

MINUTES of the meeting of Regulatory Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Tuesday 25 June 2013 at 2.00 pm

Present: Councillor JW Hope MBE (Chairman)
Councillor RC Hunt (Vice Chairman)

Councillors: CM Bartrum and PL Bettington

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors BA Durkin, RC Hunt, Brig P Jones CBE, FM Norman, GA Vaughan-Powell.

2. NAMED SUBSTITUTES (IF ANY)

There were no substitute members present at the meeting.

3. DECLARATIONS OF INTEREST

There were no declarations of interest.

4. MINUTES

RESOLVED: That the Minutes of the meetings held on 12 March 2013 and 30 April 2013 be approved as correct records and signed by the Chairman.

5. REPORT ON REGULATORY ACTIVITY BY ENVIRONMENTAL HEALTH & TRADING STANDARDS

Prior to the report being presented, the Head of Trading Standards and Licensing advised the Committee that as of 1 August 2013 he would be switching portfolios with Mike Pigrem.

The Head of Trading Standards and Licensing presented a report about the main regulatory activities of Environmental Health & Trading Standards service during the past year.

The Committee expressed their appreciation for the work which was undertaken by the Department.

RESOLVED

THAT the report be received and noted and that the Environmental Health and Trading Standards Team be thanked for the important work they were undertaking.

6. HEREFORDSHIRE COUNCIL'S PROPOSED 2013/14 FOOD HYGIENE INSPECTION PROGRAMME

The Committee debated agenda items 6 and 7 together as they were inextricably linked.

The Head of Trading Standards and Licensing presented the report and advised the Committee of the background to the proposal to reduce the food hygiene inspection programme. He added that the proposal did not meet the Food Standard's Agency requirements and put the Council at risk of direct action being taken by the FSA, although he

noted that he was not aware of this happening as the FSA recognised the difficult situation local governments found themselves in.

He advised that following a programmed audit of Herefordshire Council's Food Law enforcement specifically in relation to Food Hygiene, Internal Audit reported that the Council was not fully compliant with the requisite statutory Codes of Practice in relation to food safety and food hygiene when carrying out its food law enforcement role, As a consequence, a 'Limited Assurance' rating was issued.

The main reason for this 'Limited Assurance' rating being issued, was because a revised Food Hygiene Inspection programme had being implemented by management which had not previously been reported to Regulatory Committee for information and approval. This revised programme was based on undertaking a limited number of programmed inspections to align with the staffing resources and budget allocated. It set out to achieve 100% of high risk categories classed as 'A' & 'B' and 'C1' and a lesser percentage for those premises risked as 'C2' & 'D', with no proactive inspections for those premises low risked as 'E'.

The proposed programme would result in all high risk premises being inspected. The Regulatory Committee had asked for updates in respect of inspections and these would be done through the existing quarterly updates. It was considered that the FSA would be satisfied as the decision had been made through a Committee resolution.

In response to a series of questions, the Head of Trading Standards and Licensing advised that the differences between the proposed and current inspection programmes were summarised in table 1B. He added that the criteria used to allocate a premise to category A, B, C1 or C2 was set out in the code of practice. Finally he advised that risk rating E premises would be extremely low risk establishments such as B&B's, very well run factories and low risk food, ie packaged goods. The Team Manager - Environmental Health Commercial added that the failure rate of such premises was likely to be under 5%.

Members discussed the matter and had concerns. They wished it to be noted that they were willing to approve the proposed inspection programme reluctantly. They noted that under the new proposals 1464 establishments would not be inspected, and that these premises would be aware of this and could easily let standards slip.

RESOLVED

THAT the Regulatory Committee reluctantly approves the implementation of the proposed revised Food Hygiene Inspection programme as detailed in the report.

7. HEREFORDSHIRE COUNCIL'S PROPOSED 2013/14 FOOD STANDARDS ENFORCEMENT PROGRAMME

The Committee debated agenda items 6 and 7 together as they were inextricably linked.

RESOLVED

THAT the Regulatory Committee approves the implementation of the proposed Food Standards Enforcement programme as detailed in the report.