

Report title	Food Service Plan 2023	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Craig Collingswood City Environment and Climate Change	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	John Roseblade, Director of Resident Services	
Originating service	Commercial Regulation	
Accountable employee	Emily Fellows	Team Leader
	Tel	01902 555190
	Email	emily.fellows@wolverhampton.gov.uk
Report to be/has been considered by	Resident Services Leadership Team	30 May 2023

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the draft 2023 Food Service Plan at Appendix 1.
2. Delegate authority to the Cabinet Member for City Environment and Climate Change, in consultation with Head of Commercial Regulation Service, to approve the final version of the Food Service Plan.

Recommendations for noting:

The Cabinet (Resources) Panel is asked to note:

1. The requirement to prepare a Food Service Plan.
2. The services key achievements for the year 2022-2023.

1.0 Purpose

- 1.1 To inform the Cabinet (Resources) Panel of the legal requirement to produce a Food Service Plan.
- 1.2 To present, for consideration and approval, the draft Food Service Plan for 2023.
- 1.3 To obtain authority for the Cabinet Member for City Environment and Climate Change, in consultation with the Head of the Commercial Regulation Service, to approve the final version of the plan.

2.0 Background

- 2.1 Service delivery plans are recognised by central government as important expressions of a local authority's commitment to the development of their various services. They serve as a quality framework against which a service may be audited and provide focus on resourcing and delivering aims and objectives. They also establish mechanisms for managing performance.
- 2.2 In January 2001, the Food Standards Agency produced the Framework Agreement on Local Authority Food Law Enforcement. It included the requirement to prepare a Food Service Plan and prescribed in detail which areas of the service should be covered by the plan. This is the 22nd City of Wolverhampton Council Food Service Plan.
- 2.3 The Food Service Plan provides a framework upon which a scrutinising body, such as the Food Standards Agency (FSA) can conduct an official audit. It also sets out, within an overall commitment to quality and continual improvement, the general aims and objectives of the service, the scope and levels of the service and the means by which it is delivered. To this end, it also contains a breakdown of the financial and staffing resources available to deliver the service.
- 2.4 The draft Food Service Plan 2023 can be found in Appendix 1. A copy will be placed on the intranet when final approval is confirmed.
- 2.5 The plan describes how the service is discharged and details the numbers, types and priority ratings of the City's food premises, the frequencies of planned interventions, sampling programmes, reactive work, including responding to food complaints, food hazard warnings and investigating cases of infectious disease.
- 2.6 The Food Standards Agency had produced a recovery plan for local authorities to follow during the Covid-19 pandemic which allowed deviation from the traditional intervention regime, this ended in March 2023. The expectation for 2023 is for local authorities to realign with the traditional intervention regime, whilst prioritising interventions during the year based on risk and intelligence.

3.0 Key Achievements in 2022/2023

3.1 The Environmental Health Service have achieved a significant amount in 2022 - 2023, some key achievements include:

- Exceeding the Food Standards Agency's 'Recovery Plan' for 2022 - 2023
- 666 Food hygiene interventions undertaken
- 616 Food standards interventions undertaken
- 1,350 service requests/complaints responded to
- Established a new Primary Authority Partnership with Catering Management Consultants Limited
- Approved two new food premises and registered 312 new food businesses
- Completed an imported food project with a selection of Wolverhampton food businesses
- Actively involved in a National School Food Standards Pilot with the Food Standards Agency and Department for Education
- Continued support to businesses applying 'Natasha's Law'

4.0 Progress

4.1 The Food Service Plan is a statutory document and is required to be produced annually.

4.2 The overall resource provision required to deliver the requirements of the plan fall within the Resident Services Portfolio. For this reason, the Cabinet Member for City Environment and Climate Change is the signatory of the approved plan.

4.3 The Service is committed to working towards the intervention regime prescribed by the Food Standards Agency. It is envisaged that the service will not achieve all interventions that fall due because of the backlog of routine interventions from the pandemic. However, the backlog will be addressed over the next years interventions. The focus will continue to be on the higher risk businesses and those premises where intelligence is received. Premises that do not receive an intervention this year will receive an intervention in following years.

5.0 Evaluation of alternative options

5.1 Option 1 not produce the Statutory Service Plan, which would be in breach of the requirement set out in the Framework Agreement on Local Authority Food Law Enforcement. The work undertaken would not be endorsed by members and would be in breach of the requirements set out by the Food Standards Agency.

5.2 Option 2 produce the Statutory Service Plan, which is set out in the Framework Agreement on Local Authority Food Law Enforcement. The work of the Service would be endorsed by members and we would not be in breach of the requirement set out by the Food Standards Agency.

6.0 Reasons for decisions

6.1 The Food Service Plan is a statutory document and is required to be produced annually. The plan sets out the priorities for the Service and is available for members of the public to view so that they are aware of what the authority is doing to help ensure that the food they eat is safe.

7.0 Financial implications

7.1 The plan will be delivered within the approved 2023 - 2024 revenue budget of £682,900 for Environmental Health. This is monitored as part of the Council's routine quarterly monitoring.

7.2 It should be recognised that a wide range of other non-food related services are delivered within the £682,900 Environmental Health budget, which includes Health and Safety, investigation and control of infectious disease and permitted industrial process regulation.
[SB/16052023/P]

8.0 Legal implications

8.1 Powers to enable the Food Standards Agency to monitor and audit local authorities' enforcement action are contained within the Food Standards Act 1999. This was the statutory basis for the development of the Framework Agreement that was initially established in 2001 and subsequently amended. The requirement for local authorities to develop and maintain annual Food Service Plans is an important part of the process to ensure national priorities and standards are addressed and delivered locally.
[DA/25/05/2023/1]

9.0 Equalities implications

9.1 Implementation of the Food Service Plan will have no adverse equality implications as the same levels of advice and support are provided to all food business operators from all sections of the community.

9.2 Certain sectors of the food trade are predominantly owned by one or other ethnic groups. To ensure a consistent and proportionate approach, all decisions are based solely on considerations of risk, public safety, evidence and public interest. All enforcement policies reflect this approach.

10.0 All other implications

10.1 The report may have some indirect environmental implications in so far as it affects the working and commercial environment in Wolverhampton.

10.2 A number of food businesses operate from Council assets/properties. In some of these cases the Council will have duty holder responsibilities in ensuring the structure and facilities provided are compliant with food safety legislation. In these cases, the service is advised of its responsibilities by an Officer of the service.

10.3 Implementation of the Food Service Plan and the subsequent interventions of food businesses within the City helps to ensure that food businesses comply with the law and produce food which is safe to eat. All the work undertaken by the Service is aimed at securing the health and wellbeing of residents and visitors in the City.

11.0 Schedule of background papers

11.1 [Food Service Plan 2022](#) – Cabinet (Resources) Panel 15 June 2022.

12.0 Appendices

12.1 Appendix 1: Food Service Plan 2023