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**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON  
8 OCTOBER 2019**

**SUBJECT: ENVIRONMENTAL HEALTH SERVICE DELIVERY PLAN**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND  
FINANCE)**

**1. REASON FOR REPORT**

- 1.1 To approve the Food Law Enforcement Service Delivery Plan 2019-2020 and note the Performance Review based on the Food Law Enforcement Service Delivery Plan 2017/18.
- 1.2 This report is submitted to Committee in terms of Section III (E) (16 of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as the Environmental Health Authority.

**2. RECOMMENDATION**

**2.1 It is recommended that the Committee:**

- (i) approve the Environmental Health Service Delivery Plan for 2019/2020; and**
- (ii) notes the Performance Review based on the Food Law Enforcement Strategy Service Delivery Plan 2017-18 (Appendix 2)**

### **3. BACKGROUND**

- 3.1 The Food Standards Scotland (FSS) was formed on 1 April 2015 and has a key role as the central competent Authority in overseeing official feed and food controls undertaken by Local Authorities. Powers enabling FSS to monitor and audit Local Authorities are contained in the Food Standards Act 1999 and the Official Feed and Food Controls Regulations 2009.
- 3.2 The Framework Agreement on Official Feed and Food Controls by Local Authorities issued by FSS recognises that Service Plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally.
- 3.3 Moray Council's Food Law Enforcement Service Delivery Plan is developed annually to ensure compliance with the FSS Framework Agreement. This Plan replaced all previously approved Food Law Enforcement delivery plans. The proposed plan for 2019/2020 is attached as **APPENDIX 1**.
- 3.4 Service Plans must include a review of performance in order to address any variances from meeting the requirements of the Service Plan and identify areas for improvement. The Food Hygiene performance identified - Category A 22 of 24 inspections completed on time (92%) with 2 done late. Category B premises inspection was 61 of 70 inspections within target date, and 9 done late. For Food Standards, 100% of Category A premises were inspected within the target date and 84% of Category B inspections met the target dates. The percentage of broadly compliant premises remains fairly static at 80%. Maintenance of performance remains challenging due to the reduction in appropriately qualified staff. The national shortage of Environmental Health Officers continues to make recruitment challenging. There are currently 2 Graduate Environmental Health Officers in post with the expected timescale of October 2021 until they are fully qualified and can absorb a full range of duties. Over the previous several months, there have been a number of staff changes and a revision of service delivery. The full performance review of the 2017/18 plan is attached as **APPENDIX 2**.

### **4. SUMMARY OF IMPLICATIONS**

**(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))**

Assist Moray Council to meet its priorities of growing and diverse and sustainable economy and healthier citizens.

**(b) Policy and Legal**

This Authority has a statutory duty to comply with the Framework Agreement in accordance with the Food Standards Act 1999. These duties include requirements for the planning, management and delivery of the Local Food Law Enforcement service.

**(c) Financial implications**

The Plan was developed with due consideration to available resources and will be delivered within existing budgets. Any future budget cuts will undoubtedly affect the performance achievable.

**(d) Risk Implications**

Failure to provide a Service Plan could leave the Council open to criticism and challenge from FSS for failing in its statutory duties. FSS can exercise its default powers to take over the running of the food service at full cost to the Council.

Failure to implement the Service Plan may result in an increase in food borne illness and complaints with a consequential cost to food businesses and the community. There may also be a negative impact on Moray's excellent reputation for food production.

Brexit has introduced significant uncertainties in the potential resources required for imports and exports and maintaining existing supply chains and water treatments etc.

**(e) Staffing Implications**

The Plan will be delivered within the existing staff resources. There remain challenges in recruiting suitably qualified staff and managing absence.

**(f) Property**

None.

**(g) Equalities/Socio Economic Impact**

Not required.

**(h) Consultations**

Head of Development Services, Head of Environmental Services, Legal Services Manager, Paul Connor (Principal Accountant), the Equal Opportunities Officer, Lissa Rowan (Committee Services Officer), Russell Anderson (Principal Environmental Health Officer)

**5. CONCLUSION**

**5.1 That the Committee approve the Food Law Enforcement Service Delivery Plan 2019/2020 and notes the Performance Review Food Law Enforcement Strategy Service Delivery Plan 2017/18**

Author of Report: Karen Sievewright, Environmental Health & Trading Standards Manager

Background Papers: Appendix 1 (Staff Structure) & 2 (Food Service Scope)  
Ref: