

No.

## SHARED REGULATORY SERVICES JOINT COMMITTEE

Minutes of a meeting held on 10<sup>th</sup> September, 2019.

Present:

Representing Bridgend County Borough Council: Councillor D. Lewis.

Representing Cardiff City and County Council: Councillors Mrs. M. Mackie and M. Michael.

Representing the Vale of Glamorgan Council: Councillor E. Williams (Chairman).

(a) Apologies for Absence –

These were received from Councillors Mrs. D. Patel (Bridgend County Borough Council) and J.W. Thomas (Vale of Glamorgan Council).

(b) Minutes:

RESOLVED – T H A T the minutes of the Annual General Meeting held on 11<sup>th</sup> June, 2019 be approved as a correct record.

(c) Declarations of Interest –

No declarations were received.

(d) Audit of the 2018/19 Joint Committee Financial Statements (HoF/S151) –

The Audit of the Statement of Accounts for the Shared Regulatory Service for 2018/19 had been completed, and the report provided an update on any changes from the unaudited statements, and sought approval for the signing of the Statement of Accounts by the Chairman of the Committee.

The Vale of Glamorgan Council was responsible for the presentation of the Financial Statements that presented fairly the financial position of the Shared Regulatory Services as at 31<sup>st</sup> March, 2019. The Auditor General for Wales was responsible for reporting whether, in his opinion, this was indeed the case. The audit was undertaken by the Wales Audit Office as the Council's Engagement Lead, on behalf of the Appointed Auditor.

The 2018/19 Statement of Accounts was prepared by 15<sup>th</sup> June, 2019 in advance of the statutory timeframe, and on 11<sup>th</sup> June, 2019, unaudited copies were brought to this Committee.

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With the audit of these Financial Statements now complete, a report detailing the key matters arising from the audit must be reported by the Auditor General for Wales in line with their terms of reference, and the Financial Statements of the Shared Regulatory Services be approved by the Shared Regulatory Joint Committee and should be signed by the Chair.

The latest 2018/19 Statement of Accounts incorporating all currently agreed amendments was attached at Appendix A, the Audit of the Financial Statements Report was attached at Appendix B. The Letter of Representation attached at Appendix C, was contained within Appendix B on page 8.

The provisional findings of the Welsh Audit Office on behalf of the Appointed Auditor on the audit of the Financial Statements were that:-

- WAO had no concerns about the qualitative aspects of the Council's accounting practices and financial reporting. The information to support the financial statements was relevant, reliable, and easy to understand. They concluded that accounting policies and estimates were appropriate and financial statement disclosures were unbiased, fair and clear.
- They did not encounter any significant difficulties during the audit. WAO received information in a timely and helpful manner and were not restricted in their work.
- There were two significant matters discussed and corresponded upon with management which needed to be reported.
- Increase in Pensions Liability - In December 2018, the Court of Appeal ruled against the Government, holding the changes made to pension schemes discriminated against a group of public officers on the grounds of age. The changes surrounded a move from a final salary to a career average basis. On 27<sup>th</sup> June, 2019, the Supreme Court denied the Government's application for leave to appeal the decision. This series of events was referred to as the McCloud judgement. This judgement impacts on many public sector pension schemes and all of these schemes have had to consider the impact of this judgement on their 2018/19 financial statement disclosures. Where the impact had been considered to be material in value, amendments to the financial statements had been made. The Council had assessed the financial impact of this legal judgement as £634k and had adjusted the accounts accordingly.
- Presentation of the Net cost of Services in the Comprehensive Income and Expenditure Statement (CIES) - The CIPFA Code requires that the presentation of both Net Cost of Services within the Comprehensive Income and Expenditure Statement (CIES) and the Expenditure and Funding Analysis (EFA) was consistent with the body's internal management reporting structure, which in the Joint Committee's case was in accordance with its operational activities. However, the CIES and EFA were presented differently in the Joint Committee's accounts in a format whereby the nature and type of its income and expenditure was disclosed. An additional note was now included in the financial statements setting out the presentation of the net cost of services consistent with its internal reporting arrangements.

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- There were no other matters significant to the oversight of the financial reporting process that need to be reported.
- WAO did not identify any material weaknesses in internal controls.
- There were no matters specifically required by auditing standards to be communicated to those charged with governance.

There were a number of small misstatements that had been corrected following discussion between the Wales Audit Office and the Section 151 Officer, and these were set out in Appendix 3 to the ISA 260.

It was the intention of the Appointed Auditor to issue an unqualified audit report on the Financial Statements once the relevant Council Officers had provided a signed Final Letter of Representation.

In addition, the Head of Finance drew the Committee's attention to the Annual Governance Statement which was shown on page 63 of Appendix A. The Head of Finance stated that until it was signed off, the Annual Governance Statement was a live document, but no changes had been made since it was previously presented to the Committee in June. Furthermore, under the terms of the Joint Working Agreement, the Committee had to agree what would happen with the services underspend of £496,000. Previously, the Committee agreed for £200,000 to be earmarked to support a recruitment strategy which would target apprenticeships and new trainees. The Head of Finance advised that she had liaised with the other two Section 151 Officers for Cardiff and Bridgend and both were in agreement for a reserve to be earmarked. The Committee noted that the remaining £296,000 would be returned to the three Local Authorities and this had received the support of all Section 151 Officers. The Joint Committee agreed to the creation of a reserve in order to support the Service's recruitment strategy.

The Head of Service praised the performance of the Accountancy Team, citing that this was the fourth occasion that the Statement of Accounts had been rigorously audited.

Having considered the report, it was

RESOLVED –

- (1) T H A T the Statement of Accounts for 2018/19 be approved and signed and dated by the Chairman of the Committee.
- (2) T H A T the Letter of Representation to the Wales Audit Office for 2018/19 be noted, agreed, signed and dated by the Chairman of the Committee.
- (3) T H A T the report of the Appointed Auditor on the audit of the Shared Regulatory Service Financial Statements for 2018/19 be noted.
- (4) T H A T a reserve of £200,000 be earmarked to support the Shared Regulatory Services recruitment drive.

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(5) T H A T an amount of £296,000 be returned to the three member Local Authorities.

Reasons for decisions

- (1) That the Statement of Accounts be approved prior to the deadline.
- (2) That the signed representation letter be returned to the Wales Audit Office.
- (3) To ensure that Members are aware of the results of the audit of the 2018/19 Financial Statements of the Shared Regulatory Service.
- (4) In order to earmark a reserve of £200,000 in order to support the Shared Regulatory Services recruitment drive.
- (5) So that the remaining underspend for 2018/19 be returned to the three member Local Authorities.

(e) Overview and Update on Shared Regulatory Services (DEH) –

The Head of Shared Regulatory Services presented the report, advising that it provided an update on the work undertaken by the service and the progress towards completing the SRS Business Plan.

**Human Resources**

Filling vacancies continued to be challenging and SRS had struggled to recruit suitable individuals into certain areas of the service. Managers had drafted a recruitment and retention strategy for the service. The document, contained in Appendix 4, would be developed through the rest of the year with input from the Head of Human Resources. The Joint Committee was asked to note the contents and endorse the core principles of the approach being taken.

Sickness absence levels at the end of Quarter 1 were 1.83 days per FTE person. This was likely to result an increase on the previous year when absence rates were recorded as 1.42 per FTE person at the same point in time.

	Short Term Days Lost per FTE	Long Term Days Lost per FTE	Total Days lost Per FTE
Q1 2019/20	0.55	1.29	1.83
Q1 2018/19	0.47	0.96	1.42

There were no immediate discernible trends in either the short or long term absence figures and there were some mitigating factors. It was reported that the continued increase in absence, compared favourably when viewed in a wider context through comparison against the average sickness rates across the partner Councils.

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The Committee was advised that a SRS team manager had been seconded to the Welsh Local Government Association to support the Welsh Government programme on improving public transport. The original White Paper had been criticised by stakeholders and the appointment of a Local Authority specialist was seen as a means of co-producing a more effective set of proposals.

### **Financial Position Quarter 1**

The financial monitoring report for the period 1<sup>st</sup> April, 2019 to 30<sup>th</sup> June, 2019 was attached at Appendix 1. It had been prepared from the consolidated figures gathered from each Authority for this period. The Service was currently projecting a £42k overspend against a gross revenue budget of £8.190m.

The Committee was then taken through Quarter 1 performance as shown in Appendix 2. Highlighting some key areas, the Head of Service began by advising that for Food Hygiene, a green RAG status had been attributed to the number of high risk inspections on Category A and B businesses. For Category C businesses, the Service was slightly below target. This was largely due to staff sickness which had resulted in Category A and B businesses being prioritised. For new business identified which was subject to a risk assessment, it was noted that the performance for below target, again this was due to staff sickness but also due to staff vacancies. It was reported that overall performance for the number of food establishments deemed to be broadly compliant had exceeded the Quarter 1 target.

With regards to the number of high risk establishments that were inspected by Trading Standards, the Head of Service advised that overall performance was Amber which reflected a number of visits that were outstanding by the end of the Quarter. These would be completed during Quarter 2. An Amber rating had also been attributed to the percentage of new businesses subject to a risk assessment for Trading Standards. This was in part due to a number of inspections being carried over into the current financial year which were not completed last year. Furthermore, demands as a result of events during Quarter 1 had impacted on inspections.

Members noted that a Green status had been attributed to the number of domestic noise and air complaints responded to within 3 working days and an Amber status to the percentage of commercial and industrial noise and air complaints responded to within 1 working day. With regards to the percentage of alarm complaints responded to within 1 day, Members were advised that performance across each Local Authority area was Green.

For the Licensing Service, Members noted that performance for all indicators had met or exceeded targets.

The Head of Service then referred to specific Service updates.

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### **New legislation - Offensive Weapons**

With the introduction of the Offensive Weapons Act 2019, local weights and measures authorities (the three partner Councils) would be given powers to investigate underage sales of acid and bladed articles both at traditional retail level and the remote ("on-line") sale. There was a non-statutory duty to exercise this power; and the Act provided the Councils with the option of monitoring compliance and investigating offences.

Currently, the SRS administered a wide range of legislation relating to age restricted sales and the Committee was asked to note that this Act would be added to the existing delegations to the SRS. This was consistent with the scope of the Joint Working Agreement which stated that any subsequent legislation replacing amending or extending the same together with any future Acts, Orders or Regulations made thereunder which related to the functions specified or to functions which were analogous were delegated to the Joint Committee.

This amendment to the Joint Working Agreement could be done using the officer delegations agreed by each Council in 2017. The delegation was worded as follows: "as long as there is no extension of delegations to the Shared Service or additional financial implications". As indicated above, this was a change to a regime already delivered by the SRS albeit through other legislation such as the General Product Safety Regulations, asserting that these were "dangerous products". The function of addressing the sale of these products were now being addressed through a more legislation specific manner. Documenting the adoption of these regulations by SRS through the officer delegations provided a clear indication of the responsibility and accountability for this matter. There were no immediate financial implications.

### **New legislation - EU Exit Regulations**

The Government had passed a number of EU Exit Regulations which would come into force on, or immediately before, Exit Day. Each of the regulations made changes to existing legislation made under the European Communities Act 1972 consequential to the UK's exit from the European Union. The Regulations were all made under the European Union (Withdrawal) Act 2018. The Regulations would ensure that any laws in place before Exit day would remain in place and enforceable.

Once again, the Committee was asked to agree a revision to the Joint Working Agreement to cover this issue, should it be necessary. This could be done by using the officer delegations agreed by each Council in 2017. There was no extension of the functional responsibilities delegated and there were no immediate financial implications.

### **New Legislation - Renting Homes Wales Act 2019**

From 1<sup>st</sup> September, 2019, landlords and letting agents across Wales would no longer be able to charge tenants fees to set up, renew or continue a standard occupation contract, except those explicitly permitted by the Act. Landlords and

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Agents would be prohibited from charging for the following tasks: accompanied viewings, inventory charges, signing contracts, tenancy renewals. The Act made it illegal for landlords and agents to charge tenants anything other than permitted payments, which were: rent, security deposits, holding deposits, utilities, communication services, Council Tax, Green Deal charges, and default fees.

The Act placed a duty on Local Housing Authorities to make information publicly available, including details of how prohibited payments and holding deposits could be recovered. The Authority must have regard to any guidance given by Welsh Ministers in relation to this duty.

Additionally, the Act provided powers to enforcement officers to issue a Fixed Penalty Notice where they believed an offence had been committed. The Notice offered a person the opportunity to discharge any liability to conviction for the offence to which the Notice related by paying a penalty of £1,000. Fixed penalty receipts received by an enforcement authority by virtue of the section may not be used otherwise than for the purpose of the authority's functions relating to the enforcement of the provisions of this Act.

It was difficult to predict the demand for resource, this would depend upon the level of compliance by landlords and letting agents. By way of context, last year the SRS received just over 1,500 requests for service in relation to housing conditions; this may require SRS to make use of these powers with regard to these requests. Additionally, there may be additional requests in relation to the requirements to publicise this new legislation.

This was a new piece of legislation that made provision to protect tenants and was considered to be currently outside the scope of the existing delegation to the Joint Committee. The Act placed a duty on the Councils from 1<sup>st</sup> September to take action under the Act with regard to making information available. In the short term, the SRS would place the required information on the SRS website and create links to each Council website to allow the Councils to meet that duty. Thereafter, the Head of Service would place a report before each Council's Cabinet setting out the options for the Councils with respect to administering the provisions of the legislation.

## **Taxis**

The National Assembly for Wales Economy, Infrastructure and Skills committee had published its response to the Welsh Government White paper on Improving Public Transport. The Committee took evidence from a range of stakeholders and issued nine recommendations, three of which related to the licensing and administration of taxi and private hire vehicles (PHVs). They were:

- The Committee supported timely reform of the licensing framework but did not believe that JTAs should take responsibility for taxi and private hire services until a clear approach had been set out and consulted on by Welsh Government. This should explain how the new licensing approach would work in practice, and allow stakeholders to understand the implications and shape the proposals.

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- The Committee urged Welsh Government to continue to work with Local Authorities and other interested parties to explore ways to overcome cross-border operational issues, including through changes to its current proposals for taxis / PHVs.
- Welsh Government should introduce strict, uniform national standards for taxis / PHVs, drivers and operators as soon as possible, regardless of whether or not licensing remains a matter for Local Authorities.

The Welsh Government had stated that it would not be pursuing legislation in relation to taxi and private hire vehicles in this current term. "Addressing the outdated taxi and private hire vehicle legislation remains a key priority. However, it had become very clear that there was a considerable amount of work still required before we could bring forward legislation that addressed the improvements needed. Officials would develop a package of short-term measures, using existing legislative powers, to begin to address some of the concerns Local Authorities, drivers, unions and others had raised. Officials were already working in partnership with the Welsh Local Government Association to develop and deliver these short-term arrangements". As indicated above, an officer from the SRS had been seconded to assist the Welsh Government to deliver the requisite changes.

### **Supporting Local Business**

In 2017, SRS began to publish a Food and Safety newsletter aimed at educating food business operators on the legal requirements pertaining to food hygiene and health and safety. Three thousand copies of the first newsletter were issued, mainly in print form, and the feedback received was positive. Since then, in subsequent newsletters, SRS had managed to engage a range of businesses using their operations to highlight good practice, legislative changes and to encourage dialogue between SRS and local business. The newsletters were now sent primarily through e-mail and available through the SRS website and other links. Edition 5 would be launched this month and a copy would be available for Members at the Joint Committee meeting. The service aimed to reach over 6,000 food businesses in the region with this edition of the newsletter. Advice and education were important "tools" in the drive to improve food safety; the newsletter was now an established part of that mechanism.

SRS had received the Touchstone Award from the British Hallmarking Council, funded by the four UK Assay Offices.

The Committee took a short adjournment for the Award to be presented.

The purpose of the award was to recognise and reward the most effective initiative each year for increasing awareness and enforcement of the hallmarking legislation. SRS received the award in recognition of a programme of work, which included proactive visits to jewellers across the region, and a major investigation of a local on-line trader. The Joint Committee would be familiar with the two investigations subsequently conducted by SRS.

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- In the first case, the business was fined a total of £1,500 and compensation of £400 awarded to one of the complainants; a Director of the company received a fine of £800, and ordered to pay costs of £350. A forfeiture and destruction order was made in relation to the seized jewellery.
- In the second case, the online business, the traders each received a prison sentence of 14 months for early guilty pleas, suspended for 18 months. In addition, one of the business owners would face an investigation under the Proceeds of Crime Act.

SRS Officers who led on the above project work and cases, attended the Joint Committee meeting to provide a short presentation for Members on this area of work. In addition, members of the Hallmarking Council and Assay Office were in attendance to recognise the significant achievement of the SRS in receiving the national Touchstone Award and present the award to the Joint Committee.

### **Air Quality**

In Cardiff, work continued to support implementation of the Clean Air Project through the secondment of one of the SRS Team Managers to Cardiff council since October 2018. Cabinet approved the final project plan and full business case on 13<sup>th</sup> June and the paperwork submitted to Welsh Government in time for the 30<sup>th</sup> June, 2019 deadline set out in the Legal Direction. The preferred package of measures included city centre schemes, electric buses, bus retro-fit, changes to taxi licensing policy, and active travel measures. Welsh Government approved the Final Plan subject to certain caveats, and a further Legal Direction was issued to the Council to address these points to be complied by no later than 31<sup>st</sup> October, 2019. The new Direction required:

- Further modelling of a Clean Air Zone option;
- Redrafting of the Final Plan to articulate further the progressive development of the assessment leading to the identification of the preferred option and the case for this.

In Bridgend, a number of Council departments and interested parties, such as Public Health Wales, had been brought together to compile and agree a set of draft mitigation measures to reduce nitrogen dioxide levels and improve air quality in the Park Street Air Quality Management Area (AQMA). Following a cost-benefit analysis, the agreed mitigation measures would form the draft Action Plan for the AQMA on which residents would be consulted. Invitations to resident drop-in sessions had been sent out by letter and promoted via the SRS Twitter account, and all of this would be complemented by the relocation of real-time air quality monitoring equipment into the Park Street AQMA. This would enable residents to access local air quality data via a link to the SRS website. The draft Action Plan had to have been prepared within 18 months of the AQMA being declared and fully implemented within two years of declaration (i.e. no later than 31<sup>st</sup> December, 2020).

In the Vale of Glamorgan, work was underway to revoke the Windsor Road, Penarth Air Quality Management Area. Since this AQMA was declared in 2013, air quality had improved dramatically and this improvement had been sustained over

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a number of years. Following agreement by Cabinet, the process of revocation had begun with a number of drop-in sessions for residents taking place in September. These were being supported by a publicity campaign to make it clear that air quality monitoring would continue along Windsor Road even after the AQMA had been revoked, to ensure there was no worsening of nitrogen dioxide levels in the future.

### **Animal Welfare**

As part of its promotional activity to raise awareness of the new Equine Identification (Wales) Regulations 2019 which came into force in February, SRS had hosted a number of horse micro-chipping and passport clinics in the region. The first of these took place on 8<sup>th</sup> August in Cardiff and the second would be set for a later date Bridgend. Further clinics were planned to ensure high levels of compliance. The event had proved to be extremely popular with local horse owners booking appointment slots in advance. Staged with the support of the RSPCA, local vets and equine charities on a voluntary basis, the microchipping and pass porting service was made available at the discounted rate of £35 per horse.

The Equine Identification (Wales) Regulations 2019 which came into force in February 2019 replaced the earlier 2009 regulations and prohibits the keeping of a horse unless it had been properly identified through an identification issuing body. As with the earlier regulations, foals must be micro-chipped by a veterinary surgeon within six months of birth, or by 31 December in the year of birth, or whichever was the later. However, for the first time retrospective micro-chipping would be required for older horses which were previously only required to be passported.

A transition phase exists until February 2021 for completion of the retrospective microchipping for older horses and SRS would continue to engage with horse owners.

### **Food Hygiene**

The Food Hygiene Rating (Wales) Act 2013 and Food Hygiene Rating (Wales) Regulations 2013 makes the display of food hygiene rating stickers by businesses mandatory. Premises must display a valid food hygiene rating sticker at or near each entrance to the food business establishment in accordance with the Food Hygiene Rating (Wales) Act 2013.

An operation was carried out with 2 Environmental Health students from Cardiff Metropolitan University; the students were tasked with carrying out checks to establish if businesses rated 0 to 2 in Cardiff were displaying valid food hygiene rating stickers in the location and manner prescribed. Of the 106 businesses were identified as non-broadly compliant (Food Hygiene Rating of 0 to 2), 19 businesses were identified as failing to comply with the Regulations. 12 premises failed to display a food hygiene rating sticker, 3 premises failed to display the correct score and 4 premises failed to display conspicuously in the location and

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manner prescribed. The above failures had been allocated to officers for follow up action.

### **Communicable Disease and Health Protection Service Plan**

SRS published a number of operational plans to advise stakeholders of the work to be carried out in certain environments. The document set out at Appendix 5 was the Communicable Disease and Health Protection Plan, which set out how the SRS would fulfil its role of protecting public health through the investigation of cases and outbreaks of communicable disease and the application of control, preventative and enforcement measures. Joint Committee considered the Plan and approved its use in the SRS region.

### **Enforcement Activity**

Details of recent cases investigated by the SRS that had resulted in prosecution were set out in Appendix 3 to the report.

Having considered the report, it was

RESOLVED –

- (1) T H A T the contents of the report be agreed.
- (2) T H A T the Recruitment and Retention strategy attached at Appendix 4 and the Communicable Disease and Health Protection Plan attached at Appendix 5, be approved.

### Reasons for decisions

- (1) Following consideration of the report which apprised the Committee of the work of the service and the progress towards completing the SRS Business Plans.
- (2) Following consideration of Recruitment and Retention strategy and Communicable Disease and Health Protection Plan.

(f) Shared Regulatory Services Health and Safety Enforcement Service Plan 2019/20 (DEH) –

The Operational Manager, Commercial Services presented the report which sought approval for the Health and Safety Enforcement Service Plan for 2019/20.

The Shared Regulatory Service, together with the Health and Safety Executive was responsible for the enforcement of Health and Safety at Work Act 1974.

The Councils had a duty, which was delegated to Joint Committee, to enforce the Health and Safety at Work Act 1974.

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Section 18 of the Health and Safety at Work Act required Local Authorities to produce a Health and Safety Service Plan setting out the arrangements in place to discharge these duties. This Health and Safety Enforcement Service Plan was produced in response to that requirement and was designed to inform residents, the business community of Bridgend, Cardiff and the Vale of the arrangements the Councils had in place to regulate health and safety.

A Copy of the draft Health and Safety Enforcement Plan for 2019/20 had been attached to this report as Appendix 1.

The Service Plan detailed the aims and objectives of the service in respect of Health and Safety enforcement, which were determined annually. The Plan detailed:

- the demands on the service,
- the risk based work programme; and
- the resources available to deliver the required work

The plan explained the Health and Safety Executive's expectations of Local Authorities along with some achievements from 2018/19 and the challenges envisaged in the year ahead.

The Head of Service referred specifically to work undertaken around trampoline parks which had been conducted between Trading Standards Officer and the Health and Safety Team. Following a review of facilities, there were a number of inadequacies which breached health and safety law so a number of improvements were required. As a result of this work, the Health and Safety Executive would be undertaking reviews of trampoline parks across the rest of Wales and also England.

Having considered the report, it was

RESOLVED –

- (1) T H A T the Health and Safety Enforcement Service Plan for 2019/20 be approved.
- (2) T H A T the Head of Shared Regulatory Services be authorised to make administrative amendments to the Health and Safety Enforcement Service Plan 2019/20 should the need arise.

#### Reason for decisions

(1&2) To ensure the Shared Regulatory Service has robust arrangements in place to deliver its obligations as an enforcing authority under the Health and Safety at Work Act 1974 and to comply with statutory guidance.

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(g) Shared Regulatory Services Food Law Enforcement Service Plan 2019/20  
(DEH) –

The Operation Manager (Commercial Services), presented the Food Law Enforcement Service Plan 2019/20 for approval. This was attached at Appendix 1.

The Service Plan detailed how the Shared Regulatory Service would fulfil the major purpose of ensuring the safety and quality of the food chain to minimise risk to human and animal health.

To achieve this, the Councils would conduct inspections in accordance with the intervention programme, carry out investigations including dealing with complaints, provide advice/education and provide guidance on what the law requires, undertake sampling and take enforcement action where appropriate.

The plan detailed the demands on the service, the risk based work programme and the resources available to deliver the required work. As with many other Council services the service faces increasing demands with reducing resource. The plan explains the Food Standards Agency expectations of Local Authorities, some of the achievements in 2018/19, and the challenges for the year ahead.

The Operational Manager (Commercial Services) stated that following a recent audit of the draft Plan for 2019/20 a number of amendments were required. These were as follows:

- Page 23 – Food Standards Intervention Plan. Details of medium, low and unverified premises due for inspection to be included.
- Page 35 – Paragraph to be added below the table explaining that the budget relates to teams which delivered more than food, and to also detail that the budget reduction related to other posts not relating to food service.
- Page 35 – Further paragraph to read “It should be noted from the figures provided above that the budget allocated to the Food and Feed Service is declining, this presents an increasing challenge to the Food Service in delivering against the requirements of the Food Law Code of Practice.”
- Page 36 – Detail to be included of the shortfall against delivering the full requirements of the Food Law Code of Practice. For food hygiene, this was 6.28 full time equivalents, and commentary was required regarding the further five vacancies to fill. For Food Standards, 2 full time equivalent which brought the total to 13.28 full time equivalents.
- Page 43 – Food Hygiene Intervention Plan, Category C Premises to be updated following errors. To also include an explanation on how this was calculated i.e. programme changes throughout the year as businesses close and new businesses open. The percentage achieved therefore related to the performance at the end of the year as the programme had developed.
- Page 54 – Last year’s Trading Standards Sampling Plan added with the actual number of samples taken. In addition the reason for non-completion was due to the deletion of a Sampling Officer post.

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A Committee Member queried whether there was an expectation for an increase in activities at ports as a result of Brexit. In reply, the Operational Manager (Commercial Services) stated that for seaports, the Service's Port Health Plan had not fully considered the impact of Brexit but this would be fed into each Local Authority Plan. As Wales did not have any port as the point of entry for high risk foods, then it was anticipated that there would be an increase in observations and surveillance. In respect of Cardiff Airport, no increase was expected as no food of high risk would come in through the airport.

In reply to a query regarding the overall standard of food hygiene, the Operational Manager stated that there had been an increase in the number of premises gaining a score of three and above. This was the best it had ever been, and was down to the activity of Food Standard Officers. However, the SRS had recognised that the standards needed to remain good.

The Chairman queried whether auditors were content with the Plan. In reply, the Operational Manager stated that they would always like to see a fully resourced and funded service that covered the range of activities. However, in reality this would never be the case due to the budget level. The key for the Service was to ensure that resources were targeting the right priorities, and so there was an acknowledgement that the SRS was doing its best with the resources available. Furthermore, the Head of Service added that the challenges were two fold. The first related to recruitment of staff who had the necessary skills and expertise. This was becoming more difficult as regulations were constantly changing. The other challenge was capacity, as the SRS could not priorities all Food Standard work within the current level of resources.

Having considered the report, it was

RESOLVED –

- (1) T H A T the Food and Feed Law Enforcement Plan for 2019/20 be approved subject to the changes as outlined by the Operational Manager (Commercial Services).
- (2) T H A T the Head of Shared Regulatory Services be authorised to make administrative amendments to the Food and Feed law Enforcement Service Plan for 2019/20 should the need arise.

#### Reasons for decisions

- (1) The Food Standards Agency requires all Local Authorities to produce and approve an Annual Plan that sets out how it was going to discharge its responsibilities.
- (2) To ensure the Plan remained up to date should any changes in law or best practice be introduced during the period.