

## **EXECUTIVE - JULY 2012**

### **ENVIRONMENTAL HEALTH COMMERCIAL SERVICES ENFORCEMENT SERVICE DELIVERY PLAN 2012/13**

#### **REPORT OF DEPUTY CHIEF EXECUTIVE (COMMUNITY DIRECTION)**

#### **WARDS AFFECTED: ALL WARDS**

---

#### **1. PURPOSE OF REPORT**

To seek Executive approval of the Environmental Health Commercial Services Enforcement Service Delivery Plan for 2012/13 as required by the Food Standards Agency pursuant to the Food Standards Act 1999, and the Health & Safety Executive pursuant to the Health & Safety at Work etc. Act 1974.

Copies of the Plan have been placed in the Members Room, on the internet and intranet.

#### **2. RECOMMENDATION**

- i) That the Executive approve the Environmental Health Commercial Services Enforcement Service Delivery Plan 2012/13 (Appendix 1 to this report).
- ii) That the Executive note and endorse the achievements of the Environmental Health Commercial Service in 2011/12.

#### **3. BACKGROUND TO THE REPORT**

The Food Standards Agency's Framework Agreement with Local Authorities on food law enforcement activities requires Councils to produce an annual Food Service Delivery Plan, requiring approval by the appropriate member forum, which for this Authority is the Executive.

The Health & Safety Executive, as part of Local Authorities' legal requirements under Section 18 of the Health & Safety at Work etc Act 1974, require Councils to produce an annual Health & Safety Service Delivery Plan.

Whilst each of the Central Government agencies prescribe the layout of the document required, several requirements are duplicated in both. Hence the Food Safety Enforcement Delivery Plan and Health & Safety Service Delivery Plan have been incorporated into one document.

The Enforcement Service Delivery Plan expands upon the Service Improvement Plan already produced for the service. It details all the tasks for the service, outlines the workload, the resources devoted to that work area and how the work will be undertaken. A section is also included reviewing performance against the previous year's service plan and sets out areas for improvement.

#### 4. ACHIEVEMENTS

Members may wish to note that in 2011/12:-

- 875 interventions were carried out during the year, representing 85% of the target of 1035 for the year. All inspections due were completed however the shortfall in achievement was due to a low return rate of self assessment questionnaires issued to low risk businesses.
- 389 food, water and environmental samples were taken from food businesses, achieving in full the sampling programme.
- An increase in `broadly compliant` food businesses from 84% to 87%.
- The continued success of the new national Food Hygiene Rating Scheme.
- Conclusion of the E.coli 0157 awareness campaign in butchers premises throughout the borough
- Support given to the Leicester and Leicestershire Local Enterprise Partnership (LLEP) Better Business For All campaign to build a new relationship between businesses and regulators.

The Service targets for 2012/13 for food safety interventions will be 525 inspections and 30 alternative interventions by self assessment questionnaires for low risk food businesses resulting in 555 interventions. This will lead to a 100% intervention rate for all premises due an inspection in 2012/13.

For health and safety the Service is being requested by central government to reduce the number of proactive inspections on business and switch to targeted campaigns at specific high risk activities and businesses. The service therefore in 2012/13 will carry out 9 inspections to 'A' (top risk rated) premises, carry out 50 alternative interventions by way of self assessment questionnaires to all medium rated businesses and carry out 119 advisory visits to unrated new businesses, resulting in 178 interventions. In addition projects to target specific health and safety issues include:

- Asbestos management involving colleges, landlords of industrial units, estate agents and industrial estate management companies.
- Beauty Sector, to establish those businesses carrying out high risk activities
- Event Safety, both large and small events and to include a project around firework safety.
- Transport and warehousing sector on smaller industrial estates.

During 2012/13 two key areas have also been identified for attention including:

- The continued development of the Food Hygiene Rating initiative in association with Food Standards Agency.
- Develop and promote the 'Better Business for All' project within the borough to improve the confidence of business in approaching the Council for advice and guidance on regulation.

Should approval be given by the Executive for the plan, a copy will be posted on the Council's website in order that businesses and residents are able to view the activities of the service.

5. **FINANCIAL IMPLICATIONS (AG)**

There are no financial implications arising directly from this report as the activities set out in the plan can be completed within existing budgets.

6. **LEGAL IMPLICATIONS (AB)**

Contained within the body of the report.

7. **CORPORATE PLAN IMPLICATIONS (RP)**

Will help maintain and improve food safety and health and safety standards within the Borough and thereby contribute towards the Council aims of providing a Thriving Economy and a Safer and Healthier Borough.

8. **CONSULTATION**

None, however Service Plan to be put on Council's website for comments.

9. **RISK IMPLICATIONS**

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Reputation with partners if do not work with them	Ensure partnerships entered into and resourced effectively	Steven Merry
Reputation from negative press coverage of local campaigns	Ensure positive messages emphasised in campaigns	Steven Merry
Reputation from negative press coverage from enforcement	Ensure enforcement carried out competently and proportionately and in accordance with	Steven Merry

	Enforcement Policies	
Knowledge and skills of staff	Ensure adequate training given to enforcement staff	Steven Merry
Adequate staff to deal with enquiries/enforcement activities	Ensure appropriate staff resources available to deal with demands of service	Steven Merry
Legal compliance	Ensure actions in compliance with Central Government Policy	Steven Merry

10. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS (RP)**

No implications as enforcement work in respect of food safety and health and safety is carried out consistently on the basis of a risk based inspection regime for all premises across the whole Borough. Literature is provided to those with “English not as a first language” to assist understanding and compliance with legislation. Training has also been provided in a relevant language again to aid understanding and compliance.

11. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

---

Background papers: Food Standards Agency’s Framework Agreement with Local Authorities.

Section 18, Health & Safety Executive Guidance to Local Authorities

Contact Officer: Steven Merry, ext 5735

Executive Member: Councillor Mr. D. Gould