

Dear Councillor

**ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE - MONDAY, 16TH  
JANUARY, 2017**

Please find attached a copy of an amended report in respect of the following item:-

**Agenda No    Item**

8.        **CURRENT POSITION OF FOOD HYGIENE RATING IN CARMARTHENSHIRE**  
            **(Pages 3 - 10)**

Yours sincerely

*Mark James CBE*

Chief Executive

Encs



**AMENDED REPORT  
ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY  
COMMITTEE  
16<sup>th</sup> JANUARY 2017**

<b>CURRENT POSITION OF FOOD HYGIENE RATING IN CARMARTHENSHIRE</b>
<b>RECOMMENDATIONS / KEY DECISIONS REQUIRED:</b>  To receive and accept the report
<b>REASONS:</b> The report gives the current situation and identifies poor performers in relation to the Food Hygiene Rating programme.
<b>To be referred to the Executive Board/Council for decision: NO</b>

<b>Executive Board Member Portfolio Holder:</b> Cllr. J. Jones (Environment & Public Protection Portfolio Holder)
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<b>Directorate</b> <b>Communities</b> <b>Name of Head of Service:</b> <b>Robin Staines</b> <b>Report Author:</b> <b>Sue Watts</b>	<b>Designations:</b> <b>Head of Housing and Public Protection, Care and Support</b>  <b>Environmental Health and Licensing Manager</b>	<b>Tel Nos.</b> <b>01267 228960</b> <b>Rstaines@carmarthenshire.gov.uk</b> <b>01267 228929</b> <b>sewatts@carmarthenshire.gov.uk</b>
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# ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE

16<sup>th</sup> JANUARY 2017

## CURRENT POSITION OF FOOD HYGIENE RATING IN CARMARTHENSHIRE

### BACKGROUND

The Food Hygiene Rating (Wales Act) 2013 came into force in November 2013. The Act established a statutory Food Hygiene Rating Scheme for Wales. This mandatory scheme built on to the existing voluntary scheme being operated by local authorities. The scheme had been developed with industry, consumers and local authority stakeholders. The scheme is designed to help consumers choose where to eat out, or shop for food, by providing information about the hygiene standards in such premises.

The statutory Food Hygiene Rating Scheme, amongst other requirements, made participation by local authorities in Wales compulsory and required food businesses supplying food to the final consumer to display their food hygiene ratings.

In November 2014, to coincide with the first anniversary of the statutory scheme, the scope was extended to include business to business trade establishments.

Since November 2016, takeaways in Wales are also required to include a bilingual statement on leaflets or flyers such as menus telling consumers where they may find details of the food hygiene rating on the website of the Food Standards Agency without physically visiting such premises.

Further information, enabling consumers to see how ratings are calculated is also provided on the Food Standards Agency (FSA) website.

Food premises are also inspected as part of a risk based programme, in accordance with a statutory code of practice. At each programmed inspection, businesses are assessed on a total of 8 factors. These include type of food handled; method of processing, consumers at risk, provision to vulnerable groups; hygiene and safety compliance; structural compliance; confidence in management and significance of risk. The frequency of programmed inspections is based on the previous outcome.

The Food Hygiene rating score reflects the performance of the business in three of these areas, namely: hygiene and safety compliance; structural compliance; confidence in management.

There are 6 different food hygiene ratings; these are 0 to 5.

A rating of 5 is the highest rating and represents a “very good” level of compliance with legal requirements. All businesses, irrespective of the nature or size of their operation should be able to achieve this. To get the top rating, a business must demonstrate a high standard of compliance in each of the three elements detailed below:

- Level of (current) compliance with food hygiene and safety procedures (including food

handling practices and procedures, and temperature control);

- Level of (current) compliance with structural requirements (including cleanliness, layout, condition of structure, lighting, ventilation, facilities etc);
- Confidence in management - how the business manages and records what it does to make sure food is safe.

Businesses with score of '3' (generally satisfactory) or greater are also deemed to be "broadly compliant". Those with ratings of '0', '1', '2' are likely to have been observed as performing poorly in more than one of the component scores.

Food businesses can only be closed down if there is found to be an "imminent risk" such as an infestation of vermin or lack of hot water. In the event of a premises being formally closed no Food Hygiene Rating will be awarded as the premises is legally deemed not to be trading.

## Progress to date

The situation regarding businesses being broadly compliant is improving across Wales and Carmarthenshire.

Ratings for food businesses in Wales and Carmarthenshire September 2015

<b>Ratings</b>	<b>5</b>	<b>3-5</b>	<b>0,1,2</b>
<b>All Wales</b>	59%	94%	6%
<b>Carmarthenshire</b>	64%	97%	3%

Ratings for food businesses in Wales and Carmarthenshire December 2016

<b>Ratings</b>	<b>5</b>	<b>3-5</b>	<b>0,1,2</b>
<b>All Wales</b>	63%	94.9%	5.1%
<b>Carmarthenshire</b>	68.7%	97.5%	2.5%

On the 29<sup>th</sup> December 2016, the position in Carmarthenshire is as follows:

<b>FHRS RATING</b>	<b>Number of premises in Carmarthenshire</b>	<b>%</b>
5	1133	68.7%
4	365	22.1%
3	110	6.7%
2	27	1.6%
1	15	0.9%
0	0	0%

Carmarthenshire currently has 1,650 premises with a mandatory food hygiene score, amongst a total of 1,994 food premises.

There are a number of potential reasons why the 344 premises have not received a Food Hygiene Rating. This includes premises that:

- Are waiting for an inspection (businesses registered and awaiting inspection)
- Fall outside the scheme (for example, child minders)
- Are not awarded a rating due to the programmed visit being announced

## Encouraging improvement

It is encouraging to note that there are no businesses with a '0' rating.

Premises scoring a 0,1, or 2 would be subject to our re-visit policy, established in conjunction with other Local Authorities in Wales. It is important to note that an inspecting officer would explore the use of enforcement options if necessary. They would not effectively walk away from a premises until they are satisfied that the establishment would obtain a minimum of a 3 rating were it to be reassessed. Such a rating may only be re-evaluated when a business formally applies for a rescore revisit inspection, for which there is a charge of £150. Alternatively, the score would remain in place until the next unannounced, programmed inspection.

Officers no longer provide onsite advice to new proprietors but will signpost businesses to relevant information. A business changing hands would be treated as a new proprietor and the first inspection will result in a rating.

## Carmarthenshire's current poor performers

At the end of November, there were a total of 36 businesses which were not broadly compliant. All of these were written too, asking them to confirm their plans to become broadly compliant. We also made it clear that we would be making a public statement on those who appeared not to have any intention to become broadly compliant.

From the 36 letters, we received the following response:

No.	Nature of response
5	Premises scheduled and programmed inspection undertaken
5	Rescore request received (£150 fee each) and currently being processed (3 month period for the undertaking)
2	The owner has confirmed that they will continue with the rating but have made comments on the FSA website making a comment on the particular reason for the rating. This 'right to reply' is open to all assessed businesses.
24	No response received

The businesses which have failed to respond (24) or who have used the 'right to reply' (2) are detailed below:

<u>Premises</u>	<u>Address</u>			<u>Rating</u>	<u>Period since last score</u>
CHECK POINT FILLING STATION	Check Point Garage	Harford, Llanwrda, Carmarthenshire	SA19 8DT	1	14 Months
DENHAM STORES	49A Denham Avenue	Llanelli, Carmarthenshire	SA15 4DB	1	9 Months
DHAKA 2 BOMBAY	88 Lando Road	Pembrey, Burry Port, Carmarthenshire	SA16 0YB	1	2 Months
FURNACE UNITED RUGBY FOOTBALL CLUB	Castle Colliery Road	Furnace, Llanelli, Carmarthenshire	SA15 4HT	1	10 Months
JUST DESSERTS	Cross Inn,	Llanboidy, Whitland, Carmarthenshire	SA34 0DE	1	9 Months *
LING DI LONG	33 College Street	Ammanford, Carmarthenshire	SA18 3AB	1	2Months
NEW SUNRISE CHINESE TAKE AWAY	The Avenue	Llwynhendy, Llanelli, Carmarthenshire	SA14 9DW	1	2 Months
NUMBER 11	11 Sycamore Street	Newcastle Emlyn, Carmarthenshire	SA38 9AJ	1	1 Months
TRIMSARAN RFC	40 Heol Llanelli	Trimsaran, Kidwelly, Carmarthenshire	SA17 4AG	1	9 Months
WEBBS FOODS	11 Tan Y Coed	Burry Port, Llanelli	SA16 0SY	1	6 Months
ANDREW & E BARKER	Ty Gwyn, Llanwrda	Carmarthenshire	SA19 8AY	2	7 Months
BARA GWALIA BAKERY	Market Square	Llanybydder, Carmarthenshire	SA40 9UE	2	10 Months
THE CURRY PORT	14 Station Road	Burry Port, Carmarthenshire	SA16 0LR	2	9 Months
CYMRU BALTI	3 Heol y Neuadd	Tumble, Llanelli,	SA14 6EP	2	10 Months
FARMERS ARMS		Pencader, Carmarthenshire	SA39 9ES	2	12 Months
LYNN'S CATERING	Wern	Caeo, Llanwrda, Carmarthenshire	SA19 8PP	2	1 Months
MYNYDD MAWR FRESH MEATS	10 Heol Y Neuadd	Tumble, Llanelli, Carmarthenshire	SA14 6EL	2	10 Months
NEW CHINA WOK	Victory Hall	Llanybydder, Carmarthenshire	SA40 9TX	2	10 Months
PEPPINOS	41 Heol Y Pentre	Ponthenry, Llanelli, Carmarthenshire	SA15 5PY	2	15 Months
PJ SNACK BAR	Felinfoel RFC, Ynys Wen	Llanelli, Carmarthenshire	SA14 8BG	2	15 Months
PONTYBEREM BALTI TANDOORI TAKEAWAY	5 Heol Y Felin	Pontyberem, Llanelli, Carmarthenshire	SA15 5EB	2	11 Months
POPTY BACH Y WLAD	Cwrt Farm, Cwrt Bakery	Pentre-Cwrt, Llandysul, Carmarthenshire	SA44 5DA	2	15 Months *
TOP TASTE	John Street	Carmarthen, Carmarthenshire	SA31 1QT	2	9 Months
WHITE HART INN	Cenarth	Newcastle Emlyn, Carmarthenshire	SA38 9JL	2	11 Months
WHITE LION INN	9 Park View	Llanelli, Carmarthenshire	SA14 8BH	2	10 Months
WHITLAND MART CAFÉ	C/O Woodview, Trevaughan	Whitland, Carmarthenshire	SA34 0QL	2	20 Months

\* Denotes Right to reply received

## Conclusions

The introduction of the statutory food hygiene rating scheme, compelling food businesses to display their food hygiene ratings, has enabled consumers in Wales to make better informed choices about where they eat and buy food.

Food business compliance with food hygiene legislation since the introduction of the statutory scheme has also increased significantly.

DETAILED REPORT ATTACHED ?	NO
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# IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Robin Staines

Head of Housing and Public Protection

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>	<b>YES</b>	<b>NONE</b>	<b>NONE</b>

## LEGAL

The Food Hygiene Rating (Wales) Act 2013 requires Local Authorities to inspect and produce food hygiene ratings of businesses in their areas.

## RISK MANAGEMENT ISSUES

Failure to carry out inspections could result in a reduction in hygiene standards and thereby associated risks of public health.

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Robin Staines

Head of Housing, Public Protection, Care and Support

**1. Scrutiny Committee**

N/A

**2. Local Member(s)**

N/A

**3. Community / Town Council**

N/A

**4. Relevant Partners**

N/A

**5. Staff Side Representatives and other Organisations**

N/A

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THERE ARE NONE**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
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