

**FOOD SERVICE PLAN**  
**Councillor Sir Beville Stanier**  
**Cabinet Member for Environment and Waste**

**1 Purpose**

- 1.1 To note the content of the 2015 – 16 Food Service Plan, which has been to the Environment and Living Scrutiny Committee, and to review the need for continued inclusion of the Plan within the Council's Policy Framework.

**2 Recommendations**

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| <p>2.1 That, having regard to any comments the Environment and Living Scrutiny may have made, the Food Service Plan be noted and commended for adoption by full Council.</p> <p>2.2 That, for the reasons outlined in this report, Council be recommended to remove the Plan from the Policy Framework, and in future approval of the Plan be delegated to the Cabinet Member for Environment and Waste, after having been the subject of scrutiny.</p> |
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**3 Supporting information**

- 3.1 The report attached as an Appendix to this report was submitted to the Environment and Living Scrutiny Committee on 22 September, 2015. As stated in the attached report, the Food Standards Agency (FSA) is the regulatory body for ensuring food safety standards. The FSA has developed a framework agreement which provides for the production by each local authority a Food Service Plan.
- 3.2 The existing Plan has recently been updated and the attached report summarises the key features of the revised Plan. The existing Plan was subject to audit by the FSA in October, 2012 and found to be adequate. It is anticipated that the FSA will revisit during 2015/16.
- 3.3 As previously mentioned, the revised Plan was submitted to the Environment and Living Scrutiny Committee on 22 September and any substantial comments will be reported at the Cabinet meeting. As part of the Council's Policy Framework, the revised Plan, incorporating any Scrutiny Committee suggestions, will be submitted for approval by full Council on 22 October.
- 3.4 The principal reason for bringing this report to Cabinet is to enable Cabinet to consider recommending Council to remove the Plan from the Policy Framework, and in future delegating approval to the Cabinet Member for Environment and Waste. Future revised Plans will however still be subject to review by the Scrutiny Committee, whose comments will be taken into account by the Cabinet Member. The reasons for this proposal are summarised below.
- 3.5 The FSA sets out how official food controls should be delivered by local authorities in the Food Law Code of Practice guidance document. Each local authority has to have an up to date documented Food Service Plan which is readily available to consumers and businesses and which states how they intend to deliver food controls in their area, including the delivery of food enforcement activity.

- 3.6 When drafting the Food Service Plan, the FSA states that local authorities must have regard to any advice issued by the FSA and the Local Government Association. Consequently the structure and content of the Plan is largely dictated by FSA requirements and the Food Law Code of Practice, with limited discretion to deliver local food controls differently. Bearing this in mind, the existing adoption process is unnecessarily cumbersome.
- 3.7 A more appropriate approval mechanism would be to submit the Plan for Scrutiny, after which final sign off would be the responsibility of the Cabinet Member. Scrutiny is still considered to be an essential element in the adoption process, particularly as future decisions might involve targeting the limited resources available to high risk rather than low risk businesses.

**4 Options Considered/Resource implications/Reasons for recommendations**

- 4.1 As far as the approval process is concerned, this could be left as it is but as outlined above this is unnecessarily cumbersome and the intention is still to retain the scrutiny element as an important part of that process.
- 4.2 As far as resource implications are concerned, as indicated in the attached Scrutiny Committee report, the staffing and financial resources required to deliver the programme of food inspections required to meet FSA standards, are set out in the Plan.

Contact Officer  
Background Documents

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Report Environment and Living Committee on 22 September, 2015.