

**BUSINESS REGULATION SERVICE DELIVERY PLANS 2019/20****CORPORATE COMMITTEE  
MEETING****3<sup>rd</sup> June 2019****CLASSIFICATION:****Open****If exempt, the reason will be listed in the  
main body of this report.****WARD(S) AFFECTED****All Wards****GROUP DIRECTOR****Kim Wright Neighbourhoods and Housing**

## 1. INTRODUCTION AND PURPOSE

1.1 This report relates to the service delivery plans for 2019/20 for the Business Regulation Teams that sit within the Community Safety, Enforcement and Business Regulation Service.

1.2 The Business Regulation Division consists of the following areas:

- Environmental Health : Food Safety
- Environmental Health : Occupational Health & Safety
- Environmental Protection (noise and other nuisance)
- Trading Standards
- Licensing

1.3 This report relates to service delivery plans for three of these areas:

- Environmental Health Service: Food Safety
- Environmental Health Service: Occupational Health & Safety
- Trading Standards

1.4 The service delivery plan for the Environmental Protection was brought to a previous Corporate Committee meeting on 9<sup>th</sup> April 2019.

1.5 *Environmental Health Service: Food Safety*

1.5.1 The Food Law Enforcement Service Plan (FLESP) is a statutory plan which sets out how the Council will undertake enforcement of food safety legislation.

1.5.2 The Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement template April 2010, and is an important part of the process to ensure that national food safety priorities and standards are addressed and delivered locally. It also focuses on key deliverables; provides an essential link with financial planning; provides objectives for the future including identifying major issues that cross service boundaries; and provides a means of managing performance and making performance comparisons.

1.5.3 The Food Law Enforcement Service Plan sets out the objectives of the service and demonstrates how they are linked to the Mayor's Priorities and Hackney's Sustainable Community Strategy. It also sets out the key areas of food law enforcement, the management arrangements, the resources that have been allocated for this work by the local authority and the key targets.

1.5.4 The performance of the Food Safety Service is measured against its fulfilment of the Plan and the percentage of broadly compliant premises within the Borough. The FSA continues to monitor the performance of the Service through the annual enforcement data returns made to the FSA via the Local Authority Enforcement Monitoring System (LAEMS).

## 1.6 Environmental Health Service: Occupational Health and Safety

1.6.1 With regard to Health and Safety responsibility for the enforcement of Health and Safety law is split between the Health and Safety Executive (HSE) and the Council; depending on the activity being undertaken by the duty holder. Officers in Hackney ensure that duty holders manage their workplaces with due regard to the health and safety of their workforce and those affected by their work activities.

1.6.2 Hackney is an enforcing authority in its own right and must make adequate provision for enforcement. The Local Authority National Enforcement Code introduced in May 2013 sets out the principles the Council should follow in a consistent, proportionate and targeted approach to regulation based on risk.

1.6.3 The Health and Safety Service Delivery Plan fulfils the Council's obligations under s18 of the Health and Safety at Work etc. Act 1974 and the Enforcement Code. The format and content of the Plan provides the basis upon which the service operates in order to ensure that it is providing an effective service to protect those working in Hackney.

1.6.4 The HSE collects and publishes data annually on the enforcement activities of all local authorities.

## 1.7 Trading Standards

1.7.1 In relation to Trading Standards the Plan sets out the objectives of the service and demonstrates how they are linked to the Mayor's Priorities and Hackney's Sustainable Community Strategy. It also sets out the key areas of law enforcement, the management arrangements, the resources that have been allocated for this work by the local authority and the key targets

1.7.2 In fulfilling its duties, the service provides support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, and by offering advice to businesses to help them to comply with the law.

1.7.3 The Service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products to minors.

1.7.4 The Service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.

## 2. **RECOMMENDATION(S)**

2.1 **The Corporate Committee is recommended to:**

2.1.1 **Approve the Food Law Enforcement Service Plan for 2019/20**

2.1.2 **The level and scope of work being carried out to meet the requirements of the plan.**

**2.1.3 Note the level and scope of work being carried out to meet the requirements of the Occupational Health and Safety and Trading Standards Service Delivery Plans.**

**3. REASONS FOR DECISION**

- 3.1 The Food Standards Agency recommends that food service plans are submitted for Member approval to ensure local transparency and accountability.
- 3.2 The Health and Safety Plan ensures that there is a programme of health and safety enforcement activity undertaken in order to instil confidence that the Council protects those employed in the Borough.
- 3.3 Trading Standards have a duty to ensure consumer protection law is enforced fairly and proportionately.

**4. BACKGROUND**

- 4.01 Officers within the Business Regulation Service are delegated to enforce Food Safety and Trading Standards legislation, Weights and Measures, Consumer Protection legislation and Health and Safety legislation.
- 4.02 The Service Delivery Plans (Appendices 1-3) and the associated specific individual plans relating to each service area have not been written in isolation since the services worked together to identify areas where synergy, cross services/authority working or additional skills are required to deliver work programmes and individual projects.
- 4.03 The Plans explain the background to regulatory services, identifies the scope of the services and resources that have been allocated to meet the services' requirements.
- 4.04 **Food Safety:** The Food Law Enforcement Service Plan (FLESP) sets out the inspection programme for the Borough's food premises for 2019/20. This year's programme currently (as of 1<sup>st</sup> April 2019) has 1194 food hygiene and 640 food standards interventions due. The number of inspections due is based on the premises risk rating and which is determined at a primary inspections.
- 4.05 The service has prioritised the highest risk category inspection (category A and B) with 100% of category A and B premises due for inspection inspected within 28 days of the due date along with 95% of service requests and consumer complaints about food and other businesses actioned within 10 working days and 100% of new premises registered with the Council inspected within 28 days excluding those not yet trading.
- 4.06 In 2018/19 an additional member of staff was employed to concentrate on category C inspections, all due and over overdue inspections (479) were completed. In addition 394 category E inspections were completed by the use of an Alternative Enforcement Strategy thereby clearing the backlog.

- 4.07 As of the 1<sup>st</sup> April 2019 the following food hygiene inspections are overdue:-
- 590 category D
  - there are also 267 category E premises from the 2018-19 Alternative Enforcement Strategy where there was no response from the business and as such, an intervention (inspection/visit) will be required

As of the 1<sup>st</sup> April 2019 the following food standards inspections were overdue:-

- 381 category B; (reduced from 769 in 2018/19)
- 229 category C; (reduced from 317 in 2018/19)

4.08 A strategy has been put in place for 2019/20 to retain the additional member of staff to concentrate on clearing the overdue category D food hygiene inspections. This will ensure that in subsequent years the service will not need to rely on additional resources to help support the programmed work of the team.

4.09 The lower risk category B and C food standards premises will be inspected at the same time as the programmed food hygiene inspections planned to be carried out this financial year.

4.10 **Health and Safety:** In fulfilling the Health and Safety Service Delivery Plan Officers use a number of intervention approaches to regulate and influence businesses in the management of health and safety risks including provision of advice and guidance to individual businesses or groups, proactive interventions including inspections and reactive interventions e.g. to investigate accidents or complaints.

4.11 Hackney Officers may use enforcement powers, including formal enforcement notices, to address occupational health and safety risks and secure compliance with the law. Prosecution action may be appropriate to hold duty holders to account for failures to safeguard health and safety.

4.12 Proactive health and safety has diminished over the years in line with the Government instruction and guidance. Hackney has traditionally focused on food safety whilst the health and safety service has been more reactive. However, with the introduction of the National Code, a clear set of priorities have been identified that allow a more strategic approach to tackling health and safety issues in Hackney. As such the Health and Safety Service Delivery Plan is the Council's mandatory annual plan referring to the effective enforcement of health and safety legislation in Hackney.

4.13 Health and safety inspections are prioritised with the highest risk category (category A) inspections to be undertaken. The risk rating for this is set out in a HSE Local Authority Circular - 67/2 (revision 8). For 2019/20 no high risk, category A, premises have been identified. The Service will also take part in any projects initiated by the all London Boroughs Health and Safety Committee.

- 4.14 **Trading Standards:** In fulfilling the Trading Standards Service Delivery Plan Officers provide support to individuals, communities and businesses in the borough to enable people to buy goods and services with confidence and security, and by offering advice to businesses to help them to comply with the law.
- 4.15 The service also fulfils an important role in relation to public safety and health, for example through ensuring safe storage of dangerous items and by preventing the sale of dangerous products including the supply of age-restricted products such as knives, alcohol, cigarettes and fireworks to minors.
- 4.16 The service also seeks to ensure there is a fair trading environment and helps businesses comply with legislation in order to protect consumers from unfair trading practices.
- 4.17 The Service will focus on the highest risk premises, categorised as Upper and Upper Medium inspections. In 2019/20 there are 149 and 190 premises inspections respectively due to be undertaken. In addition, 267 Low Medium inspections will be completed using an Alternative Enforcement Strategy.

4.18 **Key Achievements 2018/19**

<b>Action</b>	<b>Output</b>	<b>Outcome</b>
<p><b>ENVIRONMENTAL HEALTH</b></p> <p>To complete the action plan agreed with the Food Standards Agency following their audit of the Service in October 2017.</p>		<p>A procedure has been developed and implemented to improve the accuracy of information held on the food database.</p> <p>All undertakings within the action plan for 2018/19 have been complied with and confirmed to the audit team at the FSA</p>
<p>There is a high level of imported foods from non-EU countries entering the borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation, processed in a way that contravenes EU legislation, or they do not comply with</p>	<p>To use intelligence led information to target illegal food activity in the borough and using historical knowledge to concentrate efforts on known problematic traders and other relevant premises.</p>	<p>A multi-disciplinary action day took place in Q3 targeting licensed premises that included investigation of counterfeit and adulterated alcohol.</p>

compositional or labelling requirements).		
The number of new premises are of particular concern to the Food Safety Team as they place a greater demand on the Service.	The Service manages a programme of inspections for all new/unrated food premises to ensure their hygiene compliance is assessed.	32 unrated premises have been carried over from 2018/19 well below the target of 70.
Hackney participates in the National Food Hygiene Rating Scheme (FHRS). The scheme is designed to give the public information about local food businesses so that they can make informed choices about where they eat locally (and nationally).	All high risk premise rated category A-C are visited every 6-18 months.	Data is uploaded to the FSA National website every fortnight. Ratings can be viewed at <a href="http://www.ratings.gov.uk">www.ratings.gov.uk</a>
Broad Compliance with Food Safety Legislation	The end of year target for the service was to have 87% of all businesses inspected to be broadly compliant.	89% of premises were broadly compliant as of 31 <sup>st</sup> March 2019.
The Borough hosts a large number of annual festivals and other outdoor events as well as regular markets which attract community caterers and a large number of temporary caterers, pop-ups and food producers, all of which require vetting and inspecting as necessary.	To develop better joint working with Markets and Street Trading to improve compliance among street food businesses. Participation in the Hackney Safety Advisory Group is essential to consider all large scale events that take place in Hackney do not cause and food safety issues.	Officers participate in HSAG meetings  Officers participated in the Hackney Carnival and 17 inspections of food traders were undertaken.  54 inspections have also been undertaken of food traders across 4 markets.
Healthier Catering Commitment (HCC)	The Team is delivering the project on behalf of Public Health as part of the Council's obesity strategy.	70 independent food businesses have now joined the scheme.

<p>Use of the Training Centre to improve food safety knowledge in local businesses and to improve food hygiene broad compliance.</p>	<p>The training centre will support businesses by making food hygiene training accessible to food businesses in the borough and particularly to those that are not compliant or are subject to enforcement action due to the serious risks of their food operation.</p>	<p>53 food handlers from businesses in Hackney have completed the level 2 courses in Food Hygiene and 44 completed the Food Allergens course.</p>
<p>Primary Authority Principle (PAP)</p>	<p>This Service will look to engage businesses to establish a PAP to support businesses, raise standards and ensure a consistent approach to enforcement.</p>	<p>This Service has in place an agreement with national snack company, Propercorn and two Hackney-based snack companies Emily's Crisps and Love Corn. The Service will continue to work with additional manufacturers in the anticipation of obtaining additional PAP agreements.</p>
<p>Additional visits will be undertaken where follow up/formal action is required as a result of serious contraventions found at the time of a primary inspection.</p>		<p>243 revisits have been undertaken in 2018/19.</p>
<p>It was expected that the Team would receive over 1000 service requests in 2018/19</p>		<p>784 service requests were received at the end of Q4 (there has been a reduction compared with the same period last year partly as a result of a change in the recording of licensing consultations).</p>
<p>Proactive food sampling will be carried out in an intelligence-led way based on national,</p>		<p>156 samples were taken by the end of Q4.</p>



regional and local priorities.		
The Service is committed to investigating all food poisoning outbreaks and notifications occurring in the borough in accordance with Public Health England/Local Authority Joint Infectious Diseases Protocol and Procedure.		147 Infectious Disease notifications were received at the end of Q4.  The Team has also investigated an unsubstantiated food poisoning outbreak affecting 20 people following an event at a local pub, and an outbreak involving 18 people being affected by Norovirus which was found to have been caused due to environmental contamination spread by infected food handlers.
The Service has arrangements in place to ensure that it is able to implement the requirements of Food Law of Code Practice in respect of food alerts.		None of the Food alerts issued to date by the Food Standards Agency have required a response from the Service.

<b>Action</b>	<b>Output</b>	<b>Outcome</b>
<b>HEALTH &amp; SAFETY</b>		
Inspection of Cat A high risk premises	All high risk premises and any emerging high risk premises will be inspected in accordance with the established procedures.	4 high risk premises inspections completed.
Inspection and risk assessment of work based transport (such as fork lift trucks) as a specific project	Inspection, education & awareness	20 Provisional premises have been identified in readiness for the project to be implemented.
Investigations of incidents and	Incident & ill health investigation	136 notifications were received, 112 notifications were

complaints using LAC 67/2 (rev7)		assessed and responded to.12 (10%) were also fully investigated.
Proactive work in accordance with the beauty sector strategy including the monitoring of reports and complaints to identify reports of ill health, accidents, incidents, poor performance, trends and local issues which may require further interventions or issues which may need to be taken forward nationally.	Inspections and other appropriate interventions	All licensing consultations applications (39) and businesses with Massage and Special Treatment Licences (68) have been followed up by inspection visits.
Increased enforcement of H&S matters.	Inspection or other appropriate interventions	25 Health and Safety inspections were carried out. 2 Improvement Notices and 2 prohibition Notices were served.  137 H&S related service requests and complaints were responded to.
.Matters of Evident Concern (MEC) arising from multi-agency projects	Inspection, joint operations	Participation in Operation Razor, a multi- agency operation enforcing regulations on sale of alcohol to minors, safeguarding, counterfeit alcohol and unlicensed shisha premises.  21 businesses were visited
Workplace health and wellbeing	Review and respond to consultations, including making of representations where necessary.	A business regulation wide action day was undertaken in December 2018 (Operation Festive) to assess the impact of noise at work, potential for noise

		nuisance and sale of counterfeit alcohol.
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Action	Output	Outcome
<b>TRADING STANDARDS</b>		
High & Upper Medium Risk Visits	To visit 100% of the high risk and upper medium inspections by 31 <sup>st</sup> March 2019	100% of inspections completed, a first for this Service across all inspection categories
Underage sales programme	Maintain the reduction in underage to combat anti-social behaviour and to promote the health and well-being of young people.	8 operations completed.
Tobacco Control	Reduction in illegal sales and the use of tobacco in support of government efforts to encourage smoking cessation.  To participate in appropriate/related health initiatives.	Trading Standards in partnership with public health have appointed an Officer who will be used to combat illegal tobacco and alcohol.  An Operation took place in February with the use of a sniffer dog where nine premises were visited and seizures were made in three premises with a total of 50 packets of tobacco taken.
Animal Feed	Ensure any animal feed issues are dealt with effectively and efficiently.	29 registered premises inspections completed which is 100%
Weights & Measures	Ensure a minimum of 6 Weights & Measures inspections are undertaken per month. (Statutory requirement from National Measurement Office)	190 inspections completed This is excess of the target of 72. New Officers recruited to the Team are qualified to undertake these

		inspections which explains the increase.
Consumer Advice and Education	Promote the Service and deliver advice to residents and businesses.	The Service participated in the Winter Warmer event on the 27th Nov 2018.
Product Safety	Respond to consumer complaints and service requests.	<p>A Successful prosecution of Dalston Hair and Cosmetics Ltd trading as Shabba Cosmetics of 36-42 Kingsland High Street, London E8 2JP which was fined £59,793 at Thames Magistrates Court on the 13<sup>th</sup> April 2018 for supplying dangerous skin lightening products.</p> <p>A formal caution was obtained for Wura Cosmetics 102 Ridley Road London E8 2NR found in possession of a range of infringing skin lighteners</p> <p>The Service participated in a part worn tyre project, carried out by the London boroughs. The project entailed carrying out visits to 10 garages that sold and fitted part worn tyres and advising the owners about the law relating to these tyres.</p>
Tackling Counterfeit Goods	Reduce the level of non-compliance and raise awareness through appropriate publicity.	A large seizure was conducted at Vicky's Afro Foodstore, 136 Hoxton Street, London N1 6SH. Samples of the seized items have be sent to the brand holders for verification.

<p>Coordination with the Licensing Team</p>	<p>Improved working between teams in the division.</p>	<p>The Service requested a review of the licence for Kingsland wine 77 Kingsland High Street London E8 2PB. The decision of the committee was to suspend the licence for six weeks, to allow for work to reorganise the layout of the premises. Representations were made by the Police and Public Health.</p>
<p>Complaints and service requests</p>	<p>Respond to complaints and service requests.</p>	<p>3162 consumer complaints received from members of the public. This is up from 2817 for the same period for the previous year.</p>
<p>POCA/Financial Investigations</p>	<p>Completion of Financial investigations</p> <p>Support planning confiscations</p>	<p>A £100k confiscation was set against a Stoke Newington Landlord in February 2018 and the confiscation order of £36,749 has now been paid to the Council.</p> <p>On the 13<sup>th</sup> September 2018 Volus Properties Ltd pleaded guilty to a Planning Offence of converting the ground floor and basement of 21 Well Street, London E9 and was sentenced at Snaresbrook Crown Court.</p> <p>A fine of £5000 was issued, costs of £2080 and a compensation order of £8167.78 made. This has now</p>

		been paid to the Council.
Primary Authority Principle (PAP)	This Service will look to engage businesses to establish a PAP to support businesses, raise standards and ensure a consistent approach to enforcement.	This Service has in place an agreement with a genealogy service, Finders international Ltd. The Service will continue to reach out to further organisations in the anticipation of realising additional PAP agreements.

### Key priorities for next three years

ACTION	WHAT WE WILL DO	PURPOSE	KEY CORPORATE ACTIVITY
<b>Maximising the Use of Resources</b>			
New Ways of Working and delivery of the Cross-Cutting Enforcement Review	<p>Review ways of working:</p> <ul style="list-style-type: none"> <li>Review of operational processes including procedures and documentation where necessary.</li> <li>Implementation of process mapping programme.</li> </ul> <p>Participation and contribution to:</p> <ul style="list-style-type: none"> <li>Corporate Mobile Requirements Project</li> <li>Corporate Business Intelligence Project</li> <li>Cross Cutting Enforcement Programme</li> </ul>	<p>To reduce operating costs and increase efficiency and revenue</p> <p>To identify areas where resources can be more efficiently and effectively used through integrated processes.</p> <p>To maintain high levels of customer satisfaction amongst residents and businesses</p>	<p><b>Mayor's Priority 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <ul style="list-style-type: none"> <li>By embedding corporate modern working practices;</li> <li>By contributing to the delivery of the Cross-Cutting Enforcement Review;</li> <li>By delivering of performance managed services;</li> <li>By generation revenue;</li> <li>By utilising new ways of working and</li> </ul>

			available technology to increase efficiency.
Developing manager and leadership skills.	<ul style="list-style-type: none"> <li>• Attendance management training</li> <li>• Managers undertaking check-ins on time</li> <li>• Managing staff absence and reducing sickness</li> <li>• Performance management and reporting</li> </ul>	To ensure all individuals and teams benefit from excellent leadership, providing clear direction, creating a positive and productive environment and role modelling behaviours.	
Review of fees and charges	Review fees and charges in light of recent case law and legislative guidance	To ensure balanced fee income budget and where possible cost neutral service.	
Website review including Public Registers	Review and update website content as appropriate	To improve Public access and information	
<b>Health and Safety Service</b>			
To ensure the good health, safety and welfare standards in workplaces in the borough	<p>Development and delivery of a programme of activities/interventions:</p> <p>H&amp;S premises inspection programme (Cat A premises only) H&amp;S projects</p> <ul style="list-style-type: none"> <li>• To participate in all London wide projects</li> </ul> <p>Responding to and enquiries</p>	<p>To reduce accidents and incidents resulting from occupational hazards, by targeting the highest risk.</p> <p>To support business growth and encourage businesses to approach the service for support and information.</p> <p>To maintain high levels of resident and business satisfaction with the service.</p>	<p><b>Mayor's Priority 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <ul style="list-style-type: none"> <li>• By promoting and participating in initiatives that provide business support and by providing low cost training and business coaching and advice;</li> <li>• By providing an efficient, effective and quality service to both businesses and consumers;</li> <li>• By ensuring the provision of</li> </ul>

			<p>safe working environments within the community to reduce incidences of accidents and deaths;</p> <ul style="list-style-type: none"> <li>• By utilising new ways of working and available technology to increase efficiency;</li> <li>• by assisting the business community to comply with legislation and by tackling those businesses that do not comply;</li> <li>• By undertaking the role of responsible authority under the Licensing Act 2003.</li> </ul>
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**Trading Standards Service**

<p>Consumer advice, education and Safety</p>	<ul style="list-style-type: none"> <li>• Intelligence led safety projects including participation in regional projects</li> <li>• Participation in National Consumer Week</li> <li>• Tackling counterfeit goods – continuation of the 'Real Deal' strategy</li> <li>• Pay Day Lenders – deliver programme of premises inspections, interventions, test purchasing</li> <li>• Letting and Managing Agents Redress Scheme.</li> </ul>	<p>To protect consumers and the economy.</p> <p>To reduce the availability of counterfeit goods in Hackney</p> <p>To protect consumers so that they are not financially exploited and check compliance with the financial conduct rules.</p> <p>To ensure membership of the redress schemes to protect tenants'</p>	<p><b>Mayor's Priority 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <ul style="list-style-type: none"> <li>• By advising and regulating businesses that sell age restricted products such as alcohol, tobacco, fireworks and knives to young people;</li> <li>• By combating rogue traders, obtaining redress for consumers and undertaking</li> </ul>
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		rights and to ensure a level playing field for other traders.	outreach work particularly during National Consumer Week;
Age Restricted Sales	<p>Develop and implement an intelligence-led intervention programme concerning:</p> <ul style="list-style-type: none"> <li>● Knives:</li> <li>● Alcohol:</li> <li>● Fireworks:</li> <li>● Tobacco</li> <li>● Legal highs</li> </ul> <p>Collaboration with other Council services and external agencies.</p>	<p>and an</p> <p>To promote the health and well-being of young people.</p> <p>To reduce anti-social behaviour associated with age restricted products.</p> <p>To explore delivery of a training programme</p>	<ul style="list-style-type: none"> <li>● By carrying out electrical safety test purchases and testing on electrical items to protect vulnerable low income groups;</li> <li>● By dealing with complaints received from the public, other agencies and Consumer Advice Service to address contraventions;</li> <li>● By carrying out targeted visits/inspections of the main markets in the borough to ensure that traders are trading fairly;</li> <li>● By carrying out education and advice visits and inspections of high/ medium high risk premises;</li> <li>● By test purchasing cosmetics/wigs/hair extensions to ensure they meet safety requirements;</li> <li>● By carrying out initiatives the restricted sale of alcohol including Alcohol Misuse Enforcement work (AMEC), and also sale of</li> </ul>

			<p>fireworks, cigarettes and knives;</p> <ul style="list-style-type: none"> <li>• By protecting intellectual property by reducing the sale of counterfeit items;</li> <li>• By developing proceeds of crime work (POCA);</li> <li>• By dealing with the proliferation of estate agents boards;</li> <li>• By undertaking the role as a responsible authority under the Licensing Act 2003.</li> </ul>
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**Food Safety Service**

<p>To ensuring good food safety standards in food premises in the district to reduce the likelihood of food poisoning incidents.</p>	<p>Development and implementation of Food Law Enforcement Service Plan:</p> <p>Delivery of food premises inspection programme, incorporating food safety coaching programme</p> <p>Food safety sampling programme</p> <p>Food Safety projects:</p> <ul style="list-style-type: none"> <li>• Healthy Catering Commitments</li> <li>• Health in the High street</li> <li>• Improving food hygiene compliance</li> </ul> <p>Food Safety Week</p> <p>Food hygiene training programme.</p>	<p>To contribute to the reduction in major causes of ill health.</p> <p>To improve the number of compliant food businesses in Hackney.</p> <p>To support business growth and encourage businesses to approach the service for support and information.</p> <p>To maintain high levels of resident and business satisfaction with the service</p>	<p><b>Mayor's Priority 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <ul style="list-style-type: none"> <li>• By working with businesses and partners to protect consumers from harm by ensuring that food produced, distributed and marketed in the borough is safe and wholesome for the consumer to eat;</li> <li>• By working with businesses to ensure that food produced, distributed and marketed in the borough meets labelling and compositional</li> </ul>
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	Responding to complaints and enquiries about food and food premises.		requirements and is presented so that consumers are not mislead as to its nature, substance or quality;
Harnessing consumer power to drive up food hygiene standards – Food Hygiene Rating Scheme	<ul style="list-style-type: none"> <li>• Maintain a borough wide food hygiene rating scheme</li> <li>• Publish hygiene ratings and proactively encourage the display of ratings.</li> </ul>	Consumers able to make informed choices on where to eat or purchase food through published food hygiene ratings.	<ul style="list-style-type: none"> <li>• By deterring, detecting, investigating and disrupting fraudulent activity involving food, including the illegal importation of food;</li> </ul>
Delivery of Food Fraud interventions to ensure the provision of safer, healthier and sustainable food	<p>Undertake animal feed interventions and funded pan-London initiative.</p> <p>Imported and illegal foods interventions:</p> <ul style="list-style-type: none"> <li>• Working collaboratively with the FSA &amp; City of London to deliver illegal meat training for London authority.</li> <li>• Lead pan-London illegal foods group.</li> </ul>	To ensure protection of consumers and animals who may consume food or feed that is either bought/supplied or produced in Hackney	<ul style="list-style-type: none"> <li>• By preventing the spread of infectious disease and food poisoning and to investigate outbreaks;</li> <li>• By responding quickly and proportionately to food incidents and customer complaints;</li> <li>• By providing advice and education to all sectors of the community on food safety matters and to meet the training needs of the businesses in Hackney with the promotion of in-house training courses;</li> </ul>
Primary Authority Partnership (PAP) – A formal arrangement to serve as a business' first point of call for advice on regulatory issues	<ul style="list-style-type: none"> <li>• Development of a protocol for delivery and charging in accordance with Better Regulation Delivery Office (BRDO) policy.</li> <li>• To undertake at least one primary authority partnership agreement in respect of one or more services.</li> <li>• Appraisal of each company's regulatory policies, procedures and practices as they are reviewed.</li> <li>• Appraisal of each company's contractors and management arrangements.</li> </ul>	<p>To reduce regulatory burdens on businesses.</p> <p>To better the dialogue between businesses and regulatory services</p> <p>To improve business perceptions of regulators.</p> <p>Partnerships established as Better Regulation Delivery Office's initiative.</p> <p>Ability to charge for services to businesses</p>	<ul style="list-style-type: none"> <li>• By promoting the provision of healthier food to reduce health inequalities;</li> <li>• By working with other Services, local authorities and agencies with common objectives to provide effective enforcement;</li> </ul>

	<ul style="list-style-type: none"> <li>● Audit and review the regulatory arrangements, to include strategy and organisational implementation.</li> <li>● Advising on related documentation as required.</li> <li>● Advising companies on new developments in regulatory legislation and best practice.</li> <li>● Respond to challenges faced by companies from other health &amp; safety regulators.</li> </ul>		<ul style="list-style-type: none"> <li>● By protecting businesses from economic disadvantage caused by competitors not complying with food safety legislation</li> <li>● By generating revenue.</li> </ul>
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### Effective Partnership Working

To continue to work with partners on observance of National Minimum Wage in Hackney.	<ul style="list-style-type: none"> <li>● Development of a programme identifying priority areas.</li> </ul>	To work with partners on the observance of human trafficking and slave labour.	<p><b>Mayor's Priority 1, 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <p>By undertaking themed evidence-led operations and activities with internal and external partners relating to (but not exclusively):</p> <ul style="list-style-type: none"> <li>● Pay day lenders</li> <li>● Proceeds of Crime</li> <li>● Tobacco</li> <li>● Food Fraud and illegally imported food</li> <li>● Healthy eating</li> </ul>
Contributing to the reduction in causes of ill-health.	<p>Develop a programme of activities:</p> <ul style="list-style-type: none"> <li>● Review and follow up Infectious Diseases cases</li> <li>● Massage and Special treatment inspections</li> <li>● Smoke Free compliance and tobacco control measures including:</li> <li>● Developing expertise in different areas (e.g. shisha)</li> <li>● Collaboration between Trading</li> </ul>	<p>To improve infectious disease control and management.</p> <p>To fulfil a request from the Health in Hackney Scrutiny Commission on ill health.</p>	

	<p>Standards and Environmental Health and other partners (e.g. Police) to ensure legal requirements are met</p> <ul style="list-style-type: none"> <li>• Continued partnership work with regional NE/NC Illicit Tobacco Group.</li> <li>• Collaboration with the Public health Team to explore implementation of a scheme for the voluntary removal of super strength beer, lager or cider from retailers' shelves.</li> </ul>		<ul style="list-style-type: none"> <li>• Asbestos awareness</li> <li>• Illegal gaming machines</li> </ul>
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### Health and Wellbeing

<p>Contributing to the Council's input into the wider health &amp; wellbeing/public health agenda</p>	<ul style="list-style-type: none"> <li>• Maintaining appropriate data input into the Joint Strategic Needs Assessment (JSNA)</li> <li>• Investigation and development of public health initiatives that would be of benefit in the: <ul style="list-style-type: none"> <li>- Test purchases of alcohol and tobacco</li> <li>- Age Restricted Sales</li> <li>- Healthy eating initiatives</li> <li>- Responsible retailing of alcohol sales</li> <li>- Smoke Free multi-agency Shisha project</li> <li>- Voluntary 'Super Strength' Pilot.</li> <li>- Explore the development of a tattoo hygiene rating scheme which will be introduced with</li> </ul> </li> </ul>	<p>Promotion of good public health standards and reduction in adverse public health issues</p> <p>Enforcing Health Act 2006 (substantially enclosed premises) and Consumer Protection Act 1987 (labelling)</p>	<p><b>Mayor's Priority 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <p>By working with partners such as the Public Health Team, other local authorities and agencies to improve health inequalities.</p>
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	the aim of improving hygiene in tattoo parlours		
Contributing to the reduction in causes of ill-health.	<p>Develop a programme of activities:</p> <ul style="list-style-type: none"> <li>● Review and follow up Infectious Diseases cases</li> <li>● Massage and Special treatment inspections</li> <li>● SmokeFree compliance and tobacco control measures including:</li> <li>● Developing expertise in different areas (e.g. shisha)</li> <li>● Collaboration between Trading Standards and Environmental Health and other partners (e.g. Police) to ensure legal requirements are met</li> <li>● Continued partnership work with regional Illicit Tobacco Group.</li> <li>● Collaboration with the Public health Team to explore implementation of a scheme for the voluntary removal of super strength beer, lager or cider from retailers' shelves.</li> </ul>	<p>To improve infectious disease control and management.</p> <p>To fulfil a request from the Health in Hackney Scrutiny Commission on ill health.</p>	
Responding to emergencies, including serious accidents, food safety incidents and disease outbreaks.	<ul style="list-style-type: none"> <li>● Take part in partner exercises to test plans, as appropriate.</li> <li>● Conduct risk based/intelligence led interventions with businesses</li> <li>● Respond to disease notifications and outbreaks</li> </ul>	Emergency planning and Out of hours responses	<p><b>Mayor's Priority 2 &amp; 3</b></p> <p><b>Sustainable Community Strategy priority 3, 4 &amp; 6</b></p> <p>By maintaining preparedness</p>

			ensure public safety and health
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#### 4.1 Policy Context

4.1.1 The Food safety Service Delivery Plan is prepared in accordance with the Food Standards Agency's (FSA) Framework Agreement (2010). The FSA require all local authorities to produce and approve an annual plan that sets out how it is going to discharge its responsibilities.

4.1.2 The performance of the Food Safety Service is measured against its fulfilment of the Plan.

#### 4.2 Equality Impact Assessment

N/A

#### 4.3 Sustainability

N/A.

#### 4.4 Consultations

N/A

#### 4.5 Risk Assessment

4.5.1 The Business Regulation service delivery plans set out how its services will take actions that contribute to achieving corporate priorities and desired outcomes. Without these agreed, clearly stated priorities and this plan, the service will be at risk of not effectively focussing its work and efficiently directing limited resources.

Nature of risk	Consequences if realised	Likelihood of occurrence	Control measures
The Service Plan is not approved	The Council would receive a directive from the Food Standards Agency (FSA)	Low	Approve the Service Plan
The Service Plan involves the carrying out of statutory duties - failure to deliver the service plan	Increase risks: <ul style="list-style-type: none"> <li>- to consumer safety and the most vulnerable consumers;</li> <li>- to public health and increased risks of spread of infectious diseases and food poisoning and;</li> <li>- to employee and public safety with increased</li> </ul>	High	Approve the Service Plan

	risks of incidents and fatal accidents - of failure to administer and regulate licensable activities and premises		
Increasing reactive workload or other significant service incidents	The lack of available resource to deliver the plan	High	This will be carefully monitored.
Poor performance against the plan	Could potentially result in the reputational damage and directions to the Council from the national measurement Office (NMO), Food Standards Agency and the Health and Safety Executive (HSE)	High	This will be carefully monitored.

## **5. COMMENTS OF THE GROUP DIRECTOR OF FINANCE AND CORPORATE RESOURCES**

- 5.1 This report seeks the Corporate Committee to approve the Food Law Enforcement Service Plan (FLESP) for 2019/20. The report notes the level and scope of work being carried out to meet the requirements of the FLESP and the Service Delivery Plans for Occupational Health and Safety and Trading Standards.
- 5.2 This report is for noting and has no direct financial implications. The aims and objectives described in the FLESP for 2019/20 will be delivered within the constraints of the existing Business Regulation service budgets.

## **6. COMMENTS OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES**

- 6.1 The Food Law Enforcement Service Plan 2019/20 to be approved should contain information in accordance with the Food Standard Agency Codes of Practice and the Feed and Food Law Enforcement standard set out in the Framework Agreement on Official Feed and Food Controls by Local Authorities.
- 6.2 There are no immediate legal implications arising from this report.



## APPENDICES

Appendix 1: Food Safety Service Delivery Plan 2019/20

Appendix 2: Health and Safety Service Delivery Plan 2019/20

Appendix 3: Trading Standards Service Delivery Plan 2019/20

## BACKGROUND PAPERS

None

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