



**Colchester
Borough Council**

TEAM SERVICE PLAN

(LICENSING, FOOD AND HEALTH AND SAFETY)

2022-2024

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This Service Plan:

- Sets out the key activities that the service area delivers.
- Sets out the key tasks for the service area and the resources allocated to carry out those tasks.
- Identifies the main risks and challenges to the delivery of the service.
- Provides a high-level action plan for the service

1st April 2022

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Background

Profile of Colchester Borough Council Introduction

The Licensing, Food and Safety Team Service Plan is an expression of the Council's continuing commitment to the provision of Food Safety, Health and Safety, Licensing and other related services.

Normally relevant parts of this plan would be compiled in accordance with the guidance issued by the Food Standards Agency (FSA), including the information required by the Framework Agreement on Local Authority Food Law Enforcement and guidance issued by the Health and Safety Executive (HSE) under the Health and Safety Executive National Local Authority Enforcement Code.

Profile of Colchester Borough

Colchester Borough covers an area of 125 square miles (33,429 hectares) and lies on the county border of Essex and Suffolk and commands a central position on the European trade routes. Colchester Borough is the largest and fastest growing district in Essex.

The last population estimates taken in 2018 indicate that the population of Colchester Borough stood at 192,523 and is predicted to increase in size by a further 30% over the next 20 years which will obviously result in a significant increase in the number of food and Licensed businesses required to service this rapidly expanding population. The borough covers a mixed urban and rural area. The area contains the beautiful Dedham Vale and Constable Country along with a coastal boundary at West Mersea, the river Colne dissects the Borough.

The principal town of Colchester, 'Britain's oldest recorded town' or 'Britain's first city', is a tourist attraction as well as a business centre offering opportunities for new economic development. Colchester is 54 miles from London (55 minutes by train), with good access to Birmingham and central England via the A14 and M1/M6. Stansted Airport is 45 minutes away by road and the two major east coast ports of Harwich and Felixstowe take just 30- and 45-minutes travelling time respectively. The population (Statistics based on 2011 Census) of Colchester Borough is predominately white 91.2% the remainder being Mixed 1.7%, Asian and Asian British 3.6%, Black and Black British 1.4%, Chinese 1.0% and 1.1% Other.

Description of Services

Specific functions undertaken by this service area:

The Licensing, Food and Safety Team provides a range of regulatory services to the business community and the general public as follows:

- **Food Safety.** Sustaining and improving the standards of safety and quality of food manufactured, prepared and supplied in Colchester.
- **Port Health/Exports.** Ship sanitation inspections, inspections of shellfish exports and validation and certification of Export Health Certificates.
- **Health and Safety.** Ensuring that risks in the workplace for both workers and the public are properly and proportionally managed.
- **Infectious Diseases.** Investigating incidents of infectious diseases to control spread and identify causes.
- **Health Promotion and Education.** Providing training for food handlers, running campaigns on food safety and hygiene amongst others.
- **Animal Welfare Licensing.** Maintaining the standards of animal welfare in premises such as breeding and boarding establishments, pet shops and riding establishments.
- **Premises Licensing.** Ensuring that the licensing objectives enshrined on the Council's statements of licensing policy are fulfilled.
- **Licensing of Hackney Carriages and Private Hire Vehicles.** Protecting public safety through regulating vehicles, drivers and operators.
- **Licensing of sex shops, sex cinema and sexual entertainment venues, gambling activities, Charities, small scale lotteries, TUNs, TENs, Scrap Metal, Caravans, Tattooing, Piercing, Acupuncture and Pleasure boats .**
- Our business customers rely on the Licensing, Food and Safety Team to maintain a level regulatory playing field in the markets they operate so that noncompliant businesses do not gain a competitive advantage. They expect us to be consistent and fair, providing advice and guidance when it is needed, using enforcement tools when appropriate.
- The public expect us to ensure that they are protected and increasingly that they have access to information that allows them to make educated choices including about the businesses they engage with.

Links to Corporate Objectives and Plans

The Council's strategic plan 2020-2023 is the overarching strategy for the Borough setting out the direction and potential for the Borough and integrating social, economic and environmental strategies to create a Borough that is –

- Tackling the climate challenge and leading Sustainability
- Creating safe, healthy and active communities
- Delivering homes for people who need them
- Growing a fair economy so everyone benefits
- Celebrating our heritage and culture

All officers are expected to act in accordance with the Council's enforcement policy, which puts the national 'Regulators' Code' at the centre of the Council's approach to regulating businesses and with that, an explicit commitment to carry out regulatory activities in a way that supports businesses to comply and grow.

Organisational Structure

An organisational chart is included at Appendix A. This shows the structure of the Service and its position in the organisation.

The Constitution of Colchester Borough Council ultimately delegates the responsibility for the procurement of the food service in terms of budget and policy framework, to the Cabinet Member holding the Portfolio for Housing and Communities.

The power to institute legal proceedings under legislation relating to the quality, safety and content of food has been delegated to the Strategic Governance Manager and Monitoring Officer.

The food service currently has the following staff allocation, however this is **may** be revised following the outcome of a service review which is currently underway:-

- Licensing, Food and Safety Manager
 - Responsible for resource management and leadership of the service and advice to the Council on Licensing, Food, Health and safety related issues, alongside partnership working with external Public Health colleagues on strategies and initiatives to promote healthy eating, and other areas such as the Covid Pandemic.
- Environmental Health Officer – Lead Food Officer (1.0 FTE engaged in food enforcement)
 - This officer has food enforcement responsibility over a geographic district and is also the nominated Lead Food Officer for the Borough with additional responsibilities including the monitoring and

maintenance of junior officer competence, preparation of the annual service plan and submission of the annual monitoring returns.

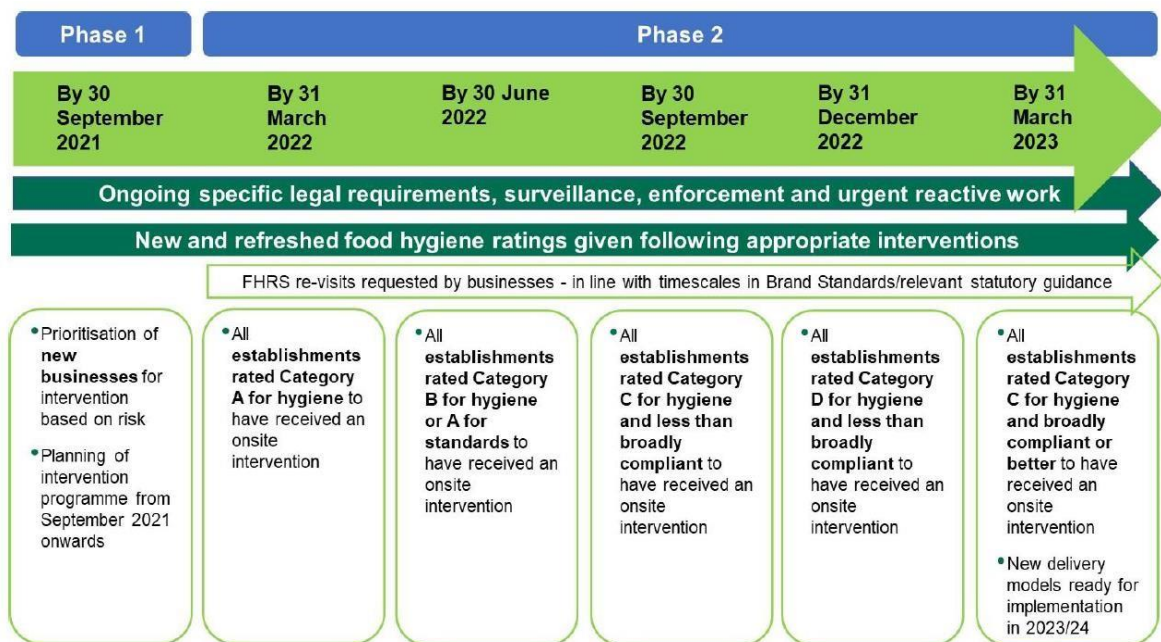
- 2 Environmental Health Officers (2.0 FTE engaged in food enforcement)
 - These officers are responsible for food enforcement within the Borough on a geographic district basis
 - Both officers are also engaged in Public Health duties
- 2 Technical Officers (1.0 FTE engaged in food enforcement (currently 0.8 vacant post))
 - These officers cover a range of duties including routine infectious disease investigation and procuring shellfish (in accordance with CEFAS protocols), food and water samples throughout the Borough in accordance with the Eastern region sampling programme. This programme takes account of EC, FSA, HPA and local sampling requirements. The results obtained following the analysis of these samples are now input into the UK Food Sampling System (UK FSS) thereby giving a national context into which they can be positioned and thereby interpreted.
 - Both these officers also work in The Environmental Control Team including the collection of air diffusion sample tubes Contaminated land, noise monitoring, Tattoo, piercing and acupuncture
- 1 Health and Safety Officer (0.79 FTE)
 - Responsible for ensuring businesses throughout the Borough protect the health, safety and welfare of employees and others who may be affected by the activities of businesses within the Borough, in premises that are enforced by the Council. Including undertaking targeted campaigns and other interventions with local businesses, in accordance with national guidance, to ensure compliance with legislation. This includes receiving, assessing and investigating workplace complaints, accident notifications and other statutory notifications, including ASB5 licensed asbestos works and adverse insurance reports, and taking appropriate action to ensure compliance with relevant legislation
- Senior Licensing Officer (1.0 FTE engaged in licensing and enforcement)
 - General responsibility for the two Licensing Officers with additional responsibilities including the monitoring of 'officers and members' training, preparation and submission of the annual monitoring returns. Policy and procedure writing. This officer also attends the Licensing Committee.
- Licensing Officers (2.0 FTE engaged in activity in relation to all licensable activities and enforcement).

- These officers are responsible for licensing and enforcement within the Borough. Both officers engage in working with partners in order to check on licensable activities both in relation to licensed premises and vehicles. They prepare reports for Committee and will be presenting at Committee also in 2022-2024. They are also responsible for work in relation to gambling, sexual entertainment establishments, scrap metal and caravan licensing.

The Council uses the services of a Public Analyst - Eurofins Scientific, which are approved by Essex County Council Trading Standards. The team also sends bacteriological samples to the UK Health Security Agency Communicable Disease Surveillance Centre at Colindale and shellfish and seawater to the Centre for Environment Fisheries and Aquaculture Science (CEFAS).

Service Delivery for the Licensing, Food and Safety Team

At the time of writing, the Licensing, Food and Safety Team is still recovering from the impact of the covid-19 pandemic and working towards returning to normal operations. The FSA has published a recovery plan for local authorities to achieve certain milestones by specific dates. This is the minimum expected and the Council is committed to trying to achieve these, ahead of time if possible. A full outline of the recovery plan published by the FSA is outlined below:



The descriptions below are of the service resourced by the Council's core funding and the additional work being undertaken in response to the pandemic

1) Food Safety

A. Inspection of Food

The Council is committed to carrying out inspections that exceeds the requirement of the recovery plan. Once Phase 2 of the plan is complete the Council is committed to carrying out inspections at a frequency which is not less than that determined by the Food Law Code of Practice. There are around 1750 food businesses registered at the time this plan was written, there are up to 800 routine food safety interventions scheduled each year.

An estimated full-time equivalent staffing allocation to food law related matters is 3.0 FTE on the current establishment. The main activity for qualified officers will always be in carrying out all high-risk A-D and approved premises inspections due as part of the inspection programme, in addition to Export Health Certificates for shellfish, fishery products and high-risk foods of non-animal origin.

Total Open Food Premises

Category Descriptions	Total Premises
Primary Producers	10
Manufacturers	74
Import./Export	2
Distributers	22
Retailers	320
Restaurants and Caterers (including carehomes and Schools Etc)	1304
Total	1731
New registrations	185

B. Food complaints and complaints about food premises

The Council investigates complaints it receives relating to food where it is the enforcement authority and will liaise with Home, Primary and Originating Authorities as appropriate. The Food Safety service aims to make a first response to this type of complaint within three working days.

The Council can elect not to deal with certain foreign body complaints that do not pose a threat to public health and manufacturers/suppliers cannot guarantee the absence of the foreign bodies. Examples include:

- Fruit flies and green flies in fruit and vegetables
- Grubs in tinned vegetables
- Small stones and soil in fruit and vegetables
- Struvite crystals in canned fish
- Sugar crystals in sweet and chocolates
- Bakery char in bakery products
- Carbonised grease in bakery products
- Lead shot in game

C. Advice to businesses

Officers are committed to building positive working relationships with food business operators (FBOs) and work with them to help them comply with the law and to improve food safety standards. Both new and existing businesses are encouraged to contact the service for advice and are obliged by law to register and tell us when significant changes are made.

D. Food Hygiene Rating System (FHRS)

The FHRS is a system operated by all English local authorities and continues to create a positive environment where, due to the public nature of the ratings (published on the FSA website at: <https://www.food.gov.uk/business-industry/hygieneratings>), there is a desire on the part of businesses to achieve a good rating. Businesses are able to request a rescore visit at any time after a rating is given following an inspection and a fee is charged for this. There is no limit to the number of rescors a business can request. Rescore visits will be carried out within 3 months following payment of the fee.

E. Food inspection and sampling

Food samples are taken either in response to complaints or as part of the Council's proactive surveillance procedures for ensuring that food produced and/or sold in the district is safe to eat. The Council also participates in the Essex regional sampling programme, coordinated from the *Eastern Region Coordinated Food Sampling Liaison Group*. The national sampling programme comes from Public Health England. Both programmes provide intelligence that can help identify the focus of food safety visits.

F. Export Certificates

Receipt and validation of Export Health Certificate (EHC) applications, information/evidence. Verification visits to food businesses exporting fish and fishery products, High Risk Foods of Non-Animal Origin and exports to third countries.

G. Shellfish Monitoring

Monitoring and sampling of bi-valve mollusc production areas and coastal waters. Monthly sampling for micro bacterial contamination and algal toxins in the winter months and bi-monthly sampling in the summer months for algal toxins

2) Health and Safety

Section 18(4) of the Health and Safety at Work etc. Act 1974 places a duty on Local Authorities to make 'adequate arrangements for the enforcement' of health and safety and the Council has responsibility for the regulation of health and safety in the following types of businesses:

Category Description
Retail Shop
Wholesale/Fuel Depot (HSW)
Offices (HSW)
Catering Premises
Hotels/Short-stay accommodation
Leisure/Cultural
Consumer Services
Residential Care
Other premises

There are approximately 2000 recorded businesses in the Council's district that fall in these categories, but it is known that there are many more not recorded. 0.8FTE is allocated to health and safety work along with 0.20 FTE of the EHOs time which is described below.

A. Proactive Health and Safety interventions

HSE guidance (LAC67/2) gives local authorities the following overarching principle regarding planning regulatory interventions:

LAs should use the full range of interventions available to influence behaviours and the management of risk.

The National Local Authority Enforcement Code (the Code) advises that LAs should achieve targeting interventions on those activities that give rise to the most serious risks or where the hazards are least well controlled and do this by:

- Having risk-based intervention plans focussed on tackling specific risks;
- Considering the risks that they need to address and using the whole range of interventions to target these specific risks;
- Reserving unannounced proactive inspection only for the activities and sectors published by HSE or where intelligence suggests risks are not being effectively managed; and
- Using national and local intelligence to inform priorities.

LAC 67/2 states proactive inspection should only be used:

- a) For high-risk premises/ activities within the specific LA enforced sectors published by HSE; or
- b) Where intelligence shows that risks are not being effectively managed.

There are Planned Interventions/campaigns activities/issues identified by the HSE where proactive inspections are specifically allowed:

Campaigns

- Electrical safety in hospitality settings (Essex County Health and Safety Group campaign)
- Inflatable amusement devices - Bouncy Castles (Essex County Health and Safety Group campaign)
- Gas safety in commercial catering premises
- Raise awareness of the work-related stress and mental health campaign 'working minds' with businesses
- Raise awareness of the requirement for welfare provision for delivery drivers
- Raise awareness of the need to prevent access to large refuse/recycling bins to members of the public

Reactive and ongoing work

The Council are investigating a fatal workplace accident that occurred during 2021-22 in liaison with Essex Police and the Health and Safety Executive.

In addition, the service will also: -

- Investigate complaints relating to Coronavirus where CBC are the enforcing authority
- Receive and investigate RIDDOR notifications, and where necessary take formal enforcement action
- Receive Statutory reports, (e.g. failed insurance reports and asbestos notifications) and ensure duty holders meet their statutory duties
- Investigate complaints relating to unsafe workplace activities where CBC are the enforcing authority, including Matters of Evident Concern
- Investigate complaints relating to smoking in workplaces or smokefree vehicles under the Health Act

The focus of pro-active health and safety work is currently on-hold and only reactive work within health and safety is being carried out.

B. Accident Investigations

The law requires employers to report certain types of work-related accidents, diseases or dangerous occurrences. The Health and Safety Officer will investigate the most serious of these incidents to establish if health and safety law has been broken and also with the aim of preventing similar accidents from occurring and taking any appropriate enforcement action. LAs will, in accordance with their duty under Section 18 of the Health and Safety at Work etc Act 1974, allocate sufficient time and resources to investigate accidents, dangerous occurrences and causes of occupational ill health.

C. Complaints

Complaints from the public and employees concerning unsafe practices, poor working environment, excessive working hours and poor facilities e.g. toilet provision, are investigated. We have a range of legal powers to ensure the necessary improvements are made although it is our stated aim to work, wherever

possible, with all parties concerned to achieve these objectives without having to take formal action.

D. Advice to Businesses

Officers are committed to building positive working relationships with business proprietors and work with them to help them comply with the law and to improve health and safety standards. Increasingly officers will point businesses at web-based resources, particularly those produced by the HSE and information is both held on and signposted from the Council website. Both new and existing businesses are encouraged to contact the service for advice.

E. Safety Advisory Group

The Safety Advisory Group (SAG) provides a forum where the Council and other agencies may develop a co-ordinated approach to crowd and event safety.

F. Smokefree Premises and Vehicles

The Licensing, Food and Safety Team enforces the smoke free legislation under the Health Act, which since July 2007 has made it illegal for workplaces and indoor public places to permit smoking. Advice is given to businesses and complaints relating to this law are investigated.

G. Registration of Skin Piercing/Tattooing and similar activities

Carried out by the EHTO, but with the advice of H&S Officer. The Council has published Byelaws covering businesses that carry out skin piercing activities. Business that undertake acupuncture, tattooing, cosmetic piercing, semi-permanent skin-colouring or electrolysis, are required to register both people and premises with the local authority. With support from the Health and Safety Officer/EHO's, the EHTO's ensure that businesses are registered and understand what they need to do to prevent the transmission of blood borne diseases.

3) Infectious Diseases

The Food Safety team carries out the statutory responsibilities of the authority with regards to infectious diseases. This includes but is not solely in relation to food borne illness so whilst the service will investigate outbreaks of Salmonella and E. coli for example, it will also follow up incidents of Legionella and Hepatitis. The duties include working with Public Health England (PHE) to identify sources of disease, reducing the risk of transmission, gathering data, liaising with people suffering from infectious diseases and when necessary taking formal legal action to prevent the spread of disease.

Investigation and control of major outbreaks is undertaken in conjunction with the Consultants in Communicable Disease Control at PHE. Investigation, the

establishment of an Outbreak Control Team and control measures are all implemented in accordance with the agreed Joint Communicable Disease Incident/ Outbreak Management Plans.

4) Port Health

The International Health Regulations provide for the global issuance of ship sanitation control/ exemption certificates. Ship Sanitation Certificates are designed to prevent international vessels from causing a public health risk and cover all areas of ship borne public health risks including vector control, potable and ballast water and food safety controls. Colchester Borough Council are responsible for Brightlingsea Port. Currently the port imports Cement from Spain, and Grain from Europe. The port also exports Scrap metal to Europe.

If a Ship Sanitation Certificate is required it would be issued by officers from the Licensing, Food and Safety Team following an inspection of the ship and are valid for six months.

5) Licensing

The Council has a number of licensing and regulatory powers and duties which are delegated from full Council to the Licensing Committee. The provision of a Licensing Service is a statutory duty placed on the Local Authority for which the Council are accountable, with a key aim of promoting the safety of the general public when accessing and using a variety of goods and services that fall within a range of separate licensing regimes.

- A. The granting and issuing of specific licenses, permits and registrations is currently delegated to the Assistant Director of Communities. The specific delegation of matters to the Licensing Committee, its various Sub-Committees and to officers is set out in the Council's Constitution.
- B. The legislation delegated to the Licensing Committee includes (but not exhaustively):
 - Business and Planning Act 2020
 - Caravans and the Control of Development Act 1960
 - Gambling Act 2005
 - Highways Act 1980
 - House to House Collections Act 1939
 - Licensing Act 2003
 - Local Government Act 2003
 - Local Government (Miscellaneous Provisions) Act 1976
 - Local Government (Miscellaneous Provisions) Act 1982 as amended
 - Private Hire Vehicles (Carriage of Guide Dogs etc) Act 2002
 - Scrap Metals Dealers Act 2013
 - Town Police Clauses Act 1847 and 1970

- C. The licensing team are responsible for issuing of licences and associated compliance monitoring and enforcement for a range of diverse activities, which include activities such as sale of alcohol, regulated entertainment, various gambling activities and taxis. However, there are also a number of 'minor' activities such as street collections, caravans, scrap metal, lotteries and sex establishments.
- D. The key aim of the Licensing Committee and the licensing team is to ensure the safety of people using licensed premises or vehicles and to ensure that the licensed trade operates fairly.
- E. The licensing team process a range of licence applications in conjunction with the Council's Contact and Support Centre (CSC). The CSC provide the first point of contact in the vast majority of cases. However, the Licensing Officers also spend time assisting and advising internal and external partners and businesses in relation to varies licensing activities.
- F. All functions require varying degrees of inspection and enforcement, all of which are conducted in line with Licensing, Food and Safety enforcement policy. Liaison is undertaken with a variety of both external and internal agencies and stakeholders in order to achieve and maintain compliance. Licensing enforcement involves both proactive and reactive assessment of compliance with both the requirement to hold a specific authorisation and lawful conduct of any authorisation held. A variety of tools are at the team's disposal from issuing of warnings or penalty points (in relation to drivers and vehicle proprietors and operators), simple cautions and prosecution in relation to breaches of condition or unauthorised licensable activity.
- G. In its capacity as a responsible authority under provision of the Licensing Act 2003, the licensing authority also has the power to object to applications, suggest specific conditions or make representation and call reviews of premises licences.
- H. Much of the role of enforcement is aimed at education and training and this represents an important initial tool in all compliance matters. Therefore, the initial approach will (where it does not present an immediate concern to the safety of the public or to the environment) be to seek compliance by agreement. When this cannot be achieved more formal action will be considered.
- I. The Licensing Act 2003 continues to occupy a large proportion of the capacity of the licensing team both directly in relation to applications and enforcement matters, and in relation to the challenges posed by the night-time economy. Equally time-consuming is the work carried out under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976, in relation to the licensing and enforcement of both hackney carriage and private hire vehicles, drivers and private hire operators. Again, this is undertaken both in response to complaints and by a programme of planned inspections and ad hoc enforcement activity.

6. General

This Enforcement Policy covers the work of Licensing, Food and Health and Safety. It is an updated policy covering the delivery of enforcement and having regards to the Better Regulation Delivery Office – Regulators Code 2014 and the Enforcement concordat.

- A. The Communities department , where Licensing Food and Safety is situated play a vital role in protecting and supporting the public, the environment and groups such as residents, workers and businesses in the Borough of Colchester. It is important that these enforcement functions are carried out in an equitable, practical and consistent manner, and that both those subject to and beneficiaries of regulation and those on whose behalf enforcement is carried out can understand the approach we as a Council take.
- B. The Council has a duty to enforce a range of statutory instruments adopting a variety of formal and informal sanctions. This can include anything from advising food businesses about what they need to do to comply with the law, to prosecuting a householder for animal welfare issues. This places the Council and its officers in a position of responsibility to ensure that its approach fits with national and local policy, codes and guidance. This is particularly important with regard to the economic challenges facing local government and business.
- C. The purpose of this policy is to set out clearly the approach of the Council's Licensing, Food and Safety Team towards enforcement when dealing with non-compliance. It provides guidance on the range of options available to achieve compliance with the legislation we enforce, and how discretionary powers may be used to regulate and raise standards in various sectors. The document is intended to communicate Colchester Borough Council's policy in respect of its approach to those affected by its activities and officers of the local authority.
- D. It also sets out the principles applied to encourage smarter, risk-based enforcement. The Council is committed to ensuring that its officers act in accordance with this policy. It is not in itself a statement of law and does not affect the discretion of the Council to take legal proceedings where this is considered to be in the public interest.

This policy was written having regard to the principles outlined in the Better Regulation Delivery Office – statutory Regulators Code, the enforcement concordat, Primary Authority principles and current legislation, and can be found below following the website address.

[Licensing, Food and Safety Enforcement Policy](#)

- E. Liaison with other organisations and partnership working.

Officers represent the Council at the following meetings

- Essex Food Liaison Group
- Essex Health and Safety Group
- Food Standards Agency Food Leads Regional vi
- Food Standards Agency Food Hygiene Rating System User group
- Colchester Safety Advisory Group
- Essex Environmental Health Managers Group
- Essex Public Health Group
- Licensing Enforcement Group
- Joint Licensing Officers Group
- Taxi Licensing Officers Group
- Pubwatch
- Colchester Borough recovery board.

These Groups offer the opportunity to share information, organise low-cost training for our Licensing, Food and Safety Team, help to ensure consistent enforcement and provide an opportunity to influence the development of activity across the County. They also enable our professional officers to have access to regional and national food safety and health and safety information.

7. Performance and Review of the Service Plan

The current performance of the Service is measured and monitored via the Council's performance management system. The key indicators for the service are currently under review.

Monitoring arrangements are in place to assist in the quality assessment of the work being carried out by the team including as follows:

- Regular team meetings
- Individual performance review Via SMARTS and Career Track.
- Adhoc Licensing and Food & safety team meetings
- Regular FHRS consistency training exercises with the FSA For food.
- Peer review via the Essex Health and Safety Group
- Service Standards

The Licensing Food and Safety Team has adopted the following service standards:

Food hygiene

- Provide a summary inspection report at the time of inspection clearly indicating required and recommended actions. Where they are FHRS

five, issue on site. Ensure that the inspection is on the system within 3 days and enforcement (where required) sent out in 5 days, unless urgent.

- Respond to requests for advice and information about food safety within 5 days for requests that do not have a public health impact.
- Respond to complaints of poor hygiene and unsatisfactory food within 3 days.

Health and safety enforcement

- Respond to complaints of poor health and safety within 3 days.
- Respond to requests for advice and information about health and safety within 3 days.

Infectious diseases - control

- Respond to reports of any notifiable infection where the risk to public health is immediate and significant, including outbreaks, within the same working day.
- Respond to reports of less serious notifiable infections within 3 days.

Private Hire and Hackney Carriages

- Investigate complaints/reports and take appropriate action including the requirement for whether licence holders remain 'fit and proper' persons to hold a licence.
- Monitor vehicle compliance through reports from approved testing stations.
- Investigate vehicle accidents ensuring all licensed vehicles are safe and suitable for use.
- Complaints will be investigated within 3 days of receipt of them.

Licensing general

- Investigate and deal with applications, variations etc within the statutory timescales in relation to Premise Licensing, Gambling and Sex establishments
- Report to committee in relation to work program.
- Attend sub licensing committee meetings.

8. Challenges to Service Delivery

Covid-19. Due to the successful roll out of the vaccine programme, in Great Britain we are moving from a Covid -19 pandemic towards an endemic state. Due to the service delays created during the pandemic, this has created a backlog of work in the Food Safety Team. However, The Team are making good inroads to the backlog ensuring that we will have caught up by March 2023. In relation to the other team service deliveries, it has been business as usual (as nothing stopped) but with increased application and increase in representations.

Brexit. Risks remain around our shellfish industry. The EU exit had a huge impact upon the local sector, mainly due to increased costs of exporting. Some have adapted to the new rules, some have diversified away from export completely.

The EU exit meant increased regulatory burdens, and the Food Team have been required to support the sector in understanding the complex web of requirements. Much of the environmental legislation and the food law currently enforced by local authorities is predominantly based on European regulations, transition arrangements mean that there is little initial change but at some point, the legislation/regulations will require reproducing domestically. Government may take this opportunity to change public health and environmental regulation.

- The FSA have reviewed the way in which competency is assessed and demonstrated. This may impact on the management capacity of the service and may result in additional costs, so this is something the Manager will keep under constant review.
- Continuing to adapt to changing customer expectations and service delivery models arising from changes to the way we work both through choice and necessity.
- Food Exports - from the 1st January 2021, exporters of certain food products are required to provide an export health certificate (EHC) to accompany the consignment when exporting to the EU and NI. The EHC is an official document that confirms that the export meets the health requirements of the destination country.

Food Officers are responsible for the inspection, validation, and certification of exports of:

- Shellfish
- Fishery Products
- High Risk Products of Non-Animal Origin
- Products going to China, USA and Australasia

Since January 2021 there has been a significant increase in the amount of EHCs that have been issued.

This service is cost recovery where the exporter pays a fee to cover the cost of the service provision.

- **Dog Breeding.** Since the introduction of the Animal Welfare Regulations in 2018 there has been an increase in the number of premises requiring licenses under the regulations. During 2020 the number of unlicensed breeders operating throughout the Borough increased significantly due to the cost of puppies more than doubling. For example, pre-lockdown a Labrador puppy would cost in the region of £750, now the cost has risen to more than £2000+. Because of this dog owners are now breeding their dogs, where once they would not consider it. Most of these breeders are not licensed.
- Where unlicensed breeders are notified to the authority the Licensing Team informs the 'selling site' who then removes the adverts. The Food Team then follow up the adverts and contact the sellers to advise them of the requirement to be licensed. This is and will continue to impact on the workload of the team. This service is cost recovery where the licence holders pay a fee to cover the cost of the service provision. Where resource allows, we will pro-actively seek out and investigate unlicensed breeders and taken necessary action.

New Software Recording System.

The introduction of the new back office system under Northgate has been vital to support the work of the team and to the delivery of reliable online processes. Linked to this is work on the content and functionality of the website, which is currently ongoing.

Inspection of premises will take place and will be holistic in approach considering both licensing and gambling requirements and offering advice where necessary on broader issues related to licensing. These will also provide first hand evidence gathering in relation to the review of the Licensing Policy. This work will contribute to the work on another key objective in relation to the hidden economy and potentially allows resources to be focussed on problem traders.

Note: Customer Research

Though the work on the implementation of the taxi policy and the licensing policy the Council will seek the views of a wide variety of customers. This will inform the development and implementation of Policy. Close contact with businesses will continue to inform the work of the team and it is intended to re-establish a private hire operators group to enable matters concerning the trade to be addressed quickly.

9. Work Program for 2022-24

Task	Actions	Responsibility	Commencement
Licensing, Food and Safety			
ASSURE	Continued Implementation of the System. Working to create online applications, correct data and data fields and templates to report out	Licensing, Food and Safety Team	Ongoing - 2024
Food Safety			
Undertake a food premises intervention programme	In accordance with the requirement of the FSA Code of practices, however this may be adapted to resolve the current national backlog, to protect the public.	Food Team	Ongoing 2024
Promotion of the Food Hygiene Rating System	Continue to engage with the Food Standard Agency on promotion of food safety initiatives and the	Food Team	Ongoing 2024
Participate in local and national food sampling programmes, and Oyster sampling	To carry out the sampling of Oysters on Mersea Island and maintain CEFAS data	Food Team	Ongoing 2024
Health and Safety			
Undertake an intervention programme	In accordance with the requirements of HSE guidance LAC67/2 version 11 and the National Local Authority	Health and Safety Officer	Ongoing 2024

	Enforcement Code to protect both people in the workplace and the public		
Continue to engage with the HSE and other Essex local authorities	promotion of health and safety initiatives, interventions and campaigns	Health and Safety Officer	Ongoing 2024
Licensing			
Taxis and Private Hire			
Taxi Policy Implementation	Continued improvements in relation to safeguarding training/penalty and convictions policy/information dissemination/CCTV and Statutory Standards and NR3	Licensing Team	Ongoing 2024
CCTV Implementation	Specification and Costings for various options. Prepare evidence for Committee. Seek Information Commissioners View. Bid for funding. Revisit consultation responses	Licensing Team	December 2022
Establishment of liaison meetings with Operators and new CHCA	Quarterly meeting	Licensing Team	Ongoing 2024
Calibration exercise of Meters for HC trade	Work out calibrated mile, set up test program for HC	Licensing Team	Ongoing 2024
Test purchasing night of action	Continuation of nights/days of action	Licensing Team	Ongoing 2024
In addition to general enforcement	work in relation to the targeting of Schools for the purpose of carrying out detailed checks on	Licensing Team	Ongoing 2024

	licensed vehicles and drivers.		
Licensing Act 2003			
Full Review of Licensing Policy	Gather evidence. Consider removing the hours specification Review suite of conditions which are underused.	Licensing Team	December 2022
Website	Improve information / develop user page linked in with ASSURE	JR/SW	Ongoing 2024
Enforcement Including Invoice and suspensions	Proactive approach to enforcement to identify transfers/change of dps / variations with the benefit of increasing income	SW/KP/KB	March 2024
Hidden Economy	Expand joint working with colleagues in Police, Housing, Benefits etc to look at cases relating to hidden economy	Licensing Team	March 2022
Gambling Act 2005			
Recurring billing	Update to ensure in line with Policy	Finance team / SW	March June 2022
Audit of machines in pubs	Underage Gambling in pubs	Licensing team	March 2022

10. Staff Development Plan

It is the intention of the Council to ensure that all staff are qualified to an appropriate level and are able to receive sufficient training to keep them up to date in the service area where they work.

The Licensing, Food and Safety Team is committed to continuing professional development and the technical officers have agreed to comply with the Chartered Institute of Environmental Health Officers scheme, Institute of Occupational Safety and Health and the Institute of Licensing.

The team meets regularly to cascade information and training where appropriate. The Council has a formal annual performance management system which includes the preparation of a Personal Development Plan, detailing identified training needs which are also necessary to meet continual professional development needs.

The commitment of the Council to meet development needs has been recognised and rewarded by Investors in People. The team members standardise practices by attending shared training events, team meetings and when new legislation or processes are introduced.

11. Review

Review against the service Plan

The Licensing, Food and Safety Service Plan is a statement of the Council's commitment to Licensing, food safety and Health Safety and should serve to re-assure the public that their best interests are being looked after.

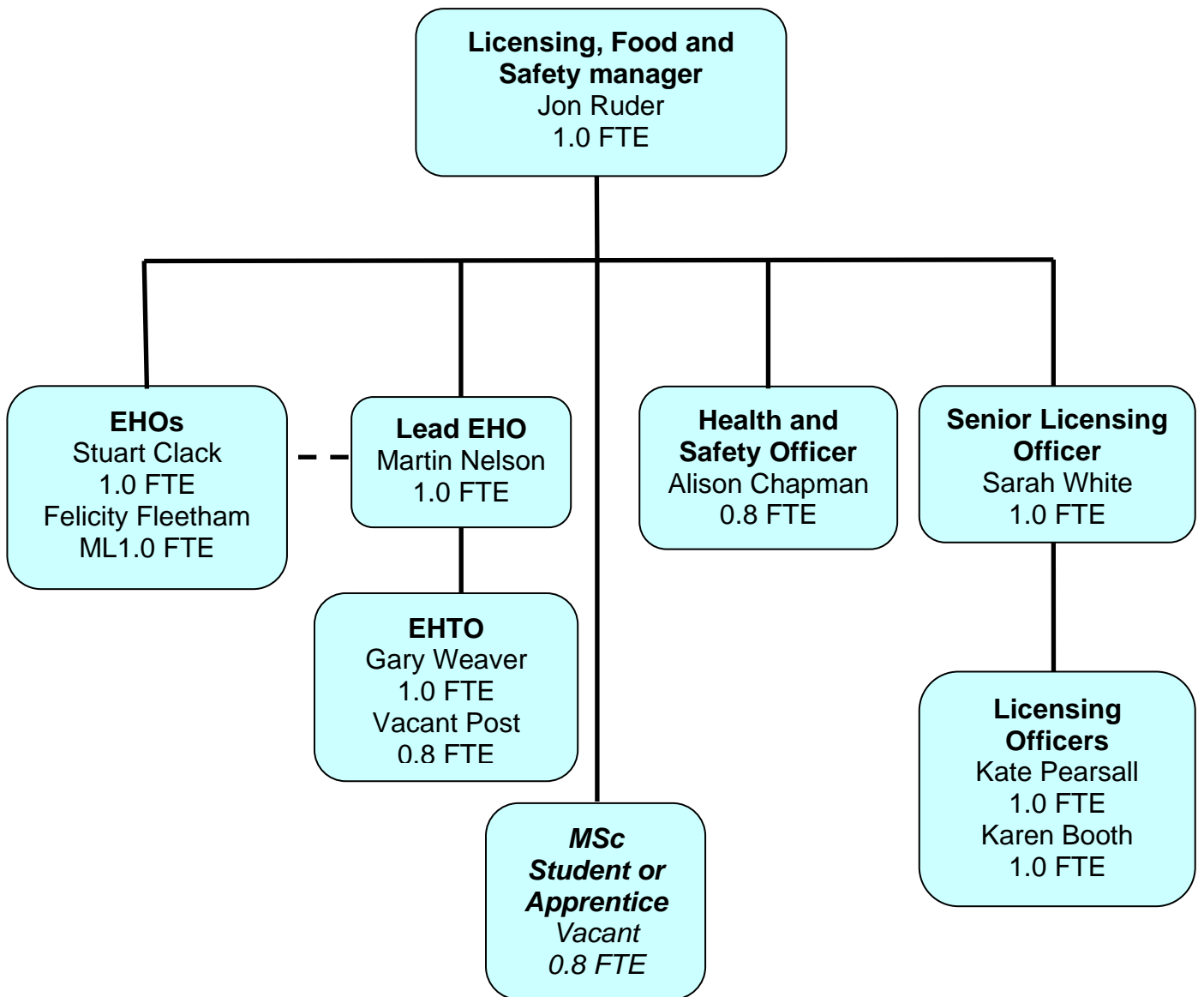
Performance against this Licensing, Food & safety Service Plan will be monitored and reviewed in line with the team's overall Service Plan and will follow the same process as outlined in the Council's 'Performance Management Guide'. The plan is based on the financial year since all statistics and budget information are produced on this basis. The plan will be reviewed and amended annually and amended accordingly.

The performance management system employed by Colchester Borough requires that all staff are annually set personal objectives against which performance is monitored throughout the year and formally reviewed mid and end of year. Achieving these targets will ensure that the Service delivers on this Licensing, Food and Safety Plan.

Variation from Service Plan

Any variation from this policy will be agreed through the team's management review process. Situations requiring amendment or addition to this policy must be approved by the Licensing, Food and Safety Manager and will be made as soon as possible.

Appendix A - Structure Chart



Appendix B - Financial Resources
Resources Financial

OPERATIONAL BUDGET							
2019-2020		2020-2021		2021-2022		2022-2023	
Team expenditure	493,447	Team expenditure	478,325	Team expenditure	545,757	Team expenditure	523,381
Gross Income	-537,081	Gross Income	-464,420	Gross Income	-523,299	Gross Income	-568,019
Net cost/income	-43,634	Net cost/income	13,905	Net cost/income	22,458	Net cost/income	-44,638
							Predicted