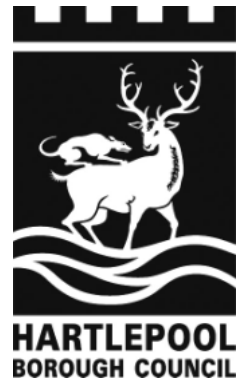


NEIGHBOURHOOD SERVICES SCRUTINY FORUM AGENDA



Monday 21 September 2009

at 4.00pm

in the Council Chamber, Civic Centre, Hartlepool

MEMBERS: NEIGHBOURHOOD SERVICES SCRUTINY FORUM

Councillors S Akers-Belcher, Barker, R Cook, Coward, Fleming, J Marshall, Rogan, Worthy and Wright

Resident Representatives: John Cambridge and Brenda Loynes

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 17th August 2009
- 4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO FINAL REPORTS OF THIS FORUM**

No items.
- 5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS REFERRED VIA SCRUTINY CO-ORDINATING COMMITTEE**

No items.

6. **CONSIDERATION OF PROGRESS REPORTS / BUDGET AND POLICY
FRAMEWORK DOCUMENTS**

- 6.1 Food Law Enforcement Service Plan 2009-2010 – *Director of Neighbourhood
Services*

7. **ITEMS FOR DISCUSSION**

Scrutiny Investigation into Climate Change and Carbon Management

- 7.1 Setting the Scene:

- (a) Covering Report – *Scrutiny Support Officer; and*
- (b) Presentation - *Environmental Standards Manager*

- 7.2 Carbon Reduction Commitment:

- (a) Covering Report – *Scrutiny Support Officer; and*
- (b) Presentation – *Climate Change Officer*

8. **ISSUES IDENTIFIED FROM FORWARD PLAN**

9. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

ITEMS FOR INFORMATION

Date of next meeting –

Monday 26 October 2009, commencing at 4.00pm in the Council Chamber,
Civic Centre, Hartlepool

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

MINUTES

17 August 2009

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

Present:

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Caroline Barker, Rob W Cook, John Coward, Tim Fleming, Gladys Worthy and Edna Wright.

Resident Representatives:

John Cambridge and Brenda Loynes

Officers:

Dave Stubbs, Director of Neighbourhood Services
Mike Blair, Traffic and Transport Planning Manager
Alan Coulson, Engineering Manager
Paul Mitchinson, Highways Services Manager
Sylvia Tempest, Environmental Standards Manager
Paul Hurwood, Climate Change Officer
Laura Starrs, Scrutiny Support Officer
Angela Hunter, Principal Democratic Services Officer

9. Apologies for Absence

Apologies for absence were received from Councillor John Marshall.

10. Declarations of interest by Members

None.

11. Minutes of the meeting held on 24 July 2009

Confirmed.

12. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum – Portfolio Holder's Response to the Coastal Defences and Shoreline Management in Hartlepool

(Joint report of the Director of Neighbourhood Services and Portfolio Holder for Transport and Neighbourhoods)

In the absence of the Portfolio Holder, the Engineering Manager presented the report for Members' consideration. The report provided feedback on the recommendations from the investigation into 'Coastal Defences and Shoreline Management in Hartlepool', which was reported to Cabinet on 27 July 2009. The Action Plan was attached by way of appendix and included details of each recommendation and the proposed actions to be taken forward following approval by Cabinet.

Decision

The proposed actions detailed in the Action Plan were noted.

13. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee

None.

14. Consideration of progress reports/budget and policy framework documents

None.

15. Six Monthly Monitoring of Agreed Neighbourhood Services Scrutiny Forum's Recommendations *(Scrutiny Support Officer)*

The Scrutiny Support Officer provided details of progress made on the delivery of the agreed scrutiny recommendations against investigations undertaken by the Forum since the 2005/06 municipal year. A summary report, attached at Appendix A, provided a break down on progress by investigation and Appendix B provided a detailed explanation of each recommendation that was either expected to achieve target or not expected to achieve target. It was noted that since the 2005/06 municipal year, 84.6% of the Forum's recommendations had been achieved with 5.5% expected to be achieved and 1.1% were not expected to be achieved.

A discussion ensued on the lack of public convenience provision in the marina area. The Director of Neighbourhood Services indicated that discussions

were on-going with a view to provide a full public convenience provision within the marina area.

A Member questioned implementation of 20 mph zones around schools and whether this was still being progressed. The Traffic and Transport Planning Manager indicated that the rolling programme to implement 20 mph zones around schools was continuing, although this was subject to changing priorities and demands on resources. In addition, a resident representative referred to the increasing problem with parking outside St Helen's School. The Traffic and Transport Planning Manager was aware of this issue and indicated that this was being looked into.

Decision

That the progress against the Neighbourhood Services Scrutiny Forum's agreed recommendations be noted.

16. Scrutiny Investigation into Climate Change and Carbon Management – Scoping Report *(Scrutiny Support Officer)*

The Scrutiny Support Officer presented a scoping report for the Forum's investigation into Climate Change and Carbon Management which included the following issues for consideration by the Forum:

Overall aim of the scrutiny investigation/enquiry

To gain an understanding of Hartlepool Borough Council's response to the issue of Climate Change and identify what efforts the Council is making to manage its carbon emissions.

Proposed terms of reference for the investigation/enquiry

The following Terms of Reference for the investigation were proposed:-

- (a) To gain an understanding of the Local Authority Carbon Management Programme (LACMP) and Hartlepool Borough Council's commitment to the LACMP;
- (b) To examine the implications of the Carbon Reduction Commitment (CRC) to Hartlepool Borough Council;
- (c) To review the initiatives aimed at reducing the use of energy resources by the Council;
- (d) To seek the views of partner / external agencies on ways to meet the challenges of Climate Change and Carbon Management; and
- (e) To assess the awareness of climate change in the community and how

its profile maybe raised.

Potential areas of enquiry / sources of evidence

- (a) Cabinet Member with Portfolio Holder for Transport and Neighbourhoods;
- (b) Director of Neighbourhood Services Department;
- (c) Ward Councillors;
- (d) Carbon Trust;
- (e) Environment Agency;
- (f) Tees Valley Climate Change Partnership;
- (g) North East Climate Change Partnership;
- (h) North East Improvement and Efficiency Partnership;
- (i) Tees and Durham Energy Advice (TADEA);
- (j) Energy Saving Trust; and
- (k) Local residents.

Proposed timetable of the scrutiny investigation

The proposed timetable for the review to be undertaken, although this may be subject to change at any stage:-

17 Aug 2009 Consideration of the Scoping Report by the Neighbourhood Services Scrutiny Forum

21 Sep 2009 Formal meeting of the Forum to receive:-

- (i) A 'Setting the Scene' report from the Neighbourhood Services Department to include the Carbon Management Programme and the Carbon Reduction Commitment; and
- (ii) Evidence from the Portfolio Holder for Transport and Neighbourhoods.

26 Oct 2009 Formal meeting of the Forum to receive:-

- (i) Evidence on the reduction of the use of energy resources from within the Authority; and
- (ii) Evidence on best practice from partner / external agencies.

Nov / Dec Site Visit / Activity Session looking at the Environment Roundabout

18 Jan 2010 Formal meeting of the Forum to receive

- (i) Evidence on climate change awareness in the community; and
- (ii) Feedback from Environment Roundabout.

1 Mar 2010 Consideration of Draft Final Report by Neighbourhood Services Scrutiny Forum

19 Mar 2010 Consideration of Final Report by Scrutiny Co-ordinating Committee

23 Mar 2010 Consideration of Final Report by the Cabinet (tentative date)

The Director of Neighbourhood Services indicated that from April 2010 the local authority would have to find £450,000 to buy credits based on consumption of energy in 2007/08. In theory some of this will be returned to the local authority depending on its position within the national league table. A Member questioned where these figures had been produced from. The Director of Neighbourhood Services indicated that the Government had calculated that for every tonne of carbon emissions, a credit of £12 would need to be purchased. The local authority had to put efforts in place to reduce carbon emissions, for example reducing the number of buildings used, as this calculation was not based on square footage.

The Director of Neighbourhood Services added that the Government had insisted that local authorities take the lead in the local authority area to reduce carbon emissions. However, the local authority can only influence other organisations, although each public body, ie Police, PCT will have individual targets set by the Government.

A Member informed the Forum that some Tesco Supermarkets were using wind-farms on their own buildings to provide power. The Director of Neighbourhood Services indicated that the Government had recently announced new planning legislation which would remove barriers to the installation of wind farms. As a result of this, officers were currently examining the possibility of installing small wind turbines on street lights and Members were asked to note that solar panels on road signs were already use in parts of the town.

In response to a query raised by a resident representative, the Director of Neighbourhood Services indicated that resident representatives would be consulted during this investigation.

Decision

That the scoping report for this Scrutiny investigation be agreed.

17. Any Other Business

The Director of Neighbourhood Services sought clarification on the timeframes for the investigation into traffic calming measures and traffic lights. The Scrutiny Support Officer indicated that the traffic light investigation will be scoped on 18 January 2010 and will run until April 2010. Due to the high level of work involved in the Forum's work programme for 2009/10, in order to accommodate 'one-off' meetings on traffic calming measures and parking on estates, it was suggested that two additional meetings be scheduled in November 2009 and March 2010.

Decision

That two additional meetings be arranged in November 2009 and March 2010 respectively to ensure the Forum's Work Programme for 2009/10 was completed.

The meeting concluded at 4.30 pm.

CHAIRMAN

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

21 September 2009



Report of: Director of Neighbourhood Services

Subject: FOOD LAW ENFORCEMENT SERVICE PLAN
2009 - 2010

PURPOSE OF REPORT

- 1.1 To consider the Food Law Enforcement Service Plan for 2009 - 2010, which is a requirement under the Budget and Policy Framework.

BACKGROUND

- 2.1 The Food Standards Agency has a key role in overseeing local authority enforcement activities. They have duties to set and monitor standards of local authorities as well as carry out audits of enforcement activities to ensure that Authorities are providing an effective service to protect public health and safety.
- 2.2 On 4 October 2000, the Food Standards Agency issued the document "Framework Agreement on Local Authority Food Law Enforcement". The guidance provides information on how local authority enforcement service plans should be structured and what they should contain. Service Plans developed under this guidance will provide the basis on which Local Authorities will be monitored and audited by the Food Standards Agency.
- 2.3 The service planning guidance ensures that key areas of enforcement are covered in local service plans, whilst allowing for the inclusion of locally defined objectives.
- 2.4 The Food Law Enforcement Service Plan for 2009 - 2010 is attached as **Appendix 1** and takes into account the guidance requirements.

- 2.5 The Plan will be considered by Neighbourhood Services Scrutiny Forum on 21 September 2009 and again by the Cabinet, prior to being considered by Council.

3. THE FOOD LAW ENFORCEMENT SERVICE PLAN

- 3.1 The Service Plan for 2009/10 has been updated to reflect last year's performance.

- 3.2 The Plan covers the following:

(i) Service Aims and Objectives:

That the Authority's food law service ensures public safety by ensuring food, drink and packaging meets adequate standards.

(ii) Links with Community Strategy, Corporate Plan, Departmental and Divisional Plans:

How the Plan contributes towards the Council's main priorities (Jobs and the Economy, Lifelong Learning and Skills, Health and Care, Community Safety, Environment and Housing, Culture and Leisure and Strengthening Communities).

(iii) Legislative Powers and Other Actions Available:

Powers to achieve public safety include programmed inspections of premises, appropriate registration/approval, food inspections, provision of advice, investigation of food complaints and food poisoning outbreaks, as well as the microbiological and chemical sampling of food.

- (iv) Resources, including financial, staffing and staff development.

- (v) A review of performance for 2008/09.

4. SUMMARY OF MAIN ISSUES RAISED IN THE PLAN

- 4.1 During 2008/09 the section had a vacant environmental health officer post up until the final quarter. Steps were taken to ensure that food hygiene inspections were given priority and this allowed the service to ensure that only 2 high risk inspections were left outstanding. Only 3 other inspections were carried forward to next year's inspection programme.

- 4.2 A total of 417 food hygiene premises inspections were undertaken in 2008/09 this equates to 99% of all programmed inspections planned for the year. However only 156 food standards inspections were undertaken this equates to 73%. The outstanding inspections will be added to the programme for 2009 - 2010.

- 4.3 A total of 164 microbiological samples were taken, of which 5 were regarded as unsatisfactory, mainly as a result of high bacteriological counts. Of the 145 compositional/labelling samples that were taken, 7 were unsatisfactory, mainly due to labelling irregularities.
- 4.4 On 1 April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. Each business is awarded a star rating which reflects the risk rating given at the time of the last primary inspection. The star rating is made available to the public via the Council's website and the business is provided with a certificate to display on their premises.
- 4.5 The table below shows the results of the star ratings awarded to businesses at the start of the scheme on 1 April 2007, as compared with 1 year on (on 1 April 2008) and after 2 years (on April 2009):

Number of Stars	Number of Premises (1/4/07)	% of premises	Number of Premises (1/4/08)	% of premises	Number of Premises (1/4/09)	% of premises
5 Stars	24/759	3%	85/762	11.1%	163/721	22.6%
4 Stars	155/759	20%	217/762	28.5%	233/721	32.3%
3 Stars	226/759	30%	294/762	38.6%	237/721	32.9%
2 Stars	262/759	35%	137/762	18.0%	65/721	9%
1 Star	60/759	8%	26/762	3.4%	17/721	2.4%
0 Stars	32/759	4%	3/762	0.4%	6/721	0.8%

- 4.6 It can be seen that the number of premises awarded 3 stars and above has risen significantly from 53% to 87.8%. The credit crunch is however having an impact on hygiene standards. Financial pressures as a result of the recession has resulted in some businesses failing to carry out essential maintenance / repairs, consequently there has been an increase in the number of premises receiving 0 stars. We anticipate that this trend is likely to continue until the economic climate improves.
- 4.7 The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has written to businesses that have been awarded 2 stars or less offering advice and support. Where necessary enforcement action will be taken.
- 4.8 During 2008/09 unacceptable standards were found in 1 premise following a programmed inspection, as a result a voluntary closure of the premises was agreed. Investigations are still in progress and formal action is under consideration. In addition five Hygiene Improvement Notices were served on three other food businesses to secure improvements.
- 4.9 In March 2008 the Authority was audited by the Food Standards Agency in relation to feeding stuffs and imported food & feed control.

An action plan was drawn up to address the 5 minor areas requiring improvement. This has been implemented and approved by the Food Standards Agency.

- 4.10 During 2009/10 there are 360 programmed food hygiene interventions, 146 programmed food standards inspections and 41 food hygiene inspections planned, in addition to an estimated 80 re-visits and 70 additional visits to new / changed premises.
- 4.11 The above inspections must be carried out by a small team of officers with the suitable qualifications and competencies to undertake them. To ensure competency, officer training plans are produced annually and reviewed after six months. This training is delivered by a variety of means including attendance on accredited training courses or seminars and via E-learning.
- 4.12 The volume of inspections and the need to carry out many of them outside normal working hours will place an additional demand on an already heavy workload.

5. RECOMMENDATIONS

- 5.1 Member's comments on the Food Law Enforcement Service Plan for 2009 - 2010 are invited prior to submission to Council.

6. CONTACT OFFICER

- 6.1 Sylvia Pinkney
Consumer Services Manager
Hartlepool Borough Council – Level 3
Civic Centre

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Email: sylvia.pinkney@hartlepool.gov.uk



Hartlepool Borough Council

Food Law Enforcement Service Plan

2009/10

FOOD SERVICE PLAN 2009/10

This Service Plan accords with the requirements of the Framework Agreement on Local Authority Food Law Enforcement, and sets out the Council's aims in respect of its food law service and the means by which those aims are to be fulfilled. Whilst focussing primarily on the year 2009-10, where relevant, longer-term objectives are identified. Additionally, there is a review of performance for 2008-09 and this aims to inform decisions about how best to build on past successes and address performance gaps.

1. **Background Information**

Hartlepool is situated on the North East coast of England. The Borough consists of the town of Hartlepool and a number of small outlying villages. The total area of the Borough is 9,390 hectares.

Hartlepool is a unitary authority, providing a full range of services. It adjoins Durham County Council to the north and west and Stockton on Tees Borough Council to the south. The residential population is 90,161 of which ethnic minorities comprise 1.2% (2001 census).

The borough contains a rich mix of the very old and the very new. Its historic beginnings can be traced back to the discovery of an iron-age settlement at Catcote Village and the headland, known locally as "Old Hartlepool" is steeped in history. On the other hand, the former South Docks area has been transformed in to a fabulous 500-berth Marina which will welcome the 2010 Tall Ships Race.

The tourist industry impacts upon recreational opportunities, shopping facilities and leisure facilities, including the provision of food and drink outlets that include restaurants, bars and cafes. There are currently 738¹ food establishments in Hartlepool, all of which must be subject to intervention to ensure food safety and standards are being met.

2. **Service Aims and Objectives**

Hartlepool Borough Council aims to ensure:

- that food and drink intended for human consumption which is produced, stored, distributed, handled or consumed in the borough is without risk to the health or safety of the consumer;
- food and food packaging meets standards of quality, composition and labelling and reputable food businesses are not prejudiced by unfair competition; and

¹ This figure includes a number of low risk premises which fall outside the intervention programme.

- the effective delivery of it's food law service so as to secure appropriate levels of public safety in relation to food hygiene, food standards and feeding stuffs enforcement.

In it's delivery of the service the Council will have regard to directions from the Food Standards Agency (FSA), Approved Codes of Practice, the Regulators Code of Compliance, and guidance from Local Authorities Co-ordinators of Regulatory Services (LACORS).

Service delivery broadly comprises:

- Programmed inspections of premises for food hygiene, food standards and feed hygiene;
- Registration and approval of premises;
- Microbiological sampling and chemical analysis of food and animal feed;
- Food & Feed Inspection;
- Contributing to the step change on imported food/feed control through inspection and checks of imported food/feed at retail and catering premises;
- Provision of advice, educational materials and courses to food/feed businesses;
- Investigation of food and feed related complaints;
- Investigation of cases of food and water borne infectious disease, and outbreak control;
- Dealing with food/feed safety incidents; and
- Promotional and advisory work.

Effective performance of the food law service necessitates a range of joint-working arrangements with other local authorities and agencies such as the Health Protection Agency (HPA), Food Standards Agency (FSA), HM Revenue & Customs (HMRC), Meat Hygiene Service (MHS), Department of Environment, Food & Rural Affairs (Defra) & the Animal Medicines Inspectorate (AMI). The Council aims to ensure that effective joint-working arrangements are in place and that officers of the service contribute to the on-going development of those arrangements.

The service is also responsible for the following:

- Health and Safety enforcement;
- The provision of guidance, advice and enforcement in respect of Smoke free enforcement;
- Water sampling; including both private and mains supplies & bathing water; and
- Provision of assistance for animal health and welfare inspections, complaint investigation and animal movement issues.

3. Policy Content

This service plan fits into the hierarchy of the Council's planning process as follows:

- Hartlepool's Community Strategy - the Local Strategic Partnership's (the Hartlepool Partnership) goal is "to regenerate Hartlepool by promoting economic, social and environmental wellbeing in a sustainable manner."
- Corporate (Best Value Performance) Plan
- Neighbourhood Services Departmental Plan
- Public Protection Divisional Plan
- Consumer Services Service Plan
- Food Law Enforcement Service Plan - sets out how the Council aims to deliver this statutory service and the Consumer Services section's contribution to corporate objectives

The Council's Community Strategy sets out its vision for 'a prosperous, caring, confident and outward looking community realising its potential in an attractive environment'.

This Food Law Service Plan contributes towards the vision and the Council's seven main priorities in the following ways:

Jobs and the Economy

By providing advice and information to new and existing businesses to assist them in meeting their legal requirements with regard to food law requirements, and avoid potential costly action at a later stage;

Lifelong Learning and Skills

By providing and facilitating training for food handlers on food safety as part of lifelong learning, and promoting an improved awareness of food safety and food quality issues more generally within the community;

Health and Care

By ensuring that food businesses where people eat and drink, or from which they purchase their food and drink, are hygienic and that the food and drink sold is safe, of good quality and correctly described and labelled to inform choice;

Community Safety

By encouraging awareness amongst food businesses of the role they can play in reducing problems in their community by keeping premises in a clean and tidy condition;

Environment and Housing

By encouraging businesses to be aware of environmental issues which they can control, such as proper disposal of food waste;

Culture and Leisure

By exploring ways to promote high standards of food law compliance in hotels, other tourist accommodation, public houses and other catering and retail premises.

Strengthening Communities

By developing ways of communicating well with all customers, including food business operators whose first language is not English, and ensuring that we deliver our service equitably to all.

This Food Law Enforcement Service Plan similarly contributes to the vision set out in the Neighbourhood Services Department Plan *“to work hand in hand with communities and to provide and develop excellent services that will improve the quality of life for people living in Hartlepool neighbourhoods”*.

Within this, the Consumer Services Section has a commitment to ensure the safe production, manufacture, storage, handling and preparation of food and its proper composition and labelling.

The Council has in place a Food Law Enforcement Policy, which has been revised and subsequently approved by the Adult & Public Health Services Portfolio Holder on 21 March 2005.

The Council is committed to the principles of equality and diversity. The Food Law Enforcement Service Plan consequently aims to ensure that the same high standards of service is offered to all, and that recognition is given to the varying needs and backgrounds of its customers.

4. Interventions

The Council has a wide range of duties and powers conferred on it in relation to food law enforcement.

The Council must appoint and authorise inspectors, having suitable qualifications and competencies for the purpose of carrying out duties under the Food Safety Act 1990 and Regulations made under it and also specific food regulations made under the European Communities Act 1972, which include the Food Hygiene (England) Regulations 2006 and the Official Feed and Food Controls (England) Regulations 2007.

Authorised officers can inspect food at any stage of the production, manufacturing, distribution and retail chain. The Council must draw up and

implement an annual programme of risk-based interventions so as to ensure that food and feeding stuffs are inspected in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance.

Prompted by the introduction of the Legislative and Regulatory Reform Act 2006 the Food Standards Agency (FSA) has made changes to the Food Law Code of Practice that took effect from June 2008.

The changes to the Code replaced an enforcement policy focussed primarily on inspections, with a new policy for a suite of interventions. This allows local authorities to choose the most appropriate action to be taken to drive up levels of compliance by food establishments with food law. This takes account of the recommendations in the 'Reducing Administrative Burdens: Effective Inspection and Enforcement'.

Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. They include:

- Inspections / Audit;
- Surveillance / Verification;
- Sampling;
- Education, advice and coaching provided at a food establishment; and
- Information and intelligence gathering.

Other activities that monitor, promote and drive up compliance with food law in food establishments, for instance 'Alternative Enforcement Strategies' for low risk establishments and education and advisory work with businesses away from the premises (e.g. seminars/training events) remain available for local authorities to use.

The revised Code also introduces the concept of 'Broadly Compliant' food establishments. In respect of food hygiene, "broadly compliant", is defined as an establishment that has an intervention rating score of not more than 10 points under each of the following components;

- Level of (Current) Hygiene Compliance;
- Level of (Current) Structural Compliance; and
- Confidence in Management/Control Systems

"Broadly Compliant", in respect of food standards, is defined as an establishment that has an intervention rating score of not more than 10 points under the following:

- Level of (Current) Compliance
- Confidence in Management/Control Systems

Local Authorities are required to report the percentage of "Broadly Compliant" food establishments in their area to the FSA on an annual basis through the Local Authority Enforcement Monitoring System (LAEMS). The Agency will

use this outcome measure to monitor the effectiveness of a local authority's regulatory service. As at the 1st April 2009, 89.3% of businesses in the borough were "Broadly Compliant" with food safety requirements and 93.3% for food standards. We aim to concentrate our resources to increase our current rate by the end of 09/10.

Since April 2008 local authorities are required to report the same information to the National Audit Office under National Indicator 184. We are also required to report on business satisfaction rates with the service under NI 182.

The Food Law Enforcement Plan will help to promote efficient and effective approaches to regulatory inspection and enforcement that will improve regulatory outcomes without imposing unnecessary burdens. The term enforcement does not only refer to formal actions, it can also relate to advisory visits and inspections.

5. Service Delivery Mechanisms

Intervention Programme

Local Authorities must document, maintain and implement an Interventions programme that includes all the establishments for which they have food law enforcement responsibility.

Interventions carried out for food hygiene, food standards and for feeding stuffs are carried out in accordance with the Council's policy and standard operating procedures on food/feed premises inspections and relevant national guidance.

Information on premises liable to interventions is held on the APP computerised system. An intervention schedule is produced from this system at the commencement of each reporting year.

The food hygiene, food standards and feeding stuffs intervention programmes are risk-based systems that accord with current guidance. The current premises profiles are shown in the tables below:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Premises
A	6 months	5
B	12 months	45
C	18 months	320
D	24 months	168
E	36 months or other enforcement	180
Unclassified	Requiring inspection/risk rating	0
No Inspectable Risk (NIR)		20
Total		738

Food Standards:

Risk Category	Frequency of Inspection	No of Premises
A	12 months	2
B	24 months	102
C	36 months or other enforcement	603
Unclassified		0
No Inspectable Risk (NIR)		20
Total		727

Feed Hygiene

Risk Category	Frequency of Inspection	No of Premises
A	12 months	0
B	24 months	35
C	60 months	21
Unclassified		27
Total		83

The intervention programme for 2009/10 comprises the following number of scheduled food hygiene and food standards interventions:

Food Hygiene:

Risk Category	Frequency of Inspection	No of Interventions
A	6 months	7
B	12 months	42
C	18 months	168
D	24 months	75
E	36 months or alternative enforcement strategy	68
Unclassified		0
Total		360

Approved Establishments:

There are 2 approved food establishments in the borough; a fishery products establishment and a manufacturer of food ingredients. These premises are subject to more stringent hygiene provisions than those applied to registered food businesses. These premises require considerably more staff resources for inspection, supervision and advice on meeting enhanced standards.

Primary Producers

New EU food hygiene legislation applicable to primary production (farmers & growers) came into effect. On the basis that the local authority officers were already present on farms in relation to animal welfare and feed legislation, the responsibility was been given to the Consumer Services Section to enforce this legislation. The service has an estimated 68 primary producers based on the 2004 Agricultural Census. The database at present does not reflect this new area of responsibility and will need to be updated throughout the course of the year to reflect these premises.

Food Standards:

Risk Category	Frequency of Inspection	No of Interventions
A	12 months	2
B	24 months	57
C	36 months or alternative enforcement	87
Not classified		0
Total		146

Feed Hygiene :

Risk Category	Frequency of Inspection	No of Interventions
A	12 months	0
B	24 months	29
C	60 months	0
Unclassified		12
Total		41

An estimated 10% of programmed interventions relate to premises where it is more appropriate to conduct visits outside the standard working time hours. Arrangements are in place to visit these premises out of hours by making use of the Council's flexible working arrangements, lieu time facilities and, if necessary, paid overtime provisions. In addition, these arrangements will permit the occasional inspection of premises which open outside of, as well as during standard work time hours. The Food Law Code of Practice requires inspections of these premises at varying times of operation.

As a follow-up to primary inspections, the service undertakes revisits in accordance with current policy. For the year 2009/10, the inspection programme is expected to generate an estimated 80 revisits. A number of these premises revisits will be undertaken outside standard working hours and arrangements are in place as described above to facilitate this.

It is anticipated that consistent, high quality programmed inspections by the service will, over time, result in a general improvement in standards, reducing the frequency for recourse to formal action.

The performance against inspection targets for all food hygiene and food standards inspections is reported monthly as part of the Neighbourhood Services Department internal performance monitoring. In addition, performance against inspection targets is reported quarterly to the Adult & Public Health Services Portfolio Holder as part of the Neighbourhood Services Department plan update and recorded on Covalent.

Port Health

Hartlepool is a Port Health Authority however it is not a border inspection post or point of entry and therefore no food enters the port.

Fish Quay

There is a Fish Quay within the Authority's area which provides a market hall although it is not currently operational and there are associated fish processing units, one of which is an approved establishment.

Registration and Approval of Premises

Food and feed business operators must register their establishments with the relevant local authority. This provision allows for the service to maintain an up-to-date premises database and facilitates the timely inspection of new premises and, when considered necessary, premises that have changed food/feed business operator or type of use.

The receipt of a food/feed premises registration form initiates an inspection of all new premises. In the case of existing premises, where a change of food/feed business operator is notified, other than at the time of a programmed inspection, an assessment is made of the need for inspection based on the date of the next programmed intervention, premises history, and whether any significant change in the type of business is being notified. It is anticipated that approximately 70 additional premises inspections will be generated for new food businesses during 2009/10.

A competent authority must with some exceptions, approve food business establishments that handle food of animal origin. If an establishment needs approval, it does not need to be registered as well.

Food premises which require approval include those that are producing any, or any combination of the following; minced meat, meat preparations, mechanically separated meat, meat products, live bivalve molluscs, fishery products, raw milk (other than raw cows' milk), dairy products, eggs (not primary production) and egg products, frogs legs and snails, rendered animal fats and greaves, treated stomachs, bladders and intestines, gelatine and collagen and certain cold stores and wholesale markets.

The approval regime necessitates full compliance with the relevant requirements of Regulation (EC) No 853/2004 and Regulation (EC) 853/2004.

There are 2 premises in the Borough which are subject to approval; a fishery products establishment and a manufacturer of food ingredients.

Microbiological and Chemical Analysis of Food/Feed

An annual food/feed sampling programme is undertaken with samples being procured for the purposes of microbiological or chemical analyses. This programme is undertaken in accordance with the service's Food/Feed Sampling Policy.

All officers taking formal samples must follow the guidance contained in and be qualified in accordance with relevant legislative requirements and centrally issued guidance, including that contained in the Food Law Code of Practice/Feed Law Enforcement Policy and associated Practice Guidance. Follow-up action is carried out in accordance with the service's sampling policy.

Microbiological analysis of food and water samples is undertaken by the Health Protection Agency's Laboratory based at Newcastle General Hospital. Chemical analysis of informal food/feed samples is undertaken by Tees Valley Measurement (a joint funded laboratory based at Canon Park, Middlesbrough) and formal samples are analysed by Durham Scientific Services, who the Authority has appointed as their Public/Agricultural Analyst.

From April 2005 sampling allocations from the Health Protection Agency, which is responsible for the appropriate laboratory facilities, has been based on a credits system dependant on the type of sample being submitted and examination required.

The allocation for Hartlepool is 8,300 credits for the year 2009-10.

Points are allocated as follows:

Sample type	No of credits
Food Basic	25
Food Complex	35
Water Basic	20
Water Complex	25
Dairy Products	10
Environmental Basic	25
Environmental Complex	35
Certification	15

A sampling programme is produced each year for the start of April. The sampling programme for 2009-10 includes national and regional surveys organised by LACORS and HPA/Local Authority Liaison Group.

Sampling programmes have been agreed with the Food Examiners and Tees Valley Measurement. These have regard to the nature of food/feed businesses in Hartlepool and will focus on locally manufactured/processed foods/feed and food/feed targeted as a result of previous sampling and complaints.

In 2007 the Food Standards Agency, the Local Authorities Coordinators of Regulatory Services (LACORS) and the Association of Port Health Authorities set a national target that imported food should make up 10% of the food samples taken by local and port health authorities. The service shall therefore aim to meet this target.

Microbiological Food Sampling Plan 2009-10

April Local Shopping Basket Survey	May LACORS/HPA Butchers Survey	June LACORS/HPA Butchers Survey
July Butchers Survey Imported Foods (Formal)	August Butchers Survey Ice cream Survey	September Butchers Survey (Follow up - resamples)
October LACORS / HPA Pre-Packed Sandwich Survey Survey of Locally Produced Sandwiches	November LACORS / HPA Pre-Packed Sandwich Survey	December LACORS / HPA Pre-Packed Sandwich Survey
January LACORS / HPA Pre-Packed Sandwich Survey	February LACORS / HPA Pre-Packed Sandwich Survey Take Away Premises Survey	March LACORS / HPA Pre-Packed Sandwich Survey Take Away Premises Survey

In addition to carrying out food sampling, arrangements are in place to enable inspections linked environmental sampling to be carried out,

The products sampled as part of the shopping basket survey include:

- Ready to Eat Pasta
- Salad Boxes/Ready to Eat Salad
- Chicken from Rotisseries
- Slush from Slush Puppies
- Ready to Eat Quiche
- Speciality Meats from Supermarkets
- RTEF Chilled Section Reduced Products
- Raw Diced Poultry

Composition and Labelling Sampling Plan 2009-10

MONTH	TEST	SAMPLES
April	Sugar Free Declaration of Soft Drinks	16
May	Floral Origin of Honey Labels of the above Products	12 12
June	Sodium Content of Canned Vegetables Labels of the above Products	4 4
July	Fat, Sodium & Total Sugars of Ready Meals Labels of the above Products Aflatoxins and Authenticity of Basmati Rice* Mercury, Lead and Cadmium in Fish*	6 6 10 10
Aug	Fish Content of Ready Meals Labels of the above Products	5 5
Sept	Calcium Claims on Pre-Packed Goods Labels of the above Products	12 12
Oct	Distinguishing between Mayonnaise and Salad Cream in Locally Produced Sandwiches	24
Nov	Cooked Meat Species	
Dec	Ground Nut Species Labels of the above Products	12 12
Jan	Meat Species of Minced Beef from Local Butchers	12
Feb	Saturated/Unsaturated Fat of Margarine/Low Fat Spread Labels of the above Products	15 15
Mar	Ingredients of Canned Fruit Salad Labels of the above Products	15 15

*Part of FSA Survey

Total samples = 237

Feeding Stuffs

It is planned that six informal animal feeding stuffs samples will be taken this year.

At present feeding stuffs sampling has been given a low priority due to the lack of local manufacturers and packers. An annual feeding stuffs sampling plan however has been drawn up to carry out informal sampling at the most appropriate time of the year in respect of farms, pet shops and other retail establishments.

Feeding stuffs Sampling Plan 2009/10

April - June	0
July - September	2 feed samples (statutory statements)
October - December	2 samples from grain stores for mycotoxins
January - March	2 supplements

Private Water Supplies

A local brewery uses a private water supply in its food production. Regular sampling is carried out of this supply in accordance with relevant legislative regulations.

Food inspection

The purpose of food inspection is to check that food complies with food safety requirements and is fit for human consumption, and is properly described and labelled. As such, the activity of inspecting food commodities, including imported food where relevant, forms an integral part of the food premises inspection programme. Food inspection activities are undertaken in accordance with national guidelines.

Provision of advice, educational materials and courses to food/feed businesses

Following changes in relation to certified courses we are reviewing the training courses offered by the section. Where we are unable to deliver courses we will advise businesses of alternative local providers.

It is recognised that for most local food businesses contact with an officer of the service provides the best opportunity to obtain information and advice on legislative requirements and good practice. Officers are mindful of this and aim to ensure that when undertaking premises inspections sufficient opportunity exists for business operators to seek advice. In addition, advisory leaflets including those produced by the Food Standards Agency are made available.

In February 2006 the Food Standards Agency introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time significant resources have been directed towards assisting businesses to fully implement a documented food safety management system.

Guidance is also prepared and distributed to food businesses relating to changes in legislative requirements. The service also encourages new food/feed business operators and existing businesses to seek guidance and advice on their business. It is estimated that 30 such advisory visits will be carried out during the year.

On 1st April 2007 the Council launched the Tees Valley Food Hygiene Award Scheme. At this time each business was awarded a provisional star rating which reflected the risk rating given at the time of the last primary inspection. The star rating was made available to the public via the Council's website and the business was provided with a certificate to display on their premises. The service has made a commitment to work with businesses to improve their rating.

Feeding stuffs advice is available via the Council's web site.

A limited level of promotional work is also undertaken by the service on food safety, with minimal impact on programmed enforcement work.

Investigation of Food/Feed and Food/Feed-Related Complaints

The service receives approximately 22 complaints, each year concerning food/feed, all of which are subject to investigation. An initial response is made to these complaints within two working days. Whilst many complaints are investigated with minimal resource requirements, some more complex cases may be resource-intensive and potentially affect programmed inspection workloads.

All investigations are conducted having regard to the guidance on the 'Home Authority Principle'.

The procedures for receipt and investigation of food/feed complaints are set out in detailed guidance and internal policy documents.

Investigation of cases of Food Poisoning and Outbreak Control

Incidents of food related infectious disease are investigated in liaison with the Durham and Tees Valley Health Protection Unit and in the case of outbreaks in accordance with the Health Protection Unit's Outbreak Control Policy.

Where it appears that an outbreak exists the Principal EHO (Commercial) or an EHO, will liaise with the local Consultant in Communicable Disease Control and, where necessary, the Director of Durham and Tees Valley Health Protection Unit, to determine the need to convene an Outbreak Control Team. Further liaison may be necessary with agencies such as the Food Standards Agency, the Health Protection Agency, Hartlepool Water and Northumbrian Water.

Statistical returns are made weekly by the service to the Communicable Disease Surveillance Centre.

It is estimated that between 70-90 food poisoning notifications are received each year. Most cases are sporadic in nature and can be investigated as part of the normal day-to-day workload. It is recognised, however, that in the event of a major outbreak a significant burden is likely to be placed on the service and this would inevitably impact on the performance of the inspection programme.

Dealing with Food / Feed Safety Incidents

A national alert system exists for the rapid dissemination of information about food and feed hazards and product recalls, this is known as the food/feed alert warning system.

All food and feed alerts received by the service are dealt with in accordance with national guidance and internal quality procedures.

Food and feed alert warnings are received by the service from The Food Standards Agency via the electronic mail system, and EHCNet during working hours. Several officers have also subscribed to receive alerts via their personal mobile phones.

The Principal EHO (Commercial Services) or, if absent, the Consumer Services Manager ensures that a timely and appropriate response is made to each alert.

Out of hours contact is arranged through Richard Court, telephone number 01429 869424.

In the event of a serious local incident, or a wider food safety problem emanating from production in Hartlepool, the Food Standards Agency will be alerted in accordance with guidance.

Whilst it is difficult to predict with any certainty the number of food safety incidents that will arise during any 12 month period, it is estimated that the service is likely to be notified of between 60 – 80 food alerts during 2009/10, a small proportion of which will require action to be taken by the Authority. This level of work can ordinarily be accommodated within the day-to-day workload of the service, but more serious incidents may require additional resources and may have an effect on the programmed inspection workload and other service demands.

In addition an increasing number of Allergy Alerts are being sent to local authorities. A total of 67 were received during 2008/09 many relating to labelling irregularities by UK manufacturers who have for example omitted to declare the presence of an allergen in the food.

Investigation of Complaints relating to Food/Feed Safety and Food Standards in Premises

The service investigates all complaints that it receives about food/feed safety and food standards conditions and practices in food/feed businesses. An initial response to any complaint is made within two working days. In such cases the confidentiality of the complainant is paramount. All anonymous complaints are also currently investigated.

The purpose of investigation is to determine the validity of the complaint and, where appropriate, to seek to ensure that any deficiency is properly addressed. The general approach is to assist the food/feed business operator in ensuring good standards of compliance, although enforcement action may be necessary where there is failing in the management of food/feed safety, or regulatory non-compliance.

Based on the number of complaints in 2008/09 it is estimated that approximately 30 such complaints will be received in 2009/10.

Feed Law Enforcement

From 1 January 2006 feed businesses must be approved or registered with their local authority under the terms of the EC Feed Hygiene Regulation (1831/2003).

This legislation relates to nearly all feed businesses. This means, for example, that importers and sellers of feed, hauliers and storage businesses now require approval or registration. Livestock and arable farms growing and selling crops for feed are also within the scope of the provisions of the regulation.

Liaison arrangements

The service actively participates in local and regional activities and is represented on the following:

- North East Regional Heads of Regulatory Services Group
- Tees Valley Heads of Public Protection Group
- Tees Valley Food Liaison Group
- The Local HPA/Local Authority Sampling Group
- Tees Valley Public Health Group
- North East Trading Standards Liaison Group
- North East Trading Standards Animal Feed Group

There is also liaison with other organisations including the Chartered Institute of Environmental Health, the Trading Standards Institute, LACORS, the Health Protection Agency, Defra, OFSTED and the Care Quality Commission.

Officers also work in liaison with the Council's Planning, Building Control and Licensing Sections.

Home Authority Principle / Primary Authority Scheme

The introduction of the Primary Authority Scheme in April 2009 under the provisions of the Regulatory Enforcement and Sanctions Act 2008 placed a statutory obligation on the Council to provide a significantly expanded range of Home Authority services to local businesses when requested by that business. There are opportunities for local authorities to recover costs from businesses to provide this premium service.

The Authority is committed to the LACORS Home Authority Principle, although at present there are no formal arrangements with food/feed businesses to act as a Primary Authority. The Authority does however act as Originating Authority for a brewery and a food manufacturer. Regular visits are made to these premises to maintain dialogue with management and an up to date knowledge of operations.

General

The delivery point for the food/feed law enforcement service is at:

Civic Centre
Victoria Road
Hartlepool
TS24 8AY

Members of the public and businesses may access the service at this point from 08.30 - 17.00 Monday to Thursday and 08.30 - 16.30 on Friday.

A 24-hour emergency call-out also operates to deal with Environmental Health emergencies, which occur out of hours.

6. Resources

Staffing Allocation

The Director of Neighbourhood Services has overall responsibility for the delivery of the food/feed law service. The Head of Procurement, Property & Public Protection has responsibility for ensuring the delivery of the Council's Environmental Health service, including delivery of the food/feed law service, in accordance with the service plan. The Consumer Services Manager, with the requisite qualifications and experience, is designated as lead officer in relation to food safety and food standards functions and has responsibility for the day to day management of the service.

The resources determined necessary to deliver the service in 2009/10 are as follows:

1 x 0.25 FTE Consumer Services Manager (with responsibility also for Health & Safety, Licensing and Trading Standards)

1 x 0.35 FTE Principal EHO Commercial (with responsibility also for Health & Safety and Animal Health)

3 x FTE EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x 0.56 FTE Part-time EHO (with requisite qualifications and experience and with responsibility also for Health & Safety)

1 x FTE Technical Officer Food (with requisite qualifications and experience)

The Consumer Services Manager has responsibility for planning service delivery and day to day management of the Food Law service, Health & Safety at Work, Licensing, Public Health, Water Quality, Trading Standards, Animal Health & Welfare and I.T. as well as general management responsibilities as a member of the Procurement, Property & Public Protection Management Team.

The Principal EHO (Commercial Services) has responsibility for the day to day supervision of the Food/Feed Law Service, Health & Safety at Work, Public Health, Water Quality and Animal Health & Welfare. The Principal EHO (Commercial Services) is designated as lead officer in relation to animal feed and imported food control.

The EHO's have responsibility for the performance of the food premises inspection programme as well as the delivery of all other aspects of the food law service, particularly more complex investigations. In addition these officers undertake Health & Safety at Work enforcement.

The food technical officer is also responsible for inspections, as well as revisits, investigation of less complex complaints and investigation of incidents of food-borne disease.

Authorised Trading Standards Officers have responsibility for the performance of the feed premises inspection programme as well as the delivery of all other aspects of the feed law service.

Administrative support is provided by Support Services within Neighbourhood Services department.

All staff engaged in food/feed safety law enforcement activity will be suitably trained and qualified and appropriately authorised in accordance with guidance and internal policy.

Staff undertaking educational and other support duties will be suitably qualified and experienced to carry out this work.

Financial Resources

The annual budget for the Consumer Services section in the year 2009/10 is:

	£000
Employees	608.8
Other Expenditure	442.4
Income	(243.5)
Net Budget	807.6

This budget is for all services provided by this section i.e. Health & Safety, Licensing, Trading Standards and resources are allocated in accordance with service demands.

Equipment and Facilities

A range of equipment and facilities are required for the effective operation of the food/feed law service. The service has a documented standard operating procedure that ensures the proper maintenance and calibration of equipment and its removal from use if found to be defective.

The service has a computerised performance management system, the Authority Public Protection computer system (APP). This is capable of maintaining up to date accurate data relating to the activities of the food/feed law service. A documented database management standard operating procedure has been produced to ensure that the system is properly maintained, up to date and secure. The system is used for the generation of the inspection programmes, the recording and tracking of all food/feed interventions, the production of statutory returns and the effective management of performance.

Training Plans

The qualifications and training of staff engaged in food/feed law enforcement are prescribed and this will be reflected in the Council's policy in respect of appointment and authorisation of officers.

It is a mandatory requirement for officers of the food/feed law service to maintain their professional competency by undertaking a minimum of 10 hours core training each year through attendance at accredited short courses, seminars or conferences. This is also consistent with the requirements of the relevant professional bodies.

The Council is committed to the personal development of staff and has in place Personal Development Plans for all members of staff.

The staff Personal Development Plan scheme allows for the formal identification of the training needs of staff members in terms of personal development linked with the development needs of the service on an annual basis. The outcome of the process is the formulation of a Personal

Development Plan that clearly prioritises training requirements of individual staff members. The Personal Development Plans are reviewed six monthly.

The details of individual Personal Development plans are not included in this document but in general terms the priorities for the service are concerned with ensuring up to date knowledge and awareness of legislation, building capacity within the team with particular regard to approved establishments, the provision of food hygiene training courses, developing the role of the Food Safety Officer, and training and development of new staff joining the team.

Detailed records are maintained by the service relating to all training received by officers.

7. Service Review and Quality Assessment

Quality Assessment

The Council is committed to quality service provision. To support this commitment the food law service seeks to ensure consistent, effective, efficient and ethical service delivery that constitutes value for money.

A range of performance monitoring information will be used to assess the extent to which the food service achieves this objective and will include on-going monitoring against pre-set targets, both internal and external audits and stakeholder feedback.

Specifically the Principal EHO (Commercial Services) will carry out accompanied visits with officers undertaking inspections, investigations and other duties for the purpose of monitoring consistency and quality of the inspection and other visits carried out as well as maintaining and giving feedback with regard to associated documentation and reports.

It is possible that the Food Standards Agency may at any time notify the Council of their intention to carry out an audit of the service.

Review

It is recognised that a key element of the service planning process is the rational review of past performance. In the formulation of this service plan a review has been conducted of performance against those targets established for the year 2008/09.

This service plan will be reviewed at the conclusion of the year 2009/10 and at any point during the year where significant legislative changes or other relevant factors occur during the year. It is the responsibility of the Consumer Services Manager to carry out that review with the Head of Procurement, Property & Public Protection.

The service plan review will identify any shortfalls in service delivery and will inform decisions about future staffing and resource allocation, service standards, targets and priorities.

Following any review leading to proposed revision of the service plan Council approval will be sought.

Performance Review 2008-09

This section describes performance of the service in key areas during 2008/09.

During 2008/09 the section was not fully staffed having a vacant EHO post up until the final quarter. Steps were taken to ensure that food hygiene inspections were given priority and this allowed the service to enable that only 2 high risk inspections were left outstanding. Only 5 inspections were carried forward to next year's inspection programme. We achieved our response times for complaints responding within 2 working days in all cases; however we did not achieve our targets for planned inspections in relation to food standards and feeding stuffs.

The section has lost 3 posts due to budget pressures during 2008/09. Although none of these posts directly enforced food legislation their workload has to be distributed to the remaining workforce this will result in extremely challenging targets in 2009/10

Inspection Programme

The food premises inspection programme for 2008/09 did not quite reach the target of 100%. Due to staff shortages 99% of Food Hygiene and 73% of Food Standards inspections were achieved. The outstanding inspections will be added to the programme for 2008/09.

Registration and Approval of premises

Premises subject to approval were inspected and given relevant guidance.

Food Sampling Programme

The food sampling programme for 2008/09 has been completed. The microbiological results are:

Microbiological Sampling (1/4/08 - 31/3/09)

Bacteriological Surveys	Total no. of samples	Number of Samples	
		Satisfactory	Unsatisfactory
Shopping Basket	51	48	3
Fresh Herbs	13	13	0
Ice	12	10	2
Deep Fried Chicken	8	27	0
Meat Pies	2	2	0
Nuts	46	46	0
Take Away Meals	12	12	0
Sandwiches	20	20	0
Total:	164	159	5

The composition and labelling results are:

Food Standards Sampling (01.04.08 – 31.03.09):

Nature of Sample	Reason for Sampling	Satisfactory	Unsatisfactory
Cereal Bars	Sodium Declaration Labelling	13 13	0
Sausages	Meat Content	3	0
Cooked Meats	Added Water Labelling	5 5	0
Fish Products	Fish Species Labelling	6 6	0
Ready Meals	Fat & Sodium Declaration	4	2
Gluten Free Products	Gluten Free Declaration	8	0
Pies	Meat Content	2	0
Take Away Meals	Peanut Free	11	1
Locally produced sandwiches	Labelling	12	0
Locally Produced Sandwiches	Reformed Meat	20	0
Juice Drinks	Vitamin C Declaration	18	0
Margarine Spreads	Fat Content Declaration	11	1
Tinned Fruit & Vegetables	Presence of Arsenic	7	0
Imported Coffee (*FSA Survey)	Presence of Aflatoxins Labelling	2 0	0 2
Imported Flour Confectionery products (*FSA Survey)	Presence of Undeclared Peanut Protein Labelling	2 1	0 1
Totals:		138	7

* In conjunction with Middlesbrough and Stockton Borough Council the Authority received funding from the FSA to sample imported coffee and flour confectionery products.

There were relatively few samples which failed to meet statutory requirements. Several of the imported foods sampled however failed to comply with the Food Labelling Regulations 1996 (e.g. some of the products did not include a 'Best Before' date on their labels.) Advice was provided to the businesses concerned.

Feeding stuffs has been given a low priority due to the lack of local manufacturers and packers. We were unable to complete the feeding stuffs sampling programme due to staffing resources. Two samples were taken and both were found to be satisfactory.

Food Inspection

The service undertook no formal seizure of unfit food in the year.

Promotional Work

Food safety promotion whether by advice, education, training or other means is a key part of the food team's strategy in changing behaviour and increasing compliance in businesses.

In February 2006 the Food Standards Agency (FSA) introduced Safer Food Better Business (SFBB) aimed at assisting smaller catering businesses to introduce a documented food safety management system. Since this time our resources have been directed towards continuing to assist businesses to fully implement a documented food safety management system.

The service was unable to provide food hygiene training during the year due to insufficient resources. The team has however continued to offer advice and information on request with 30 advisory visits to businesses being carried out during the year.

A variety of information leaflets, some in foreign languages, are available. Circular letters are issued as required to inform food business operators of food safety matters relevant to their operations e.g. changes in legislation, food alerts.

Food Hygiene Award Scheme

On 1 April 2007 the Authority in conjunction with the other Tees Valley authorities launched the Tees Valley Food Hygiene Award scheme. The scheme was based around a national pilot being undertaken by the Food Standards Agency.

In accordance with the 'Food Law Code of Practice', following every 'primary' inspection a risk rating is undertaken which is used to determine the frequency of inspection for the business. Of the seven main categories used to determine the overall rating score the following three factors are used to create a star rating:

1. Food Hygiene and Safety
2. Structure and Cleaning
3. Management and Control

These ratings are the only ones that are directly controllable by the business and are the reason they have been used to obtain the food businesses star rating.

The total score from the 3 categories is then used to derive the star rating ranging from 0 (major improvements needed) through to 5 stars (excellent).

The table below shows the results of the star ratings awarded to businesses at the start of the scheme on 1 April 2007, as compared with 1 year on (on 1 April 2008) and after 2 years (on 1 April 2009):

Number of Stars	Number of Premises (1/4/07)	% of premises	Number of Premises (1/4/08)	% of premises	Number of Premises (1/4/09)	% of premises
5 Stars	24/759	3%	85/762	11.1%	163/721	22.6%
4 Stars	155/759	20%	217/762	28.5%	233/721	32.3%
3 Stars	226/759	30%	294/762	38.6%	237/721	32.9%
2 Stars	262/759	35%	137/762	18.0%	65/721	9%
1 Star	60/759	8%	26/762	3.4%	17/721	2.4%
0 Stars	32/759	4%	3/762	0.4%	6/721	0.8%

It can be seen that the number of premises awarded 3 stars and above has risen significantly from 53% to 87.8%.

The credit crunch is however having an impact on hygiene standards. Financial pressures as a result of the recession has resulted in some businesses failing to carry out essential maintenance / repairs, consequently there has been an increase in the number of premises receiving 0 stars. We anticipate that this trend of reduction in star ratings is likely to continue until the economic climate improves.

The service is committed to focussing its resources on carrying out interventions at those businesses which are deemed not to be 'broadly compliant' and has written to businesses that have been awarded 2 stars or less offering advice and support. Where necessary enforcement action will be taken.

In December 2008 the Food Standards Agency confirmed it's intention to introduce a National 'scores on the doors' scheme for England, Wales and

Northern Ireland. A UK steering group has been established to ensure that the new scheme will be clear, robust and easy to use for both businesses and consumers. The scheme will have six tiers, which is consistent with the existing Tees Valley Scheme.

Complaints

During the year the service dealt with 12 complaints relating to the condition of food premises and food handling practice. In addition, 11 complaints of unfit or out of condition food, extraneous matter, mould and 5 unsatisfactory labelling of food items were also received. These investigations have been undertaken all within our target of 2 working days; however, they have had some effect on performance of the inspection programme.

Food Poisoning

The service received 61 notifications of food poisoning during the year. No outbreak investigations were conducted.

Food Safety Incidents

The Service received 68 food alerts and 67 allergy alerts from the Food Standards Agency during the year. All requiring action were dealt with expeditiously. No food incidents were identified by the Authority that required notification to the Food Standards Agency.

Enforcement

During 2008/09, no emergency prohibition notices were served on businesses where formal cessation of a food activity was necessary however 1 voluntary closure of a food business was agreed. Five Hygiene Improvement Notices were served on businesses to ensure compliance with food safety issues. No prosecutions or formal cautions were undertaken.

FSA Audit

In March 2008 the Authority was audited by the Food Standards Agency in relation to feeding stuffs and imported food & feed control.

The final audit report contained 5 minor recommendations. An Action Plan was drawn up to address these matters. This action plan was fully implemented and has since been approved by the Food Standards Agency.

Improvement Proposals 2008/09

The following areas for improvement were identified in the 2008/09 Food Service Plan.

1. Produce a summary of the Food Enforcement Policy

Due to other priorities and resource constraints this was not completed.

2. Complete the Action Plan in relation to the FSA Audit

On 15 May 2009 the Authority received confirmation that the Agency was satisfied that the Action Plan had been fully implemented.

3. Carry out configuration of APP to enable completion of food & feed statutory returns in accordance with new guidance.

This work has been completed.

4. Implement the requirements of the revised Food Law Code of Practice, which is expected to be published in June 2008.

We have reviewed the requirements of the revised Code of Practice and are in the process of updating our standard operating procedures to reflect the changes.

8. Key Areas for Improvement & Challenges 2009/10

In addition to committing the service to specific operational activities such as performance of the inspection programme, the service planning process assists in highlighting areas where improvement is desirable. Detailed below are specifically identified key areas for improvement that are to be progressed during 2009/10.

1. Resources challenging. The section has lost 3 posts due to budget pressures during 2008/09. Although none of these posts directly enforced food legislation their workload has to be distributed to the remaining workforce this will result in extremely challenging targets in 2009/10
2. We will continue to review and update our standard operating procedures to reflect the requirements of the revised Code of Practice and in response to the recommendations made in the Public Inquiry Report into the 2005 *E.coli* O157 outbreak in South Wales, which was published in March 2009.
3. Produce a summary of the Food Enforcement Policy.

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

21 September 2009



Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO CLIMATE
CHANGE AND CARBON MANAGEMENT – SETTING
THE SCENE - COVERING REPORT

1. PURPOSE OF THE REPORT

- 1.1 To provide Members with an introduction to the 'Setting the Scene' Presentation, which will be delivered at today's meeting by the Environmental Standards Manager, as part of this Forum's investigation into Climate Change and Carbon Management.

2. BACKGROUND INFORMATION

- 2.1 The Environmental Standards Manager, will be in attendance at today's meeting to deliver a presentation, as part of this Forum's investigation into Climate Change and Carbon Management in relation to the following issues:-
- (a) An overview of the Climate Change agenda and what duty the Authority has to respond; and
 - (b) What the Carbon Management Programme is and what impact it makes on the work of the Authority.

3. RECOMMENDATION

- 3.1 That Members note the content of the presentation, seeking clarification on any relevant issues from the Environmental Standards Manager where felt appropriate.

Contact Officer:- Laura Starrs – Scrutiny Support Officer
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council
Tel: 01429 523 647
Email: laura.starrs@hartlepool.gov.uk

BACKGROUND PAPERS

There were no background papers referred to in the preparation of this report.

NEIGHBOURHOOD SERVICES SCRUTINY FORUM

21 September 2009



Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO CLIMATE
CHANGE AND CARBON MANAGEMENT --
CARBON REDUCTION COMMITMENT --
COVERING REPORT

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of the Forum that the Climate Change Officer will be in attendance at today's meeting to provide a presentation in relation to the ongoing inquiry into Climate Change and Carbon Management.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 17 August 2009, the Terms of Reference and Potential Areas of Inquiry / Sources of Evidence for this Scrutiny investigation were approved by the Forum.
- 2.2 Consequently the Climate Change Officer will be in attendance at today's meeting to deliver a presentation, as part of this Forum's investigation into Climate Change and Carbon Management in relation to the following issues:-
- (a) An overview of the responsibility that the Council has towards the Carbon Reduction Commitment;
 - (b) The risks and financial considerations that the Council should be aware of as a result of the Carbon Reduction Commitment; and
 - (c) The proposed 'Invest to Save' policies that will help the Council achieve its aims and objectives in terms of the Carbon Reduction Commitment.

3. RECOMMENDATION

- 3.1 That Members note the content of the presentation, seeking clarification on any relevant issues from the Climate Change Officer where felt appropriate.

Contact Officer: - Laura Starrs – Scrutiny Support Officer
Chief Executive's Department - Corporate Strategy
Hartlepool Borough Council
Tel: 01429 523647

Email: laura.starrs@hartlepool.gov.uk

BACKGROUND PAPERS

The following background paper was used in the preparation of this report:-

- (i) Report of the Scrutiny Support Officer entitled 'Scrutiny Investigation into Climate Change and Carbon Management – Scoping Report' Presented to the Neighbourhood Services Scrutiny Forum on 17 August 2009.