended out to 24 months.
16. The implications of this are that whilst the City may now have more premises overall to inspect, a significant number will not now require inspection for an additional 6 months, balancing out any additional pressure on resources.

### **Corporate and Strategic Implications**

17. The two Enforcement Plans reflect the detailed operational work undertaken by our regulatory enforcement teams in support of the strategic aims of the City and through:-
  - a) ensuring by advice and enforcement that the City's business community is legally compliant and that it continues to produce food hygienically and which is safe to eat; and
  - b) ensuring that food products entering the country through our ports meet the food safety requirements of the whole of the UK.
18. The plans are linked into our Departmental and Service Business Plans through setting out detailed activities which support our Key Performance Indicators.

19. Approval of these Plans will ensure that the City Corporation as a both a Food and a Port Health authority meets its fundamental obligations under the requirements of the FSA's Official Controls Framework Agreement.
20. It is my intention to make these plans available to all stakeholder businesses operating within City of London which will include publication on the City of London's website. In accordance with the stated intentions of the FSA, this will make the City's intentions transparent and accountable to all relevant parties and also enables any comments received on the documents to be taken into account at the next revision for 2015-2016.

### **Other Implications**

21. There are no other implications that would result from approval of this report.

### **Conclusion**

22. The attached service plans follow the prescribed format and content required by the FSA's Official Controls Framework Agreement and updated annually, and subject to your approval, will form part of the Business Plan 2014-17 for the Port Health & Public Protection Service.

### **Recommendations**

23. I recommend that your Committee approves:
  - a) the City of London Food Service Enforcement Plan 2014-2015 (see Appendix 1); and
  - b) the London Port Health Authority Food Service Enforcement Plan 2014-2015 (see Appendix 2)

### **Appendices:**

Appendix 1	City Food Service Enforcement Plan 2014-2015
Appendix 2	London Port Health Authority Food Service Enforcement Plan 2014-2015

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