

**CYNGOR SIR POWYS COUNTY COUNCIL**

**PORTFOLIO HOLDER DELEGATED DECISION**

**by**

**COUNTY COUNCILLOR RICHARD CHURCH**

**PORTFOLIO 10<sup>TH</sup> OCTOBER 2023**

**REPORT AUTHOR: Professional Lead Environmental Health Commercial Services & Trading Standards**

**REPORT TITLE: Approval of Food Service Plan**

---

**REPORT FOR: Decision**

---

**1. Purpose**

1.1 Approval is sought for the Food Plan attached as Appendix A.

**2. Background**

2.1 The work of the Environmental Health & Trading Standards Team contributes significantly towards the health of Powys' residents and visitors. The team ensure that food manufactured, prepared and/or sold in Powys is safe through carrying out a suite of interventions including a programme of risk rated inspections, sampling, advice and investigation of complaints that may arise.

2.2 The Framework Agreement on Food Controls by Local Authorities provides the Food Standards Agency with a mechanism for implementing its powers under the Food Standards Act to influence and oversee local authority enforcement activity.

2.3 The Agreement applies to local enforcement of all feed and food laws and incorporates the latest guidance and standards on feed and food law enforcement.

2.4 The Agreement requires for publicly available local service plans to be produced covering specific areas as detailed within the framework agreement to increase transparency of local enforcement services.

2.5 The attached food plan (Appendix A) has therefore been produced in line with the standards as laid out within the framework agreement.

**3. Advice**

- 3.1 It is a requirement that the plan be approved at the appropriate member level. This report attaches the plan for consideration and approval.
- 3.2 The Plan sets out the way in which food safety work is to be carried out in the County of Powys by the Environmental Health and Trading Standards services in 2023/24. The Plan aims to ensure that national and local priorities and standards are addressed as far as is reasonably practicable in line with the existing budgets. Where resources are insufficient to ensure full statutory compliance, the services will be delivered on a risk assessed basis.

#### **4. Resource Implications**

- 4.1 The proposals outlined in the plan are designed to be delivered within existing budgets.
- 4.2 The Head of Finance (Section 151 Officer) notes the report and can support the recommendation.

#### **5. Legal implications**

- 5.1 The submission of the annual Food Service Plan for appropriate Member approval is a recommendation of the Framework Agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency pursuant to the Food Standards Act 1990. The plan forms the basis on which the Council carries out its food safety services.
- 5.2 The Public Protection Solicitor has commented as follows: “ Powys County Council’s Draft Food Service Plan 2023-24 does indeed comply with the requirements in the Framework Agreement”
- 5.3 The Head of Legal Services and the Monitoring Officer has commented as follows “ I note the legal comment and support the recommendation .”

#### **6. Data Protection**

- 6.1 The proposal does not involve the processing of personal data .

#### **7. Comment from local member(s)**

7.1 This report has no particular significance to any one electoral division.

## **8. Impact Assessment**

8.1 The food plan as proposed outlines the level of service that can be delivered within existing budget. Whilst the plan will have a positive impact, current staff resource is insufficient to enable full compliance with our statutory duties in line with the Food Standards Agency Food Law Code of Practice. As mitigation the plan as is outlined sets out to deliver the work on a risk basis with the higher risk inspections being prioritised over the lower risk inspections.

## **9. Recommendation**

9.1 That the Food Plan in Appendix A to the report be approved.

Contact Officer: Beverley Cadwallader  
Tel: 01938 551222  
Email: Beverley.cadwallader@powys.gov.uk

Head of Service: Gwilym Davies

Corporate Director: Nigel Brinn