



To: Executive Councillor for Environmental and Waste Services: Councillor Jean Swanson
Report by: Jas Lally
Relevant scrutiny committee: Environment 18/2/2014 Scrutiny Committee
Wards affected: Abbey Arbury Castle Cherry Hinton Coleridge East Chesterton King's Hedges Market Newnham Petersfield Queen Edith's Romsey Trumpington West Chesterton

COMMERCIAL TEAM BUSINESS REGULATION PLAN 2014/2015

Not a Key Decision

1. Executive summary

Cambridge City Council is responsible for food hygiene and health and safety enforcement in its area, and is required to produce an annual plan clarifying how this will be achieved. This report needs to clearly define the objectives allowing the Council to fulfil its responsibilities for the year, and confirm that it has committed sufficient resources to enable this work to be achieved. The plan also needs to be submitted to the Council for their consideration and to have evidence of the formal approval of the plan.

2. Recommendations

The Executive Councillor is recommended:
To approve the Commercial Team Business Regulation Plan 2014/2015

3. Background

Cambridge City Council is the enforcement authority for food safety and health and safety within the area of the City. As such, the authority is required to ensure that it provides adequate resources and commitment to fulfilling these responsibilities, and the Business Regulation Plan for 2014 - 2015 sets out how this will be achieved. The plan identifies the extent of the work required of the Commercial Team for food safety and health and safety, the other demands imposed upon the service that will impact on its

ability to carry out this role and the resources available to it to achieve this obligation.

The obligations referred to above are imposed on Cambridge City Council as the food authority, and can be found under Regulation EC No. 178/2002, which establishes the requirement for food authorities within each European Member State, and the Food Safety Act, 1990, section 5, which clarifies the capacity and role of authorised officers responsible for the enforcement of food safety within each food authority.

The Health and Safety at Work, etc. Act, 1974, section 18, imposes the responsibility for the enforcement of health and safety on to authorised local authority officers, and requires of the local authority the ensure that appropriate means are made available to allow the officers to carry out their duties.

Through the obligation imposed on Cambridge City Council by these statutes, this authority is directly, or indirectly, required to appoint suitably qualified officers to undertake these duties and to provide them the resources to achieve this work. Furthermore, the plan outlining how these objectives will be met is required to receive the consent of the Council, thereby ensuring that the authority has understood its obligations, and permitted sufficient resources to achieve the objectives.

The Commercial Team is responsible for the enforcement of various statutes in more than 3,000 businesses; food safety enforcement in more than 1,200, health and safety in more than 1,900, and public health and statutory nuisance legislation (except noise) in all businesses.

During 2013-14, the team of 8 officers, providing 6.8 FTE posts, carried out;

- Approximately 1150 (estimated) proactive interventions
- Approximately 1200 (estimated) reactive interventions
- Successfully launched the Primary Authority Partnership with Ridgeons Ltd.
- Implemented a Legionella control strategy in target businesses in conjunction with the Health and Safety Executive
- Developed and undertook an initial survey for a healthier eating strategy working with the County Health & Welbeing Board
- Designed and modified our business information webpages
- Provided 4 taught CIEH food hygiene courses and provided on-line training licenses on demand as an income generation source
- Working to provide full remote working capabilities to increase service efficiency
- Carried out major food poisoning outbreak investigation
- Instigated prosecution for health and safety offences – on-going.

- Developed closer community lead initiatives

(Estimates based on figures up to December 2013 and then extrapolated for the full year)

During 2014-15, the team intends to carry out;

- Approximately 1,400 proactive interventions,
- Approximately 600 reactive investigations,
- Work with a number of partner organisations to target local issues of concern under the public health agenda,
- Provide training to the local community to improve local businesses, and
- Work with the licensing team to ensure the body piercing sector operates in a safe and compliant fashion.

The service contributes to the publication of qualifying food businesses in the Food Hygiene Rating Scheme. This is freely available to all, allowing prospective consumers to see and consider the hygiene safety rating of the food businesses in the City, thereby empowering them in their decision making process. The scheme rates businesses from 0 (urgent improvement necessary) to 5 (very good), with those failing to meet their legal obligations rated as 0 to 2, and those complying rated as 3 to 5. Currently (end of January 2014), 92.4% of food businesses were meeting their obligations at the time of the initial inspection, rising to 95.5% after a re-score.

The Commercial Team is also focussing upon developing potential initiative to generate income revenue during and subsequent to 2014-15. The service is looking at a number of possible opportunities, and aims to develop these during the year. The service is training centre for the Chartered Institute for Environmental Health, and is considering developing this strategy to better service the local and wider communities, and to secure an income to offset the service costs. In addition, the service is also the primary authority partner for Ridgeon's. This scheme is designed to improve the degree of legal compliance with the partner business, and whilst is a non-profit making legal relationship, the Commercial Team will be aiming to develop additional relationships to assist the development of the local business community.

4. Implications

(a) Financial Implications

The exact financial allocations required to fully fund this service have not as yet been assigned for the year 2014-15, but will be in line with the amounts allocated for the previous years for this service. This is set out in section 4 of the Business Regulation Plan 2014-2015.

(b) **Staffing Implications** (if not covered in Consultations Section)

The staffing implications for the service are not expected to change from recent years and are set out in section 2.2 of the plan.

(c) **Equal Opportunities Implications**

An Equality Impact Assessment has not been carried out as the service is not changing from that which has been delivered for many years.

(d) **Environmental Implications**

As part of this section, assign a climate change rating to your recommendation(s) or proposals. You should rate the impact as either:

- +H / +M / +L: to indicate that the proposal has a high, medium or low positive impact.
- Nil: to indicate that the proposal has no climate change impact.
- -H / -M / -L: to indicate that the proposal has a high, medium or low negative impact.

Follow the guidance on the intranet at <http://intranet/sustainability/policies-and-procedures.html>

It is not expected that the proposals contained in the Business Regulation Plan 2014-2015 will have any environmental implications for the Council or for the businesses in the City who will potentially be affected by the plan.

(e) **Procurement**

There are no foreseeable procurement implications associated to the adoption of the Business Regulation Plan 2014-2015

(f) Consultation and communication

Please state what you have done / are planning to do by way of consultation

The Councils Code of best practice on consultation and community engagement can be accessed via:

<http://intranet/Guidelines/code-of-best-practice-on-consultation-and-community-engagement.pdf>

Please state what you have done / are planning to do to communicate the content of this report to residents and others, e.g. through the media using a news release, Cambridge Matters, content on the council's website, Twitter or Facebook.

Advice is available at <http://intranet/corporate-marketing/>

The Business Regulation Plan 2014-2015 is produced to set out how the Council will meet its obligations for the enforcement of food safety and health and safety. The plan needs to be formally adopted by the Council, and be available to the Food Standards Agency or the Health and Safety Executive should they require access to it or during any audit to access how we comply with the obligations placed upon the authority. The plan needs to state only how the Council will meet its statutory obligations, and does not need to go through a consultation process with service users.

(g) Community Safety

The role of the Commercial Team is to enhance community safety in the City, and the Business Regulation Plan 2014-2015 defines how this will be achieved during the year 2014-2015.

5. Background papers

These background papers were used in the preparation of this report:

Regulation EC No. 178/2002

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002R0178:EN:HTML>

The Food Safety Act, 1990

<http://www.legislation.gov.uk/ukpga/1990/16/contents>

Food Law Code of Practice (England)

<http://multimedia.food.gov.uk/multimedia/pdfs/codeofpracticeeng.pdf>

Food Law Practice Guidance (England)

<http://multimedia.food.gov.uk/multimedia/pdfs/practiceguidanceeng.pdf>

The Health and Safety at Work etc. Act, 1974

<http://www.legislation.gov.uk/ukpga/1974/37>

6. Appendices

N/A

7. Inspection of papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Frank Harrison

Author's Phone Number: 01223 - 457902

Author's Email: frank.harrison@cambridge.gov.uk