



**Brighton & Hove  
City Council**

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## **Official Feed and Food Controls Service Plan**

**1 April 2024 – 31 March 2025**

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## 1 Service Aims and Objectives

### 1.1 Introduction

The food service function of Brighton & Hove City Council sits within the Safer Communities Service of the Housing, Neighbourhoods & Communities Directorate. This directorate consolidates Environmental Health and Trading Standards teams in one service.

The service is primarily concerned with protecting and improving public health across the city. Within this service food safety officers work to ensure that food prepared and sold from local establishments is safe. This is achieved by carrying out a programme of interventions at food businesses, sampling and responding to service requests. Wherever practicable links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.

Trading Standards officers aim to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers and businesses, by means of advice, information, education and enforcement.

### 1.2 Links to Corporate Objectives and Plans

This plan links into the themes of 'Brighton & Hove City Plan 2023 to 2027, A better Brighton and Hove for all', which has identified the following four outcomes:

- A city to be proud of.
- A fair and inclusive city.
- A healthy city where people thrive.
- A responsive council with well-run services.

## 2 Background

### 2.1 Profile of the Local Authority

Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. It is bounded by the English Channel to the south and the South Downs to the north, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.

Brighton & Hove City Council area has a population of 267,300 (2021 Office for National Statistics). More than a quarter of our residents (26%) are Black and Racially Minoritised (non-White UK/British). 72% of the population profile are aged 16 to 66 years, above the England average of 65%.

Tourism plays a major part in the local economy where 16% of the total employed is within tourism (2022).

## 2.2 Organisational Structure

Brighton & Hove City Council is a unitary authority that operates a committee system model. Responsibility for the food safety and standards services is delegated to the City Environment, South Downs and the Sea Committee.

## 2.3 Regulation Policy

The Council has a Corporate Enforcement Policy in line with the national Regulators Compliance Code for Enforcers and is published on the Council's website. The enforcement policy is grounded in better regulation principles of proportionality, accountability, consistency, transparency and targeting.

[Safer Communities Enforcement Policy \(brighton-hove.gov.uk\)](https://www.brighton-hove.gov.uk/safer-communities-enforcement-policy)

## 2.4 Scope of the Food Service

Both services, Food Hygiene and Food Standards, carry out a range of interventions such as, inspections of food premises, food complaint investigation, food sampling, investigating infectious disease cases and service requests relating to businesses.

Officers working within the Food Service may also carry out health and safety interventions in a range of food premises and non-food premises when matters of evident concern are identified. They also may respond to complaints from the public and investigate specific accidents which occur in the workplace.

As of 15 February 2024, a total of **3,241** food premises are subject to programmed interventions as per the following table.

Premises Type	Number
Primary Producer	3
Manufacturer/ Processor	27
Packers	6
Importers/Exporters	32
Distributors/Transporters	25
Retailers	347
Restaurants and other Caterers	2,793
Manufacturers selling mainly to retail	8
<b>TOTAL</b>	<b>3,241</b>

### 3 Food Service Plan from 1 April 2024 to 31 March 2025

#### 3.1 Food Hygiene Interventions

##### 3.1.1 Programmed Food Hygiene Inspections

The following table displays the food premises risk category and the number of premises due, as of 15 February 2024, that are required to be inspected between 1 April 2024 to 31 March 2025.

<b>Risk Category/ Frequency of Intervention</b>	<b>Number of Food Premises that require an intervention</b>
A/ every 6 months	5
B/ every 12 months	47
C/ every 18 months	219
D/ every 24 months	288
E/ every 36 months	73
Predicted new business registrations	450
<b>TOTAL</b>	<b>1082</b>

The following table displays an estimate of outstanding food premises interventions (due by 31 March 2024) as of 15 February 2024 as a direct result of the impact of COVID-19 pandemic and difficulties in recruitment to vacant posts.

<b>Outstanding interventions by type</b>	<b>Number</b>
Category D premises due before 31 March 2024	149
Category E premises due before 31 March 2024	300
Unrated/new registrations received before 15 February 2024	404

It is observed that there is a backlog of interventions in low-risk premises although significantly reduced from the previous service delivery plan 23/24. The volume of new registrations remains high and will be a priority to ensure these receive interventions in the first and second quarters of the financial year.

The Food Law Code of Practice allows flexibility in how we deal with food premises. Innovative methods such as holding group workshops or seminars and/ or using a survey/questionnaire approach will be utilised for appropriate premises.

##### 3.1.2 Control of Outbreaks and Infectious Disease

Food related infectious disease notifications are investigated in accordance with procedures agreed with the Consultant in Communicable Disease Control. Investigation of outbreaks in accordance with the Outbreak Control Plan agreed with UK Health Security Agency (UKHSA). Officers within the team will be first responders in the event of a serious outbreak.

### 3.1.3 Food Hygiene Complaints

It is the policy of this authority to investigate food complaints in accordance with the Council's Enforcement Policy and documented procedures. It is anticipated we shall receive approximately 10 food complaints and 450 complaints in relation to hygienic conditions of food premises.

### 3.1.4 Food Hygiene Sampling

A formal arrangement is in place with UKHSA, Food Water & Environment laboratory based at Porton Down for the analysis of samples that require microbiological examination. This authority will participate in the current national food sampling programmes. It is estimated that 40 food samples will be taken for routine examination.

### 3.1.5 Food Safety Incidents

Food safety incidents are responded to in accordance with the provisions of The Food Law Code of Practice and all food alerts issued by the FSA will continue to be dealt with in accordance with this Code.

### 3.1.6 Food Hygiene advice to businesses

There is a strong commitment to providing advice to business, both new and existing, on legislative and good practice requirements. Advice is given by signposting businesses to the Council website, during inspections, at educational workshops and by emails which are sent to food businesses on current topics.

### 3.1.7 Ongoing Proactive Surveillance

Ongoing proactive surveillance is essential to re-establish an accurate picture of the local business landscape and to identify open/closed/ recently re-opened/ new businesses; as well as businesses where there has been a change of operation, activities or Food Business Owner.

All new food registrations received shall be subject to triage to identify premises which are deemed to be high priority for inspection.

### 3.1.8 Primary and home authority principle

The Primary Authority and the Home Authority Principle is supported by the Council. Currently there are no Primary Authority Partnerships in place.

### 3.1.9 Sussex Food Liaison Group

Brighton & Hove City Council participates and is represented at the Sussex Food Liaison Group.

## 3.2 Food Standards Interventions

Trading Standards aim to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Trading Standards goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers and businesses, by means of advice, information, education and enforcement.

The core aims being to ensure: -

- Accurate food information for consumers.
- That compositional standard of food is maintained.
- Prevent food fraud.
- That food and feed are free from unsafe contaminants.

The objectives being: -

- To carry out risk-based and intelligence led activities.
- To undertake screen testing and food sampling to reflect identified areas of concern.
- To respond appropriately to food complaints and initiate proportionate action.
- Respond to trader requests in a timely manner; and
- To educate the public on compositional and labelling issues to improve eating habits.

### 3.2.1 Changes to the Food Law Code of Practice

Changes have been made to the Food Law Code of Practice relating to Food Standards, it is expected to be fully implemented across Local Authorities by 2024/2025. There have been fundamental changes to the food standards delivery model within the Code, and associated content, namely the introduction of a:

- new food standards risk rating scheme that LA officers will use to evaluate the risk posed by a food business;
- new decision matrix to determine the frequency at which food standards official controls should be delivered in line with the outcome of the risk assessment.

It is anticipated that the new model will allow us to have flexibility to use any of the official control methods and techniques available and direct our resource to where it is most needed to tackle risk in the food chain.

The Food Standards Agency (FSA) are assessing Local Authority data systems to determine what support is required for this transition. There will be a proposed roll out schedule between January 2024 and March 2025.

### 3.2.2 Food Standards Inspections

Between April 2023 and January 2024, the Food Standards team carried out 240 official controls comprising of visits to businesses and assessing compliance with the range of food standards legislation. 189 allergen referrals from Food Safety colleagues were responded to and 433 alternative visits were conducted which included sending advice letter/email, answering a business enquiry, website checks, check on business history of compliance or looking at a specific area of a food business.

The following table highlights the food standards category and the inspections that are due between 1 April 2024 to 31 March 2025 however we are unable to accurately predict how many new registrations we will receive next year and how many of those will be deemed high-risk and require an inspection.

Standards Category	Expectation	Number of Food Premises that require an onsite intervention
A (high risk)	New food Registrations will have a desktop risk assessment (DRA) carried out within 1 month of receipt of registration and if categorised as high risk will have a program primary inspection carried out within 1 month of the DRA. If a food premise remains high risk from a previous year they will be inspected in 2024-2025.	(157 which are overdue on 31 March 2024)  81 premises (24/25)  <b>Total = 238</b>
B & C (medium & low risk)	No programmed interventions will be required unless intelligence/information suggests that risks have increased or if the establishment is otherwise considered a priority for intervention due to the risk posed.  Project work/sampling projects will be carried out as detailed below and will include medium and low risk premises.	As required.

### 3.2.3 New Businesses

The local authority currently risk rates new businesses using the LACORS scheme. All new food businesses will receive a sector specific advisory letter signposting them to relevant guidance and including officer contact details as soon as a food registration is received. A desktop risk assessment will then be carried out by a qualified food officer within 28 days of receiving the food registration and all high-risk premises will be inspected within a month of the risk assessment being carried out.

### 3.2.4 Feed Hygiene

The Trading Standards service participates in the National Trading Standards feed programme. We will undertake inspections of premises identified by the national team as requiring a visit. This equates to approximately 9 visits per year.

During 2023/2024 Trading standards have carried out work funded by the FSA via National Trading Standards Board (NTSB) on animal feed which ties into the Official Feed and Food Controls. This work is expected to be funded again in 2024/25 and Brighton & Hove City Council will participate.

### 3.2.5 Food Standards Complaints

Trading Standards received 46 service requests between 1<sup>st</sup> April 2023 and 31<sup>st</sup> January 2024, these include consumer complaints, referrals from other trading standards and requests for business advice. Most complaints relate to allergen incidents including lack of/or inaccurate allergen information in restaurants, date marking, composition and labelling of food and pricing. It is anticipated the volume of complaints around allergen compliance will increase and will remain a high priority.



Complaint types also include misleading pricing, counterfeit food, substituted food, misdescribed food, food sold beyond its use by date and illegally imported food. Project work in these areas will focus on a proportion of our medium and low risk premises.

The Calorie Labelling Regulations 2021 require restaurants and cafes to provide calorie labelling. In addition to helping consumers to make healthier decisions, calorie labelling also aims to encourage businesses to reformulate the food and drink they offer and provide lower calorie options for their customers. The Food (Promotion and Placement) (England) Regulations 2021 (“the Regulations”) were passed on 2 December 2021, introducing rules that restrict the price, placement and online promotion of products high in fat, sugar and salt (HFSS) for qualifying businesses. There may be an increase in complaints in relation to this area.

### 3.2.6 Food Standards Sampling

The Public Analyst contract was awarded to Kent Scientific Services in 2017. The focus of the contract remains on composition, allergens labelling and chemical contamination.

Between 1<sup>st</sup> April 2023 and January 2024, 23 samples were taken, 1 species, 13 contaminants, 8 allergens, 1 for composition and labelling.

The FSA secured funding for Local Authorities and Port Health Authorities to carry out coordinated surveillance work around imported food. Brighton and Hove were awarded the bid to participate and took 13 samples as part of the project, the results of which have been fed back to FSA.

Samples as part of a project on Food Supplements and unlawful nutritional and health claims will be taken as part of the sampling plan.

Sampling in relation to undeclared allergens and claims around allergens such as gluten free shall also form part of the sampling plan and in liaison with Food Safety Colleagues. This shall be targeted based on intelligence with an aim to increase safety for consumers with life threatening food allergies.

### 3.2.7 Food Standards advice to businesses

Regulations governing the labelling of food and whether they contain allergens came into force in 2014, as previously stated this is high priority as a lack of allergen information and controls can cost lives. Officers have undertaken work to inform and educate businesses of their obligations under these regulations; compliance with the requirement to provide allergen information remains an issue and therefore work will continue in 2024/25 prioritising advice and support to small independent traders and new businesses.

Food standards profile has also been raised and included in educational workshops to selected businesses by Food Safety colleagues.

In October 2022 Regulations relating to Restricting promotion of products high in fat, sugar and salt came into force and the Calorie Regulations came into force in April 2021, both require giving advice to business on how to comply.

Draft guidance for businesses on the requirements of food information for vegan and plant-based foods especially in relation to meat and dairy substitutes and supplements and claims around nutrition and health will be created and provided to appropriate businesses.

### 3.2.8 Projects

#### Completed projects 2023/2024

Brighton and Hove participated in the National Food Crime Fraud Unit operation focusing on protected food names. This was a topic also being explored by other European countries and consequently our own activity will be considered part of a broader co-ordinated action being led by Europol. This involved us conducting checks by visiting businesses that were using protected food names such as ‘Sussex Wines’ ‘ Jersey Royals’, intervening around those businesses where action or guidance was required, and also in assuring that the majority of the claims made were in line with the ingredients used. For further information a press release is attached; [EUR 30 million worth of seizures in first OPSON Europe | Europol \(europa.eu\)](https://www.europa.eu/en/press-room/news/151763)

#### Projects 2024/2025

The wellbeing food sector is increasing requiring a focus on misleading nutritional and health claims on food and food supplements, a sampling regime will be implemented with an aim of ensuring businesses are not misleading consumers. An allergen project will check that businesses are providing accurate allergen information to customers.

## 4 Resources

### 4.1 Financial Allocation

#### 4.1.1 Food Hygiene and Food Standards

The Food Hygiene and Food Standards Safety Service net budget for 2024/25 is £0.651m.

### 4.2 Staffing Allocation

#### 4.2.1 Food Hygiene

There are 6.87 full time equivalent (FTE) professional posts, by 1 April 2024, 5.27 FTE will be competent to undertake food hygiene controls however 0.4 FTE is diverted to undertake non-food duties such as Health & Safety regulation resulting in 4.87 FTE available for Food Service Delivery.

It is anticipated that the 1.6 FTE vacancies will either be recruited, or Food Contractors will be hired in the interim to ensure delivery of the plan.

A FTE resource of 6.87 is considered sufficient to fulfil the requirements of the Food Hygiene Service Delivery.

The following tables illustrate the full complement of staff.

Job Title	Full Time Equivalent	Competency
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Regulatory Services Manager	.25	Lead Food Officer
Team Leader Specialist Environmental Health	1.0	Authorised
Environmental Health Officer (EHO)	0.8	Authorised
EHO	0.6	Vacant post
EHO	1.0	Vacant Post
Senior Technical Officer (STO)	0.8	Authorised
STO	0.67	Authorised
Technical Officer (TO)	1.0	Food Competent by 1 April 2024
TO	1.0	Food Competent by 1 April 2024
Senior Technical Support Officer	0.25	---
Technical Support Officer	0.9	---
Food Nutrition Project Officer	1.0	---

#### 4.2.2 Food Standards

Job Title	Full Time Equivalent	Competency
Regulatory Services Manager	0.05	Authorised
Trading Standards Officer	1.5	Authorised
Technical Support Officer	0.05	---

It has been determined that 4.8FTE competent staff are required to fulfil the requirements of the new Food Law Code of Practice. There is a shortage in available resources, currently 1.55 FTE.

#### 5 Quality Assessment

The service has a documented procedure relating to food control duties. Internal audits are carried out to ensure compliance with these procedures. Staff performance is reviewed, monitored and managed through the appraisal system, monthly 1-2-1 and review by the departmental management team.

#### 6 Service Delivery Review

This plan will be reviewed mid-year in October 2024 to monitor progress.

#### 7 Summary

This report sets out the service plan for the forthcoming financial year. It is acknowledged that service delivery methods have changed in recent years and going forward we will continue to utilise a variety of innovative approaches when required.

As the new Food Standards model has not yet been implemented by the Food Standards Agency, we await further information around what the requirements will be however going forward we shall consider methods to increase our resources for the future service delivery of this function.

In relation to Food Hygiene matters, we will continue to use the flexibilities of the Food Law Code of Practice (FLCOP), such as partial inspections and holding educational workshops as an alternative to an actual inspection where it is appropriate.

In relation to Food Standards matters we will consider options for increasing resources such as considering food standards training for existing staff to increase capacity. We will also consider flexibilities in the FLCOP such as partial inspections and will focus on our high-risk premises as a priority.