

# **BRECKLAND DISTRICT COUNCIL**

## **Report of Paul Claussen, Executive Member for Planning & Environmental Services**

**To: Cabinet - 14 February 2012**

(Author: Fiona Inston, Principal Environmental Health Officer)

**Subject: The Food Law Enforcement Plan**

**Purpose:** To seek approval of the Food Law Enforcement Plan for 2012/13, attached as an appendix to this report.

### **Recommendation(s):**

Cabinet is requested to recommend to Full Council the approval and adoption of the Food Law Enforcement Plan for 2012/13, as attached as an appendix to this report.

## **1. INTRODUCTION**

### **1.1 Background**

The food safety function is a statutory role of all local authorities and the delivery of the service is defined by the Food Standards Agency Framework Agreement (2000). This requires all Councils to produce an annual Food Law Enforcement Plan describing how the service will be delivered during that year. The style and content of the Plan are prescribed by the Agreement and the Plan is subject to periodic external audits by the Food Standards Agency.

The Food Law Enforcement Plan is an important part of the process to ensure national priorities and standards are addressed and delivered locally, but also to:

- Focus debate on key delivery issues;
- Provide an essential link with financial planning;
- Provide objectives for the future and identify major issues that cross service boundaries; and
- Provide a means of managing performance and making performance comparisons.

The Food Law Enforcement Plan demonstrates the Council's commitment to improve food safety throughout the district.

The Environmental Health Department discharges the Council's duty to enforce food safety legislation. The Food and Health & Safety Team of the Environmental Health Department carries out planned inspections of food businesses to ensure they comply with food safety laws, and takes appropriate enforcement as necessary. These inspections occur at a frequency determined by the Food Law Code of Practice and in accordance with Food Standards Agency/LACORS/LGR guidance.

### **1.2 Issues**

The Food Standards Agency has recently completed audits of all other authorities in Norfolk and therefore an audit is anticipated shortly at Breckland.

### 1.3 Options

#### Option One

To recommend to Full Council the approved Food Law Enforcement Plan as at Appendix one (attached).

#### Option Two

Not to approve the Food Law Enforcement Plan.

### 1.4 Reasons for recommendations

The Food Law Enforcement Plan is one of the plans and strategies recommended by the Secretary of State to form part of each local authority's policy framework.

The Council's Constitution reserves the approval of the Food Law Enforcement Plan to Full Council after consultation with Cabinet.

Central Government holds default powers where local authorities fail to effectively undertake their food safety service.

The function is statutory and the range of possible approaches is prescribed by Regulations and Statutory Guidance.

## 2. IMPLICATIONS

### 2.1 Risk

There is a statutory requirement to have a Food Law Enforcement Plan and there are risks attached if there is an absence of a Food Law Enforcement Plan in the event of a Food Standards Agency audit.

An adverse audit will have reputational risks attached to the Council and the Environmental Health Department.

### 2.2 Financial

It is anticipated that the service will be achieved within current budget for 2012/13 unless additional exceptional constraints are placed upon the service which impact on budgets or officer time. There are no additional financial implications attached to this report.

### 2.3 Legal

Adequate provision for Food Law Enforcement Plan is a legal obligation.

### 2.4 Equality and Diversity

None

### 2.5 Other

None

## 3. Alignment to Council Priorities

3.1 Section 1.2 of appendix one outlines how the Food Law Enforcement Plan will align with each section of the council priorities.

#### **4. Wards/Communities Affected**

4.1 All wards affected

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#### **Key Decision**

Yes

#### **Appendices attached to this report:**

Appendix One: The Food Law Enforcement Plan