

Policy Committee – 18th July 2017

NON STATUTORY ADVISORY FOOD SAFETY VISITS



Report of the Director of Services

Lead Member Cllr C Lis

Ward(s) affected: All

1. **Purpose of Report**

- 1.2 To propose the introduction of a fee to recover the costs associated with undertaking non statutory advisory food safety visits to a food business.

2. **Recommendations** – Members are recommended to –

- 2.1 Approve the introduction of a charge based on the hourly rate of £60 for advisory food safety visit based upon full cost recovery with immediate effect, reviewed in line with the fees and charges policy annually thereafter.
- 2.2 Approve a supplementary income estimate of £1,800 as a result of introducing the charge.
- 2.3 Approve the annual review of the non-statutory advisory food safety visits fee to be delegated to the Environmental Services and Housing Manager in consultation with lead member.

3. **Background**

- 3.1 As part of the national 'Better Business for All' initiative Officers have reviewed how they can provide an improved advisory service for local food businesses.
- 3.2 Currently, when a new food business opens quite often the first time an officer will have contact with them, is when they are already open for business. On that first formal visit, we can find fundamental structural and management system errors that can be costly for the business to correct in order to comply with the law.
- 3.3 We would like to recover our costs for a bespoke advice service to businesses that will assist them in complying with required regulation before they open.
- 3.3 We would also wish to charge established businesses for advice in order to improve their hygiene rating scores and this will enable us to recover our non-statutory costs.
- 3.4 All new food businesses in the district are required to formally register with the local authority 28 days before they open for business. At that point these new businesses are inputted onto the Environmental Health database and are subject to

a regular inspection regime, as defined by guidance from the Food Standards Agency.

- 3.5 It should be noted that it's not a requirement for a food business to be inspected before it opens. Quite often businesses open their doors to the public, with –
- a) The Food Business Operator or his/her staff not having received any formal food handling training,
 - b) Preparation and processes inadequate
 - c) Kitchens, storage areas and facilities are not appropriately designed to meet legal requirements.

In such cases, the businesses' first contact with the Council's Food Safety Officer can often feel quite negative and may lead to the owner having to spend time and money on additional works to meet the basic compliance requirements.

- 3.6 Currently, some more proactive businesses may ask for advice, before they open their premises. 30 new premises opened in Craven last year and an additional 70 made changes to the food business. Where businesses ask for advice they spend on average 3 hours giving advice to these businesses. However, there is no statutory duty for the Environmental Health team to do this. In being helpful, resource can be diverted away from the statutory routine food inspections. However, officers know that this pre-advice can save time at the next inspection, as the business is already compliant and a good officer-customer relationship has been established.
- 3.7 The downside to this is that officers can spend time advising many businesses that might not come to fruition. Also it can be seen that some businesses despite being advised by their regulator in person, still opt to go on and pay a consultant for the same advice that we could provide.
- 3.8 A scheme has been devised that can be marketed to businesses in the district. The scheme is called 'Food Safety Advisory Visits'.
- 3.9 This scheme will provide enhanced support for food businesses from highly qualified, experienced, front line food safety officers. The support will be tailored to suit each business and it's proposed that a charge of £60/hour plus VAT (which will include all overheads) is made. This gives an opportunity for the business to have advice prior to opening/or making fundamental changes to the food business. Therefore unlike an unannounced formal inspection where action might be taken, visits will take place at the convenience of the business.
- 3.10 Food Safety Officers within the Environmental Health team will carry out the 'Food Hygiene Advisory Visits' however a different officer will undertake the unannounced formal inspection,
- 3.11 The scheme will be aimed at both new and existing businesses. The intention is to give a new business a head start towards compliance. It will be particularly useful to people who are new to running a food business. It will also be helpful for businesses that are scoring poorly in the Food Hygiene Rating Scheme that need additional help to improve compliance and apply for a re-score.

² Regulator's Code: Statutory Code of Practice for Regulators, BRDO, July 2013

3.12 For those businesses that just require cursory advice, there will always be the option of obtaining free information via our website and its associated links.

3.13 In Summary

In providing a charged advice service, the 'Environmental Health Business Partnership' aims to:

- a) Improve relationship between business and regulator
- b) Save business money – help them get things “right first time” before opening.
- c) Reduce the resources required for revisits to food businesses
- d) Increase the food business manager’s confidence in running their business
- e) Promote sustainable communities and economic growth in Craven.

4. Implications

4.1 Financial and Value for Money (vfm) Implications -

An income of £1,800.00 is anticipated based on the assumption of 10 applications for advisory food safety visits. The fee has been set to ensure the council’s costs in providing the service are fully recovered.

Businesses will be invoiced prior to the inspection being carried out. A new income code will need to be established for income monitoring purposes. It is anticipated that the scheme will be available immediately on approval.

4.2 Legal Implications –

Section 1 of the Localism Act 2011 gives local authorities the power to charge for a service which is not a statutory function.

4.3 Contribution to Council Priorities -

The proposal directly contributes to the priorities of ‘Enterprising Craven’, ‘Resilient Communities’ and ‘Financial Sustainability’.

4.4 Risk Management -

There are no strategic risk management issues arising from the report other than sufficient capacity within the Team. Should there be capacity issues we would use the generated income to pay for additional capacity.

4.5 Equality Analysis -

There are no equalities implications associated with this report.

4.6 Consultations with Others -

Director of Services, Strategic Manager – Financial Services (s151 Officer), Legal Services Manager.

4.7 Access to Information: Background Documents – Nil**4.8 Author of the Report -**

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Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

4.9 Appendices -

None