



Licensing and Regulatory Committee	Thursday, 09 March 2023	Matter for Information and Decision
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Report Title: **Food Safety Enforcement Policy (March 2023)**

Report Author(s): **Jon Wells (Senior Strategic Development Manager)**

Purpose of Report:	To consider any relevant updates for the Food Safety Enforcement Policy 2023 ('the Policy') and to ensure any relevant changes are included.
Report Summary:	The current Policy needs to be reviewed and updated where necessary. In 2023, it is essential that this is refreshed and updated to ensure the effective ongoing regulation of food establishments and to provide guidance to Officers to enable them to make effective decisions that are transparent, accountable, proportionate and consistent without placing or imposing unnecessary burdens on businesses.
Recommendation(s):	A. That the Food Safety Enforcement Policy 2023 be adopted; and B. That delegated authority be granted to the Head of Law and Democracy to consider any amendments as may be necessary in consultation with the Chair of the Licensing and Regulatory Committee.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	David Gill (Head of Law and Democracy) (0116) 257 2626 david.gill@oadby-wigston.gov.uk Jon Wells (Senior Strategic Development Manager) (0116) 257 2692 jon.wells@oadby-wigston.gov.uk
Strategic Objectives:	Our Council (SO1) Our Communities (SO2) Our Economy (SO3) Our Partners (SO5)
Vision and Values:	Accountability (V1) Customer Focus (V5)
Report Implications:-	
Legal:	Whilst there is no statutory requirement for a local authority to adopt a Food Safety Enforcement Policy, it gives clarity to the public, partner agencies and businesses on the fair regulation of food establishments. It also provides a framework by which Officers can make effective decisions and ensures food safety enforcement action is focused on situations where the public are put at risk and on food businesses who negligently or intentionally contravene the law.
Financial:	There are no implications directly arising from this report.

Corporate Risk Management:	Reputation Damage (CR4) Regulatory Governance (CR6)
Equalities and Equalities Assessment (EA):	There are no implications arising from this report.
Human Rights:	There are no implications arising from this report.
Health and Safety:	There are no implications arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	<ul style="list-style-type: none"> Enforcement Concordat 1988 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/300673/enforce.pdf Regulators Code 2014 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913510/14-705-regulators-code.pdf
Appendices:	1. Draft Food Safety Enforcement Policy (March 2023)

1. Introduction

- 1.1 The Council has a legal duty to enforce food safety requirements in food businesses for matters such as licenses, food handling practice and foreign objects in food.
- 1.2 The Draft Policy provided at Appendix 1 sets out what businesses and others being regulated can expect from the Council and demonstrates our commitment to the principles of good enforcement as set out in law and guidance.

2. Policy Review

- 2.1 The current policy approved in 2019 has been reviewed and updated and a draft is provided at Appendix 1.
- 2.2 There have been changes in guidance primarily from the Food Standards Agency, following the pandemic, which is reflected in the Policy. The principal legislation remains unchanged and is detailed in section 14.
- 2.3 The Policy has been completely refreshed to provide transparency on how we intend to deliver regulation and what those affected can expect.