



Derby City Council

**NEIGHBOURHOODS & PUBLIC
PROTECTION CABINET MEMBER MEETING
27 June 2017**

ITEM 5

Report of the Strategic Director of Communities
and Place

Food and Feed Law Enforcement Plan 2017/2018

Summary

- 1.1 Each year the council must produce a Food and Feed Law Enforcement Plan. This plan is required to identify the obligations placed on the Council by the Food Safety Act 1990, the Safety and Food Hygiene (England) Regulations 2013, the Official Feed and Food Controls (England) Regulations 2006, Food Information Regulations 2014, The Agriculture Act 1970 and The Animal Health Act 2006 and the resources made available to officers to discharge these obligations. The Plan can be found at Appendix 2 of this report.

Recommendation

- 2.1 To recommend the Food and Feed Law Enforcement Plan 2017/2018 be approved by the Council.

Reasons For Recommendation

- 3.1 Under the powers given to it by the Food Standards Act 1999, The Food Standards Agency (FSA) oversees and monitors how Local Authorities enforce food safety legislation. The FSA require all Local Authorities to produce and approve an annual plan that sets out how it is going to discharge its responsibilities.
- 3.2 The Plans will be used as a basis of any audit undertaken by the Food Standards Agency (FSA).
- 3.3 The plan is written to meet all the requirements of the FSA in terms of its content and format. The plan details the demands on the service, the risk based work programme and the resources available to deliver the required work. As with many other Council services the service faces increasing demands with reducing resource.

Supporting Information

- 4.1 The Food and Feed Law Enforcement Plan 2017/2018 is a continuation of last year's plan. Copies have been placed in the Members' Room for information and the document can also be viewed on CMIS.

Other Options Considered

- 5.1 If the Council take no action the FSA have the power to remove food safety responsibilities and engage another authority to deliver the service within the Council's administrative area. The likely scenario would be for a neighbouring Local Authority to be seconded to provide this service. If this did happen the Council would still have to fund the service but would lose Member and management control of the functions.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Olu Idowu, Head of Legal Services Chris Salt, Insurance & Risk Manager
For more information contact: Background papers: List of appendices:	Helen Castledine-Smith 01332 641941 Helen.Castledine-Smith@derby.gov.uk Doug Walkman 01332 641973 Doug.Walkman@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Food and Feed Law Enforcement Plan 2017/2018

Implications

Financial and Value for Money

- 1.1 None arising from the report.

Legal

- 2.1 The Council has a statutory duty to produce an enforcement plan, and to enforce the aforementioned legislation

Personnel

- 3.1 None arising from this report

IT

- 4.1 None arising from this report

Equalities Impact

- 5.1 None arising from the report

Health and Safety

- 6.1 None arising from the report.

Environmental Sustainability

- 7.1 There are no environmental impacts with regards to this plan.

Property and Asset Management

- 8.1 None arising from this report

Risk Management

- 9.1 The Council as a Food Authority is required to carry out statutory functions in relation to food safety. The annual plan sets out how the Council will fulfil its obligations under this legislation. Currently the Council is able to meet the statutory requirements but will have to re-asses its priorities in the event of an emergency such as a food poisoning outbreak or a major criminal investigation i.e. food fraud. There are no contingencies in place.
- 9.2 Failure to ensure that the council discharges its responsibilities can have serious consequences for the Council and these are set out below.
- 9.3 Should the Council not exercise its duties and provide a food safety service there is the potential that both unsafe and unscrupulous activities would go unchecked and un-enforced, which may lead to serious food borne illness or disadvantage to the residents, consumers and businesses within the City.

Corporate objectives and priorities for change

- 10.1 Proper enforcement of the aforementioned legislation contributes to the Council's pledge of **Safe Derby**.