

## Archived Decisions for the Portfolio Holder for Housing and Public Protection 2010

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### ARCHIVED PORTFOLIO HOLDER DELEGATED DECISION

1.	<b>2009-09-06 FOOD SERVICE PLAN, HEALTH AND SAFETY PLAN, PUBLIC REGISTERS</b>
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2.	<b>2010-11-30 CONCURRENT FUNCTIONS SCHEME</b>
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3.	<b>2010-12-16 GYPSY SITE SOUTH POWYS</b>
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**Decisions taken by Individual Portfolio Holders**

**Portfolio Holder for Housing and Public Protection**

**Decisions Taken 6<sup>th</sup> September 2010**

**Food and Animal Feed Service Plan 2010 - 2012**

<b>DECISION</b>	<b>Reason for Decision:</b>
To approve the Food Service Plan 2010 – 2011.	This Plan sets out the way in which food and feeding stuffs enforcement will be carried out in the County of Powys by the Environmental Health and Trading Standards services of the Authority in 2010/11. The Plan aims to ensure that national and local priorities and standards are addressed.

**Intervention Plan – Health and Safety at work 2010/11**

<b>DECISION</b>	<b>Reason for Decision</b>
To approve the Intervention Plan for Health and Safety at Work 2010/11.	To protect people’s health and safety by ensuring risks in the workplace are properly managed.

**Fees for Supplying Copies of the Food Register and Private Water Supplies Register**

<b>DECISION</b>	<b>Reason for Decision</b>
To reduce the fees for supplying copies of the Food Register or the Private Water Supplied Register to £100 for the whole copy or £1 per page for part copies.	Current fees felt to be too high.

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# **ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

# **FOOD & ANIMAL FEED SERVICE PLAN**

**2010/11**

**Powys County Council  
County Hall  
Llandrindod Wells  
Powys  
LD1 5LG**

# **ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

## **FOOD & ANIMAL FEED SERVICE PLAN 2010/11**

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## EXECUTIVE SUMMARY

This Service Plan sets out the way in which food and feeding stuffs enforcement will be carried out in the County of Powys by the Environmental Health and Trading Standards services of the Authority in 2010/11. The Plan aims to ensure that national and local priorities and standards are addressed.

There are 2997 food premises and 410 feeding stuffs premises in Powys, ranging from major manufacturing businesses to small corner shops. There are also an estimated 6000 premises that may be subject to food and feed hygiene controls, ranging from large livestock and arable farms to small scale producers of fruit and vegetables.

The Service Plan is produced on an annual basis and is effective from 1<sup>st</sup> April. The Plan is published widely and is available on the Authority's website. Copies are also available from each area office. Comments on the Plan are invited throughout the year, and these are taken into account when the following year's Plan is produced. The Plan is approved by the Authority prior to publication.

## INTRODUCTION

The Food Standards Agency (FSA) Framework Agreement<sup>1</sup> gives guidance to local authorities on how their Food Service Plan should be structured and what it should contain. Service plans developed under these arrangements will provide the basis on which local authorities will be monitored and audited by the Food Standards Agency.

Service plans are seen to be an important part of the process to ensure national priorities and standards are addressed and delivered locally. Service plans will also:

- focus debate on key delivery issues;
- provide an essential link with financial planning;
- set objectives for the future, and identify major issues that cross service boundaries; and
- provide a means of managing performance and making performance comparisons.

A Food Service Plan template is provided by the FSA to ensure that all the areas of the food and feeding stuffs enforcement service are included in the plan whilst allowing scope for the inclusion of any locally defined objectives. The template will ensure that local authorities will include in their service plans:

- information about the services they provide;
- the means by which they will provide those services, including the various requirements of the Standard;
- the means by which they will meet any relevant performance targets or performance standards;
- a review of performance in order to address any variance from meeting the requirements of the service plan.

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<sup>1</sup> Available from FSA website - [www.food.gov.uk/enforcement/foodlaw/frameagree](http://www.food.gov.uk/enforcement/foodlaw/frameagree)

# **1. SERVICE AIMS AND OBJECTIVES**

## **1.1 AIMS AND OBJECTIVES**

### **1.1.1 Aims**

- To ensure that food (including drink) intended for supply for human consumption that is produced, stored, distributed, handled or consumed in Powys is accurately labelled, compositionally satisfactory and without risk to the health or safety of the consumer.
- To ensure that all animal feeding stuffs that are produced, stored, distributed, handled or fed to animals in Powys are accurately labelled, compositionally satisfactory and without risk to the health or safety of animals or consumers.

### **1.1.2 Objectives**

- To maintain an accurate and current record of all food and feeding stuffs premises.
- To conduct a co-ordinated sampling programme of food and feeding stuffs supplied or produced in Powys.
- To conduct a planned risk based inspection programme of local businesses.
- To deal with complaints about food and feeding stuffs in a consistent and co-ordinated manner.
- To provide timely and informative advice to local food and feeding stuffs businesses.
- To investigate and control outbreaks and food related infectious diseases.
- To respond to food safety incidents in relation to the food hazard warning system.

## **1.2 LINKS TO CORPORATE OBJECTIVES AND PLANS**

### **1.2.1 Promote Health, Social Care and Well-Being**

The Trading Standards and Environmental Health Services provide a targeted food and feeding stuffs sampling plan, designed to protect everyone in the community including vulnerable consumers who often are limited by budget. We ensure that food is clearly labelled to enable informed choice, is hygienically prepared and delivered to prevent illness and is accurately described to ensure consumers get value for money. As a leader of the Local Health Alliance in Powys we are committed to creating a healthier county through promoting healthier diets.

### **1.2.2 Ensure Learning Opportunities for all**

The provision of advice for all consumers and businesses, either individually or in groups by our officers enhances the learning culture. The Trading Standards and Environmental Health Services will arrange and deliver seminars as required or requested, particularly following changes in legislation. We work with colleges and schools in the County and will deliver advice or talks as required.

### **1.2.3 Support Economic and Social Development**

Business advice on food compliance is a major part of service delivery. The provision of timely accurate and specific information enables businesses to cut down on costs and avoid costly recalls or re-labelling. The enforcement of food regulation maintains a 'level playing field' for all businesses. The authority is committed to the Home Authority Principle for producers within the County.

#### **1.2.4 Enhance the Natural and Built Environment**

The Trading Standards and Environmental Health Services are responsible for many environmental issues including the disposal of animal by products, the use of packaging material in foods and the accurate description of foods produced in the area (e.g. `organic`)

#### **1.2.5 Improve our Corporate Health**

The Trading Standards and Environmental Health Services contribute to a working group developing the 'Corporate Health Standard' in the Council. The availability of 'healthy options' in canteens and the availability of clean potable water at every place of work are just two examples that the group have influenced. The service can advise on and sample, for analysis, food for its nutritional value that is offered through the local authority canteens.

## 2. BACKGROUND

### 2.1 PROFILE OF THE AUTHORITY

#### 2.1.1 Population and area

Powys is a rural area covering a quarter of the land mass of Wales.

Population:	130,700 <sup>2</sup>
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Area (hectares):	519,700
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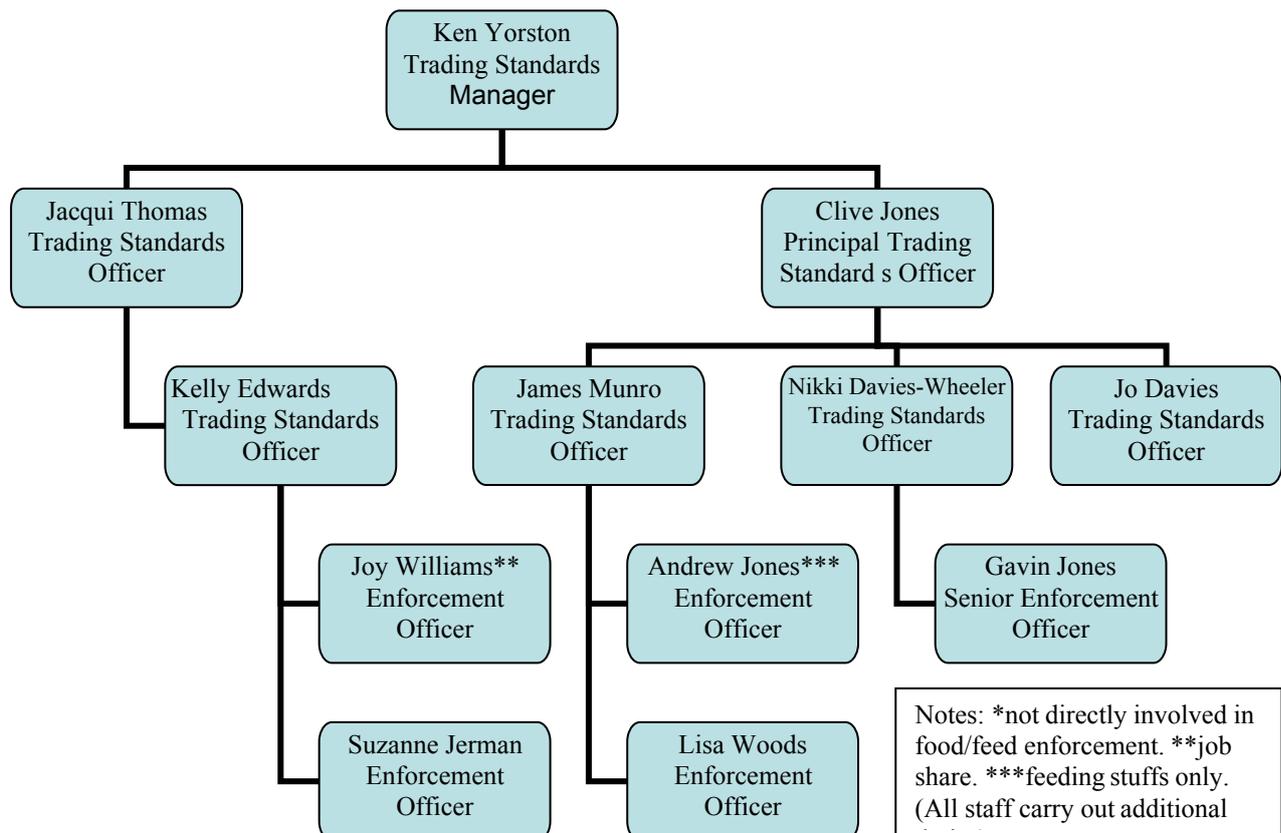
#### 2.1.2 Administration

The Authority's headquarters is located in County Hall, Llandrindod Wells. Service delivery points are located around the County (see paragraph 2.4.4).

### 2.2 ORGANISATIONAL STRUCTURE

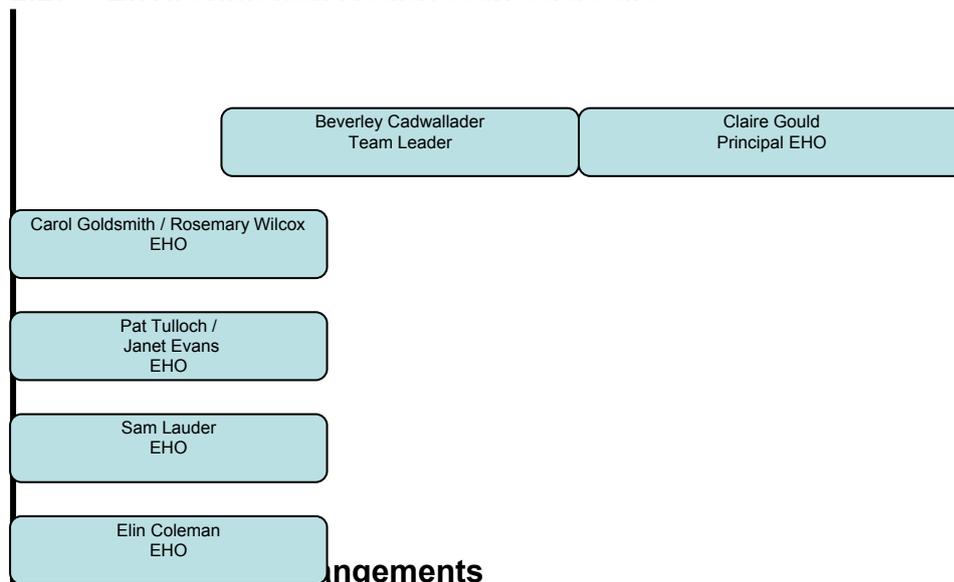
2.2.1 Environmental Health and Trading Standards are services within the Housing and Public Protection Function, headed by Chris Taylor. Both services report via the Head of Service to the Authority's Board.

#### 2.2.2 Trading Standards staff structure



<sup>2</sup> 2006 figure

## 2.2.3 Environmental Health staff structure



### Arrangements

Due to the large geographical area of the County a selection of Analysts have as follows:

Anita Kendrick  
Food Safety Officer

### Public Analysts

Lorna Evans  
EHO

Mr T Johnson, Mr M Dalling and Mr J Robinson Minton, Treharne and Davies Ltd Unit 5, Llwyn-yr-Eos Cross Hands LLANELLI SA14 6RA	Ron Ennion, Gary Burton, Jeremy Wootten and Duncan Arthur Eurofins Ltd. 46-49 Woodside Business, Shore Road, Birkenhead, Wirral, CH41 1EP
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### Public Health Laboratory Service

Health Protection Agency West Midlands	National Health Protection Service Cardiff
Health Protection Agency Stoke	

## 2.3 SCOPE OF THE FOOD AND FEEDING STUFFS SERVICE

### 2.3.1 Inspections and Joint Working Arrangements

The Environmental Health and Trading Standards services split their responsibilities for food enforcement in line with the Food Law Code of Practice<sup>3</sup> and accompanying guidance. Feeding stuffs enforcement is carried out by the Trading Standards service in accordance with the Feed Law Enforcement Code

<sup>3</sup> available at <http://www.food.gov.uk/multimedia/pdfs/codeofpracticewales.pdf>

of Practice<sup>4</sup>. Consideration is given to joint working where appropriate through regular liaison meetings where such issues are discussed.

### 2.3.2 Environmental Health

Holds responsibility for food hygiene inspections and complaints, microbiological food sampling, food safety promotional work, food poisoning investigations and management and handling of food hazard warnings. Other services delivered alongside the food hygiene service include some health and safety and very occasionally licensing inspections.

### 2.3.3 Trading Standards

Holds responsibility for food standards inspections and complaints, feeding stuffs inspections and complaints, food hygiene at primary production premises, feed hygiene requirements, sampling for compositional and labelling requirements and chemical contamination, and food standards promotional work. Other services delivered alongside the service include animal health, weights and measures, prices, trade descriptions, product safety and fair trading inspections.

### 2.3.4 Contractors

External contractors carry out no part of the food standards and feeding stuffs service (other than analytical and testing functions).

## 2.4 DEMANDS ON THE FOOD SERVICE

### 2.4.1 Premises Profile

There are 2997 food premises in Powys, of which 1967 are registered food premises.

	<b>FSA Code/Category</b>	<b>Total</b>
A	Primary producers	104
B	Slaughterhouses	5
C	Manufacturers/Processors	63
D	Packers	12
E	Importers/Exporters	1
F	Distributors/Transporters	49
G	Retailers	754
H	Restaurants/Other caterers	2009

### 2.4.2 Approved Premises

The breakdown above includes approved premises under product specific regulations of which there are currently the following number:

<b>TYPE OF PREMISE</b>	<b>TOTAL</b>
Minced Meat Products	2

<sup>4</sup> available at <http://www.food.gov.uk/multimedia/pdfs/feedcodeofpractice.pdf>

Meat Products	6
Milk Products	2
Fishery products	0
Egg Products	5

There are also a total of 6 water-bottling plants within the County which require specific application of legislation.

#### 2.4.3 Environmental Health (Food Hygiene) premises profile by risk rating

Category	Minimum Inspection Frequency	No. of premises
A	At least every 6 months	126
B	At least every 12 months	375
C	At least every 18 months	856
D	At least every 2 years	285
E	Alternative enforcement strategy	1033

#### 2.4.4 Trading Standards (Food Standards) premises profile by risk rating

RISK	NO. OF PREMISES
High	43
Medium	985
Low	741
No risk	529
Unrated	567

#### 2.4.4 Feeding Stuffs Premises

There are 431 feeding stuffs premises subject to inspection by the Trading Standards service. They are broken down into the following FSA categories:

FEEDING STUFFS PREMISES	
FSA Code/Category	TOTAL

A	Additive and Protein Source Manufacturers	1
B	Premixture Manufacturers	0
C	Intermediary (additives and premixtures)	15
D	Compound Feed Manufacturers	3
E	Pet Food Manufacturers	0
F	On-farm Mixers of Feed	173
G	Other Farms	0
H	Importers of Feed Materials	0
I	Sellers / Producers of Feed Materials (non-farm)	0
J	Wholesalers / Retailers of Animal Feeds	17
K	Wholesalers / Retailers of Pet Foods	201

### 2.4.5 Service Delivery Points

Service is delivered from a number of locations throughout the County as detailed below. Normal office hours are 8.30am - 4.45pm Monday to Thursday and 8.30am - 4.15pm Friday. The Authority operates a 24-hour 'Careline' and the service operates a separate manned emergency service out of normal office hours.

### Trading Standards

The service has a delivery point in the following areas:

County Hall Llandrindod Wells Powys LD1 5LG	The Park Newtown Powys SY16 2NZ	Neuadd Brycheiniog Cambrian Way Brecon Powys LD3 7HR
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### Environmental Health

The service has a delivery point in the following areas:-

The Gwalia Ithon Road Llandrindod Wells Powys LD1 6AA	Neuadd Maldwyn Severn Road Welshpool Powys SY21 7AS	Neuadd Brycheiniog Cambrian Way Brecon Powys LD3 7HR
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Service delivery points are also located throughout the County in the majority of outlying towns.

### 2.4.6 External factors which impact on the service

A seasonal activity that impacts considerably on the food service is the Royal Welsh Agricultural Show, which is held annually at Llanellwedd, near Builth Wells. As one of the largest agricultural shows in Europe with more than 200,000 visitors it demands a lot of proactive work prior to and a considerable amount of enforcement and reactive work during the week-long show. Routine work during this period is curtailed and officers' attentions centred on the event. The showground is also used during the year for many other special events.

Other major annual events impacting on routine work are the Brecon Jazz Festival; Hay on Wye Literature Festival and the Llandrindod Wells Victorian Festival.

A number of Farmers Markets operate across the County which has involved a substantial amount of officer time in providing guidance and carrying out inspections.

Due to the rural nature of the County it has become a target for groups involved in the illegal slaughter and supply of meat. A substantial amount of officer time has been taken up investigating these activities. Officers are also actively involved in partnership work with the Police and the Wales Food Fraud Unit in relation to these issues.

It is estimated that less than 1% of all food premises have owners whose first language is not English.

## **2.5 ENFORCEMENT POLICY**

**2.5.1** The Authority has signed up to the Enforcement Concordat. An Enforcement policy has been produced by the Community Services Directorate and approved by the Authority.

**2.5.2** Trading Standards and Environmental Health enforcement officers receive ongoing training on RIPA and PACE procedures.

### 3. SERVICE DELIVERY

#### 3.1 FOOD AND FEEDING STUFFS INSPECTIONS

##### 3.1.1 Trading Standards

###### Food Standards

The primary aim of food standards inspections is to ensure that the legal requirements are met covering:

- the quality, composition, labelling, presentation and advertising of food, and
- materials or articles in contact with food.

Annual targets are set for enforcement officers to carry out inspections to high, medium and low risk premises. These are agreed and reviewed at regular Staff Review and Development meetings. Overall targets are placed in the Trading Standards Service Delivery Plan<sup>5</sup> for the forthcoming year. This Plan is approved by the Director and then by Members of the Authority.

The number of food standards inspections targeted for 20010/11 is as follows:-

Risk Category	HIGH	MED	LOW	Total
No. of inspections	43	492	148	683

It is also intended to reduce the number of unrated food premises by 50%.

###### Feeding Stuffs

The primary aim of feeding stuffs inspections is to ensure that the legal requirements are met covering:

- the quality, composition, labelling, presentation and advertising of feeding stuffs, and
- the safety of feeding stuffs in accordance with feed hygiene requirements

The number of inspections to feeding stuffs premises targeted for 2010/11 are as follows:-

Risk Category	HIGH	MED	LOW	Total
No. of inspections	4	185	52	241

It is estimated that around 55 revisits will be carried out to food and feeding stuffs premises in 2010/11, based upon a figure of 57 revisits carried out in 2009/10.

In December 2005 the Food Standards Agency (Wales) set out recommended priorities for animal feed law enforcement as part of their national inspection programme<sup>6</sup>. The recommendations include:

<sup>5</sup> available from [www.powys.gov.uk/tradingstandards](http://www.powys.gov.uk/tradingstandards)

<sup>6</sup> letter from Food Standards Agency (Wales) dated 22/12/05 ref: ENF/W/05/036

- carrying out inspections to feeding stuffs premises in line with the LACORS risk assessment scheme
- taking samples of feeding stuffs to check for the presence of undesirable substances and certain unauthorised feed additives.

### Food Hygiene at primary production

Work commenced in 2007/08 to establish the number of premises involved in primary production for food hygiene purposes. This involved cross-referencing existing records with the DEFRA Vetnet and RPA (Wales) databases. The work also included linking with Animal Health and Feed Hygiene requirements to ensure a co-ordinated approach to enforcement of these closely related issues. An officer was also appointed in 2007/08 whose duties include overseeing Animal Health and food/feed hygiene enforcement in the County. A number of feed hygiene inspections have been carried out; although proactive inspections under food hygiene legislation have not been carried out to date because no funding has been allocated to the TS Service by the Authority for this purpose

### 3.1.2 Environmental Health

The primary aim of all food safety inspections shall be to:-

- Identify potential hazards and assess their risks to public health arising from activities within the food business;
- Assess the effectiveness of management control to achieve safe food;
- Identify specific contraventions of food hygiene law.

The service will ensure that inspections are carried out in accordance with the Food Safety Act Code of Practice. The Inspection Rating System will be used to determine the frequency of programmed inspections within a range of 6 months to 3 years. Programmed inspections alone shall be used for the purpose of determining the frequency of further programmed inspections.

The probable number of premises to be targeted for inspection for 2010/11 are as follows:-

Risk Category	A	B	C	D	Total
No. of inspections due in 2010/11	234	347	531	119	1131
Probable no. of inspections overdue from 09/10	0	0	0	0	0

The probable number of food hygiene inspections to be carried out by the food hygiene service in total during 2010/11 is therefore 1131.

Premises rated as Category E no longer need to be subject to primary inspection but must be subject to an alternative enforcement strategy not less than once in any 3 year period. It is therefore intended to target those premises by letter where they do not receive any visit to verify that there have been no significant changes within the business. A proportion will also be verified via spot checks. Other triggers for inspections of such premises would be consumer complaints, new proprietors identified via planning/licensing, or where other inspectors trigger an inspection (such as Health and Safety or Licensing Officers). Other intelligence-based projects may also be adopted during the year based on sampling results or new regulations or guidance.

In addition to the programme of inspections it is anticipated that approximately 500 revisits will be required in 2010/11 based on figures of 412 in 2008/09, and 551 for 2009/10.

To ensure adequate expertise is available to enable competent inspections of specialised processes, officers are generally given a specialism in a product specific field, e.g. milk products, meat products, etc. and concentrate on the development of consistent and thorough inspections in these specific fields of food safety. These officers are then identified for appropriate training available in these fields.

Furthermore should a situation arise where expertise was not available in-house this would either be achieved by the necessary training or by identifying and bringing in the necessary expertise.

- 3.1.3** Officers will carry out inspections of those businesses open outside office hours as required.

## **3.2 FOOD AND FEEDING STUFFS COMPLAINTS**

### **3.2.1 Trading Standards**

The service is responsible for dealing with complaints about the labelling and composition of food, and the fitness of feeding stuffs. Complaints are dealt with in accordance with documented procedures which require a response within one working day of receipt.

<b>COMPLAINTS RECEIVED</b>		
	<b>Food</b>	<b>Feeding stuffs</b>
2005/06	67	7
2006/07	54	3
2007/08	53	8
2008/09	32	6
2009/10	8	0
2010/11 estimated	15	6

A number of the food and feeding stuffs complaints received in 2009/10 resulted in samples being sent for analysis.

It is estimated that 4 food and 2 feeding stuffs complaint samples will be submitted for analysis in 2010/11. This will require the following resources:

- Food complaints (4 samples analysed):

Analyst fees (4 x £100) = £400  
 Officer time (8 days) + expenses = £2400  
Total = £2800

- Feeding stuffs complaints (2 samples analysed):

Analyst fees (2 x £100) = £200  
 Officer time (2 days) + expenses = £600  
Total = £800

### 3.2.2 Environmental Health

The service is responsible for investigating complaints of contamination of food by micro-organisms or toxins and the contamination of food by mould or foreign matter. Chemical contamination of the food will be investigated if the food poses an imminent risk to health.

Food complaints are dealt with in accordance with departmental procedure and Codes of Practice and LACORS (Local Authorities Co-ordinators of Regulatory Services) guidance.

The number of food complaints received is as follows:

Year	No. of food complaints
2007/08	129
2008/09	81
2009/10	94
2010/11 (estimate)	90

Resources required to deal with food complaints can vary dramatically from the straightforward to the more complex requiring significant research and analytical fees.

### 3.3 HOME AUTHORITY PRINCIPLE

- 3.3.1** The service supports the Home Authority Principle and currently acts as Home Authority for 18 food and feeding stuffs businesses in the area. Each of these businesses is classified as a high priority and receives at least one visit per year. These arrangements are being reviewed in the forthcoming period.

Estimated resources required - half a day per visit x (Officer and Assistant) x number of visits + miles.

### **3.4 ADVICE TO BUSINESSES**

#### **3.4.1 Scope of Advice Service**

The Environmental Health and Trading Standards services both provide a free advice service for local businesses. Advice may be provided following a specific request, or may be given proactively to update businesses on changes in legislation. A range of nationally produced guidance leaflets is available from each of the service delivery points.

#### **3.4.2 Contacts from Business**

An estimated total of 100 advisory visits by Environmental Health will be carried out during 2010/11, based on previous year's figures of 114 for 2007/08, 100 for 2008/09 and 102 in 2009/10.

An estimated total of 50 requests for advice on food and feeding stuffs issues will be received by Trading Standards in 2010/11 .

#### **3.4.3 Other forums**

Both services actively support Powys 'Food Links' - their remit is to help anyone with an interest in growing, selling or eating local food. They work alongside groups or individuals, giving them advice, signposting to funds, seeking suitable contacts and making a network grow and work. Regular Farmers Markets have been established at a number of locations across the County.

The Mid Wales Manufacturing Group organises a series of Business Support Network meetings each year and it is anticipated that a number of these may relate to the food industry

### **3.5 FOOD AND FEEDING STUFFS SAMPLING**

#### **3.5.1 Trading Standards**

The food standards and feeding stuffs sampling programme is planned at the start of the financial year and delivered locally on a monthly basis. The programme is developed after reviewing previous sampling results and taking into account current issues. Participation in national and regional sampling surveys is included wherever possible. A contingency is made for complaint samples, which are dealt with as and when received. Monitoring of the sampling programme occurs on a monthly basis. A service level agreement with the Public Analyst is in place that covers the storage and transportation of samples, reporting times and payments.

<b>Year</b>	<b>no. of food samples</b>	<b>no. of feed samples</b>
2007/08	170	80
2008/09	173	76
2009/10	186	63
2010/11 projected	95	61

### **3.5.2 Environmental Health**

The service participates in the All Wales Shopping Basket Survey and is represented on the Welsh Food Microbiological Forum. As part of this initiative monthly sampling is carried out of items included within the Shopping Basket from a random selection of premises.

In addition to the Shopping Basket samples are obtained as part of the Welsh Food Microbiological Forum initiative and further targeting of local producers not included within this initiative is also carried out to monitor the quality of locally produced foods. In addition to these locally driven sampling programmes the Authority also participates in LACORS microbiological food surveys. It is anticipated that a total of approximately 300 food samples will be taken during the year 2010/11 based on previous year figures of 441 in 2007/08 and 360 in 2008/09 and a probable 264 in 09/10. All such samples are submitted via the NPHS/HPA as detailed earlier in the report for analysis.

### **3.6 CONTROL AND INVESTIGATION OF OUTBREAKS AND FOOD RELATED INFECTIOUS DISEASE**

The Council works with the National Public Health Service (NPHS) in managing cases and outbreaks of food related infectious diseases. The Management and organisational arrangements for dealing with outbreaks of infectious disease are contained in 'The Powys Plan for Handling Cases and Outbreaks of Food Poisoning and Other Related Conditions'. This plan is based on an All Wales model, agreed by the NPHS and Local Authority, and subject to annual review.

All cases are contacted, the necessary details collected, and advice given on precautionary measures to prevent the spread. Where necessary, exclusions are placed on persons considered to be within a high risk category to ensure control of the organism in accordance with the Powys Plan.

It is anticipated that approximately 280 cases of infectious diseases are likely in 2010/11 based on statistics from previous years of 295 in 2007/08, 296 in 2008/09 and 276 in 2009/10. The Authority is committed to the 'lead officer' concept introduced across Wales through which each Authority has a nominated officer undertaking more detailed training in communicable disease control. These officers not only provide a well-informed resource for their own Authority but could be called upon should a serious incident arise in another Authority to assist in the investigation and control.

The number of bovine tuberculosis reactor herds has substantially increased in recent times, and this has involved considerable officer time in investigations on the farms concerned to ensure no risk exists with milk production and consumption.

### **3.7 FOOD SAFETY INCIDENTS**

The Authority recognises its obligations under section 40 of the Food Safety Act 1990 and the Code of Practice in relation to the food alerts and incidents system. Where the Authority identifies that food fails to comply with food safety requirements they will inform all other potentially interested Authorities. The

Authority will assess the scale, extent and severity of the hazard. In the event of it being a serious incident or a wider problem then they will liaise/notify the appropriate Central Government Department and formulate a food incident report that will be forwarded immediately to the relevant Government Department.

In incidences where Food Alerts are issued by the Food Standards Agency Wales, these are received by email at County Hall and in the three area offices for Environmental Health attention. They are then given the attention required as determined by their category. Where the incidence has relevance to the Trading Standards service, responsibility for action is agreed between the two services.

Powys County Council has appointed Authorised Officers who are available for out of hours contact. Several officers also receive Food Alerts via mobile SMS.

### **3.8 LIAISON WITH OTHER ORGANISATIONS**

#### **3.8.1 Trading Standards**

The Wales Food and Agriculture Standards Group acts as a forum for Welsh Authorities to discuss issues relating to food and feeding stuffs enforcement. An officer from this authority acts as a support officer for Food and Agriculture standards. This Group reports to the Wales Heads of Trading Standards (WHoTS). Resource allocation is four officer days per year.

A liaison meeting is held at least twice a year with the Public Analyst and other South West Wales Authorities who also use the same laboratory. The meeting provides a forum to discuss current enforcement issues and co-ordinated sampling programmes.

#### **3.8.2 Environmental Health**

To ensure enforcement action taken in the County is consistent with neighbouring Authorities a representative attends the SW Wales Regional Food Safety Group and the SW Wales Regional Communicable Disease Group. These are sub-groups of the Directors of Public Protection Wales (DPPW).

Attendance is also present on the following groups leading to further consistency in approach:

- All Wales Food Safety Technical Panel
- All Wales Communicable Disease Panel
- Welsh Food Microbiological Forum.

Regular liaison is undertaken with the National Public Health Service in relation to the investigation and control of food poisoning incidents, and with DEFRA in relation to zoonoses issues.

### **3.9 FOOD AND FEEDING STUFFS SAFETY AND STANDARDS PROMOTION FOR 2010/11**

**3.9.1** The department will participate in National Food Safety Week the theme for this year focussing on the actions that people can take at home to prevent food poisoning from campylobacter: cooking thoroughly and avoiding cross-contamination, and this will be promoted across the County through various initiatives.

- 3.9.2** The department participates in the All Wales Food Hygiene Award Scheme, which recognises high standards of hygiene by issuing certificates of Gold Silver and Bronze to premises that meet the criteria.
- 3.9.3** The Trading Standards Service will be supporting the Young Consumer of the Year competition in the forthcoming year. The competition is aimed at young people all over the UK and includes elements on food labelling and composition. The Wales final is held every year in Powys.

## 4. RESOURCES

### 4.1 FINANCIAL ALLOCATION

- 4.1.1 Details of the budgets allocated for 2010/11 can be found in the Public Protection Business Plan.

### 4.2 STAFFING ALLOCATION

#### 4.2.1 Trading Standards

Number of FTE involved in Food:	3.4*
Number of FTE involved in Feeding Stuffs:	0.4*

\*estimated

Officer	Qualifications		
	DTS (or equiv)	DCA (inc Paper IV)	Lead Auditor
Suzanne Jerman		✓	
Jacqui Thomas	✓		✓
Ken Yorston	✓	✓	✓
Joy Williams		✓	
James Munro	✓		✓
Andrew Jones*			
Kelly Edwards	✓		
Nikki Davies	✓		✓
Clive Jones	✓		✓
Gavin Jones		✓	
Lisa Woods		✓	
Jo Davies	✓		

\* feeding stuffs sampling/enforcement only

## 4.2.2 Environmental Health

Number of FTE involved in Food Hygiene:	9.2*
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\*estimated

Officer	Qualifications
Beverley Cadwallader	EHO/EHORB Registered
Carol Goldsmith	EHO/EHORB Registered
Pat Tulloch	EHO/EHORB Registered
Janet Evans	EHO/EHORB Registered
Rosemary Wilcox	EHO/EHORB Registered
Elin Coleman	EHO/EHORB Registered
Daniel Saunders	EHO/EHORB Registered
Claire Gould	EHO/EHORB Registered
Catherine Davies	EHO/EHORB Registered
John Paul Lawrence	EHO EHORB Registered
Jane Hope	EHO EHORB Registered
Sam Lauder	EHO/EHORB Registered
Lorna Evans	EHO/EHORB Registered
Anita Kendrick	Higher Certificate in Food Premises Inspections
Debbie Halstead	Higher Certificate in Food Premises Inspections
Lynn Powell	Higher Certificate in Food Premises Inspections

In addition to these professional qualifications all officers are trained in HACCP and the auditing of HACCP and a number of officers have the lead auditor qualification.

## 4.3 STAFF DEVELOPMENT PLAN

**4.3.1** The Housing and Public Protection Service (which incorporates Trading Standards and Environmental Health) recently retained the Investors in People award, so staff development is well established within the services. Steps have been taken in Trading Standards over the past few years to ensure that enforcement staff obtain the necessary formal qualification (DCA Paper IV - Food and Agriculture Standards) and all staff currently involved in food enforcement have now achieved this. All staff undergo a minimum of 10 hours CPPD training each year on Food Standards and 10 hours on Feed Law enforcement.

**4.3.2** Ongoing training requirements are identified in both Trading Standards and Environmental Health annual Employment Review and Development meetings and reviewed every six months. Staff apply to attend training events in order to consolidate or update their knowledge. Whenever practicable, they feedback to their peers at office or other staff meetings on their new found knowledge. Additional internal training courses are also arranged where appropriate to ensure that officers attain the required amount of continuous professional development stipulated in the Food Law and Feed Law Codes of Practice.

#### 4.3.3 Training identified at present for 2010/11

<b>Officer(s)</b>	<b>Course/training</b>	<b>Organised By</b>	<b>Cost</b>
Trading Standards enforcement staff	Food and feedingstuffs enforcement update	Internal training by lead officers/public analyst	£500
Trading Standards enforcement staff	General Food Standards/labelling	Wales Heads of Trading Standards	TBA
All enforcement staff	PACE / RIPA/ Prosecution manual	TBA	TBC
Environmental Health food safety staff	Consistency training	In-house	Nil

## **5. QUALITY ASSESSMENT**

### **5.1 MONITORING ARRANGEMENTS**

The Authority supports the system of local authority audits organised by DPPW in Wales. The Food Standards Agency carried out an audit of the Authority in May 2004 – this resulted in the preparation of an action plan for improvement.

#### **5.1.1 Trading Standards**

An initial assessment of the service's work under the EFQM's Excellence Model was undertaken in 1999. The service has put into motion a series of initiatives aimed at improving the quality of its services - one of which was application for the Quality Mark under the Community Legal Service scheme. The service was subsequently awarded the Quality Mark in April 2001 – this was renewed in April 2002. In 2004 the Service underwent a Peer Review of its services which resulted in a 3 year programme of improvements.

The Trading Standards service received the Charter Mark in 2000 in recognition of the quality of its advice service. One aspect of this is the way advice is provided to businesses in the County and also the manner in which food complaints are dealt with. The service re-applied for the Charter Mark in 2003 and received the award following a further audit. In 2006 the Service achieved Charter Mark status for the whole of the Service and is the only Trading Standards Service in Wales that has achieved this prestigious award. The Charter Mark has been retained on a yearly basis and the service will now develop to meet the Customer Service Excellence standard which will fully replace the Charter Mark standard by 2011.

The following internal audits are undertaken by line managers:

- Food & feeding stuffs inspections
- Food & feeding stuffs sampling
- Food & feeding stuffs complaints
- Complaints – 10% of each officer each month

Audits are reported to management meetings, and include conclusions and recommendations. Where necessary an action plan is devised which would include any training needs identified.

#### **5.1.2 Environmental Health**

The service has participated in Benchmarking studies such as food safety inspections, sampling, food complaints and food poisoning. The service is also committed to 'Improving Environmental Health Services in Wales' and following the best practice standards laid out within this document.

In order to ensure uniformity of standards a system of monitoring is in place, which includes the following:

- regular meetings of the Team Leader and Principal Environmental Health Officers (Commercial) to ensure consistency of approach throughout the County.
- section meetings held on at least a three monthly basis which will be attended by all officers authorised to carry out food safety inspections, to evaluate inspection procedures.

- an in-house audit will be carried out of a random sample of files, inspection documents etc. The Team Leader and PEHO will undertake this at least twice a year.
- a random number of inspections carried out each year when the inspecting officer will be accompanied by the Team Leader or PEHO or another experienced officer in order to evaluate procedures and standards.

## **6. REVIEW**

### **6.1 REVIEW AGAINST THE SERVICE PLAN**

#### **6.1.1 Trading Standards and Environmental Health**

Reports are produced for management that compare the section's annual performance against the targets set at the start of the year. These reports also define any changes that are required to sampling regimes, budgets or staffing responsibilities. Areas of variation from set targets are identified and reasons explored for such variations. An improvement plan is produced if necessary.

Annual returns to the FSA under the monitoring arrangements are scrutinised by the lead officers prior to being submitted.

### **6.2 VARIATION FROM THE PREVIOUS YEAR'S SERVICE PLAN**

#### **6.2.1 Environmental Health**

The Environmental Health service has achieved well against food hygiene inspection targets this year despite difficulties in recruiting and retaining staff. Temporary staff and contractors have been employed during the course of the year in an attempt to counteract these difficulties and have made a significant contribution.

#### **6.2.2 Trading Standards**

The Trading Standards service has achieved many of its targets for 2008/09 in respect of inspections and samples. Funding received in 2007/08 and the following year from a Performance Improvement Grant (provided by the Authority) enabled the Service to appoint an additional Trading Standards Officer which contributed towards these targets being met.

### **6.3 AREAS FOR IMPROVEMENT**

**6.3.1** The Food Service was audited by the Food Standards Agency in May 2004. Various areas for improvement were identified in the report received in 2005. All of these areas have now been addressed. Areas of improvement for the Food Hygiene Service have since been taken from the Environmental Health Best Practice Standards and are detailed below. There is scope for reducing the number of food standards unrated premises – this has also been highlighted as an area for improvement. Areas for improvement for the forthcoming year are detailed within the Appendix A.

<b>Areas for Improvement</b>	<b>Appendix A</b>
<b>Action</b>	<b>Outcome</b>
1. Make an electronic copy of the food safety service plan and enforcement policy available via email and the Authority's website	Provision of a fully transparent and accessible food safety service.
2. Produce various promotional articles including a newsletter for businesses etc.	Improved promotional work within the food safety service
3. Carry out a stakeholder satisfaction survey , make the results public and review actions in line with results	Improve the quality of service to the public and businesses
4. To evaluate the feed hygiene inspection requirements and implement a programme	Assessment of work involved in this area (for which limited funding is available).

# Powys County Council

## Intervention Plan - Health and Safety at Work – 2010/11

### Overall Aim of the Service

“To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.”

### Our key delivery priorities are:

- To manage high risk, poor performing and/or rogue trader businesses through a targeted approach to risk.
- Investigating major injury incidents and fatalities to assess and target poor management.
- National Priorities that we will contribute to:
  - LPG Inspection Campaign - To run in parallel with the pipe work replacement programme. Inspections to cover the complete LPG installation, including the tank and any associated equipment, such as valves and regulators, as well as the pipe work. (LPG users to have their pipe work replaced where required).
  - Construction – ensure clients are given information on their duties under CDM 2007 at the planning stage ensuring a greater awareness and compliance with CDM.
  - Asbestos Duty to Manage - continuing campaign/field activity to raise compliance levels and take formal enforcement where appropriate
  - Dermatitis in Catering & Hairdressing - continue embedding messages with the issue being raised at every relevant LA visit
  - Asthma in Bakeries - continue embedding messages with the issue being raised at every relevant LA visit
  - Sun beds - to promote the need for management arrangements to ensure that under-18s do not use sunbeds and ensure that coin-operated salons are supervised by trained staff. Prepare operators for possible new legislation and raise general awareness of risks associated with sunbed use.
  - Violence & Aggression - to increase awareness and improve management of work-related violence.

- Local Priorities that we will contribute to:
  - Radon – continue embedding messages with the issue being raised at every relevant LA visit.
  - Off road rally & motorcycle practice tracks – identify, raise compliance levels and carry out visible formal enforcement where appropriate.
- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSC's Enforcement Policy Statement and the Enforcement Management Model and therefore proportionate, consistent, transparent and accountable.
- Train and develop our staff to ensure competence is maintained.

**Powys County Council**  
**Health and Safety at Work – Intervention Plan 2010-2011**

What	How	When	Who	PI
Inspections/Interventions at High Risk (A Rated premises)	Inspections/Interventions at High Risk (A rated) premises. Target main topic areas plus Matters of Evident Concern	Throughout the year	H&S Officers	Interventions at 100% of High Risk premises
Inspections/Interventions at category B1 & B2 premises.	Inspections/Interventions at 100% of B1 and B2 premises due for inspection Target main topic areas and matters of evident concern	Throughout the year	H&S Officers	Interventions at 100% of B1 and B2 premises.
Target third of premises in non-inspectable risk categories with general information packs and invitation to workshop sessions.	Mail shot to be posted to premises with relevant information.	Throughout year	Team Leader/ Principal Officer	1/3 <sup>rd</sup> Premises targeted with information packs
All Wales Violence & Aggression programmes.	Interventions at 20 premises across County.	Interventions September – December 2010	H&S Officers	X20 interventions
Stop Slips & Trips/Prevent Dermatitis programme. Takeaways/Hotels/Catering project .	Interventions at 2 Takeaways, Hotels, Catering premises focussing on S&T/Dermatitis.	Interventions Apr- Oct 09	H&S Officers	X2 follow up interventions.
Ensure clients are given information on their duties under CDM 2007 at the planning stage ensuring a greater awareness and compliance with CDM	In conjunction with SW Wales partners devise pack and then make arrangements for distribution of packs at planning / construction stage	Throughout the year	H&S Officers	Produce a pack and arrange for distribution to relevant clients.
Respond to the National LPG campaign	Investigate all cases of suspected substandard underground pipe work notified to the Authority.	Throughout the year	H&S Officers	Investigate 100% of notifications
Sunbed safety	Identify premises with sunbeds and ensure adequate management arrangements in place.	Throughout the year	H&S Officers	Visit 100% of known premises with sunbeds
Off road rally & motorcycle practice tracks	Identify premises and raise compliance levels	Throughout the year	H&S Officers	Visit 100% of known premises
New premises	Interventions via Visit/Self Assessment Questionnaire	Interventions throughout the year	H&S Officers	100% of those new premises identified during 2010-2011

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**CYNGOR SIR POWYS COUNTY COUNCIL.**

**6<sup>th</sup> September 2010**

**REPORT AUTHOR: Public Protection Manager**

**SUBJECT: Review of Fees for Public Registers**

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**REPORT FOR: Decision of Portfolio Holder for Housing, Public Protection and Community Safety**

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**1. Introduction**

1.1 Approval is sought for a change to the fees chargeable for providing copies of information held on two of the public registers maintained by Public Protection.

**2. Background**

2.1 Legislation requires a local authority to maintain a register of the food premises in its area and specifies the information to be held. The same law requires the proprietors of food businesses to register with their local authority. Similarly, a local authority must maintain a register of the private water supplies in use within the locality.

2.2 The public are allowed by law to view the register at all reasonable times, free of charge. A reasonable charge may be made for a copy of all or part of the register.

2.3 The present charge for the whole food register is £717.40 and £7.20 for a single entry copy. A similar situation prevails for the private water supplies register. These charges date back to the time when the information had to be retrieved and copied manually, whereas it can now be produced and sent electronically, requiring considerably less work than before.

**3. Proposal**

3.1 In view of the ability to produce and send the register electronically, it is proposed that the charges in both cases be reduced to £100 for the whole register and no more than £1 per page if the request is for a part of the register.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>That the charge for a copy of the whole food premises register or the private water supplies register be reduced to £100 and that a charge not exceeding £1 be charged per page copied.</b>	<b>To reflect more accurately the cost of providing copies of public registers</b>

Contact Officer	Tel:	Fax:	Email:
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Steve Clinton	01938 551246		
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<b>Relevant Portfolio Member(s):</b>	<b>Councillor R G Brown</b>
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<b>Relevant Local Member(s):</b>	<b>N/a</b>
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**Background Papers used to prepare report: None**

## Decisions taken by Individual Portfolio Holders

### Portfolio Holder for Housing and Public Protection

#### Concurrent Functions Scheme

#### Decisions Taken 30<sup>th</sup> November 2010

DECISION	Reason for decision
That the following allocations for concurrent functions be approved	To provide support to Town and Community Councils in Montgomeryshire under the Concurrent Functions Scheme for cemeteries.

	£
1 Banwy	576.89
2 Bausley with Criggion	272.94
3 Cadfarch	300.00
4 Caersws	706.18
5 Carno	318.10
6 Carreghofa	250.00
7 Churchstoke	638.52
8 Dwyriw	150.00
9 Forden	564.90
10 Glantwymyn	470.75
11 Kerry	800.00
12 Llandinam	377.10
13 Llandrinio	475.00
14 Llandysilio	442.71
15 Llandyssil	620.99
16 Llanfair Caereinion	1202.42
17 Llanfihangel	381.72
18 Llangedwyn	80.00
19 Llangyniew	246.39
20 Llangynog	190.86
21 Llanidloes	684.00
22 Llanrhaeadr	492.29
23 Llansantffraid	540.87
24 Llansilin	150.00
Mochdre	No
25	Allocation
26 Penybontfawr	391.26
27 Tregynon	318.51
28 Trewern	537.36
<b>Total</b>	<b>12179.78</b>

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# CYNGOR SIR POWYS COUNTY COUNCIL.

## Decision for Portfolio Holder 30<sup>th</sup> November 2010

**REPORT AUTHOR:** Public Protection Manager

**SUBJECT:** Concurrent Functions Scheme  
Montgomeryshire Cemeteries

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**REPORT FOR:** Decision

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### Summary

- 1.1 Concurrent function grants are offered annually to Town and Community Councils in Montgomeryshire in support of the revenue costs incurred in the running of local cemeteries. The grant covers items such as grass cutting, and other routine maintenance but excludes larger projects requiring capital funding.
- 1.2 The amount of financial support set aside in revenue estimates for this purpose in 2010/11 is approximately £12,180. The total amount of the bids received from the Town and Community Councils, exceeds the amount of financial assistance available. Therefore, in accordance with the allocations made in previous years, adult population size taken from the most recent electoral register has been used as the prime basis for apportionment. Regard is given also to income received from other sources, the number of cemeteries supported and spending patterns in previous years.

### Proposal

- 2.1 Bids for grant aid were received from twenty-seven Town or Community Councils in respect of burial facilities operated by them directly, or supported by contribution.
- 2.2 The bids and recommended awards are summarised in the table below.

1	Banwy	576.89
2	Bausley with Criggion	272.94
3	Cadfarch	300.00
4	Caersws	706.18
5	Carno	318.10
6	Carreghofa	250.00
7	Churchstoke	638.52
8	Dwyriw	150.00
9	Forden	564.90
10	Glantwymyn	470.75
11	Kerry	800.00
12	Llandinam	377.10
13	Llandrinio	475.00

14	Llandysilio	442.71
15	Llandyssil	620.99
16	Llanfair Caereinion	1202.42
17	Llanfihangel	381.72
18	Llangedwyn	80.00
19	Llangyniew	246.39
20	Llangynog	190.86
21	Llanidloes	684.00
22	Llanrhaeadr	492.29
23	Llansantffraid	540.87
24	Llansilin	150.00
	Mochdre	No
25		Allocation
26	Penybontfawr	391.26
27	Tregynon	318.51
28	Trewern	537.36
	<b>Total</b>	<b>12179.78</b>

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
That the recommended allocations set out in the table at 2.2 above be approved.	To provide support to Town and Community Councils in Montgomeryshire under the Concurrent Functions Scheme for cemeteries.

<b>Person(s) To Action Decision:</b>	Steve Clinton
<b>Date By When Decision To Be Actioned:</b>	N/A

<b>Relevant Policy (ies):</b>	N/A		
<b>Within Policy:</b>	Y	<b>Within Budget:</b>	Y

<b>Contact Officer Name:</b>	<b>Tel:</b>	<b>Fax:</b>	<b>Email:</b>
Steve Clinton	01938 551246	01938 551248	stevecl@powys.gov.uk

<b>Relevant Portfolio Member(s):</b>	Councillor Graham Brown
<b>Relevant Local Member(s):</b>	N/A

**Background Papers used to prepare report:**

Bids from Town and Community Councils for Concurrent Functions Grant  
Concurrent Functions File  
Electoral Register

**Decisions taken by Individual Portfolio Holders**

**Portfolio Holder for HR and Portfolio Holder for Finance**

**Decisions Taken 16<sup>th</sup> December 2010**

**Gypsy Site South Powys**

<b>DECISION</b>	<b>Reason for decision:</b>
<p><b>That funding of £40,000 be vired from Corporate Reserves to meet the cost of the Public Inquiry planning appeal in respect of the temporary site at Cefn Cantref Brecon</b></p>	<p><b>In order to properly prepare and present evidence to the Public Inquiry planning appeal.</b></p>
<p><b>That funding of £33,600 be vired from Corporate Reserves to meet the cost of pre application discussions with BBNP regarding a planning application for a gypsy site on land adjacent to the Enterprise Park Brecon.</b></p>	<p><b>In order to prepare for the submission of a planning application for a Gypsy site on land adjacent to the Enterprise Park Brecon</b></p>

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By virtue of paragraph(s) 16 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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