

Committee(s):	Date(s):
Port Health & Environmental Services Committee	5 May 2015
Subject: Approval of the 2015-2016 Food Safety Enforcement Plans for the City and the London Port Health Authority	Public
Report of: Director of Markets & Consumer Protection	For Decision

Summary

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.

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.

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.

Recommendations

I recommend that your Committee approves:

- a) the City of London Food Service Enforcement Plan 2015-2016 (see Appendix 1); and
- b) the London Port Health Authority Food Service Enforcement Plan 2015-2016 (see Appendix 2)

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 of contents and format which our plans must 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 successfully 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.
11. This may well become the situation UK wide in the next few years as the FSA, supported by the Chartered Institute of Environmental Health (CIEH) is lobbying for similar legislation to be introduced into England; work has been recently undertaken across London and the UK to promote the display of FHRs stickers by compliant (3-5●) food businesses and will be the subject of a future report to this committee when the findings and data are finally published.

Dealing with poor performing food businesses

12. Whilst the vast majority of City food businesses are compliant (90%) with 57% currently in the highest category of 5●, there are a continuing group of poor performers, currently around 170, 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

13. In the wake of the horse meat crisis, the City Food Safety and Port Health teams already 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 2015-2016.

Changes to the inspection programmes

14. There were be two changes to the inspection programmes from last year which affected both the City and Port based teams.
15. Firstly, following the successful Port Health Review in 2013-2014, 120 food businesses, primarily tourist river craft, were transferred over to become the responsibility of the City's Food Safety Team and their inspections were incorporated into that team's programme of inspections going forward.
16. Secondly, the FSA launched their revised [Food Law Code of Practice](#) in April 2014 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; this increased the inspection interval for such premises from 18 months out to 24 months.
17. Overall though, whilst the City may now have more premises overall to inspect, the effect on the inspection programme per annum has been negligible with the total number of inspections due hovering between 960 to 1020 each year since 2012-2013.

Increase in Trade at the Ports

18. The level of throughput at the Ports has increased significantly in the past year, most notably at London Gateway. Trade has also shifted between Ports; from Tilbury to London Gateway, and from Sheerness to Tilbury. Throughput predictions for London Gateway indicate that this increase will be sustained over the next year.
19. Although Thamesport has yet to see the return of an international trade, recent liaison with the Port Operator has indicated that this may change in the next year. Depending on the nature of the trade secured this may require an increased presence at the Port to conduct inspections. However, this will be facilitated via the existing offices at London Gateway and Tilbury, with officers sent to Thamesport, as required. All document handling will be undertaken at either London Gateway or Tilbury offices, as deemed appropriate.

Change to the Port Health Operational Structure

20. The Port Health Service recognised the need to deliver an efficient and effective service and has developed a new team structure to ensure the workforce is flexible.

Increased use of Information Technology at the Ports

21. In addition to the continued use of PHILIS the Port Health Service is to introduce mobile working via the use of tablet computers. This will enable data from inspections to be entered in “real time” and facilitate faster clearance times resulting in more efficient and effective service delivery.

Corporate and Strategic Implications

22. 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.
23. The plans are linked into our Departmental and Service Business Plans through setting out detailed activities which support our Key Performance Indicators.
24. 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.
25. 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

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

Proposals

27. It is recommended that your Committee approves:

- a) the City of London Food Service Enforcement Plan 2015-2016 (see Appendix 1); and
- b) the London Port Health Authority Food Service Enforcement Plan 2015-2016 (see Appendix 2)

Conclusion

28. 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 2015-18 for the Port Health & Public Protection Service.

Appendices:

Appendix 1	City Food Service Enforcement Plan 2015-2016
Appendix 2	London Port Health Authority Food Service Enforcement Plan 2015-2016

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