

**ENVIRONMENTAL & PUBLIC PROTECTION
SCRUTINY COMMITTEE
16TH JANUARY 2017**

SUBJECT:

CURRENT POSITION OF FOOD HYGIENE RATING IN CARMARTHENSHIRE

To consider and comment on the following issues:

To receive and accept the report.

REASONS:

The report gives the current situation and identifies Carmarthenshire's current poor performers in relation to Food Hygiene Ratings.

To be referred to the Executive Board/Council for decision: NO

Executive Board Member Portfolio Holder:

Cllr. J. Jones (Environment & Public Protection Portfolio Holder)

Directorate Communities Name of Head of Service: Robin Staines Report Author: Sue Watts	Designations: Head of Housing and Public Protection, Care and Support Environmental Health and Licensing Manager	Tel Nos. 01267 228960 Rstaines@carmarthenshire.gov.uk 01267 228929 sewatts@carmarthenshire.gov.uk
--	---	--

ENVIRONMENTAL & PUBLIC PROTECTION SCRUTINY COMMITTEE 16TH JANUARY 2017

CURRENT POSITION OF FOOD HYGIENE RATING IN CARMARTHENSHIRE

BACKGROUND

In November 2013 The Food Hygiene Rating (Wales) Act (“the Act”) established a statutory Food Hygiene Rating Scheme (FHRS). This built on the existing non-statutory scheme being operated by local authorities across Wales. The non-statutory scheme had been developed with industry, consumers and local authority stakeholders and aimed to provide information to consumers on the hygiene standards of food businesses.

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.

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

The display of the rating in this format enables consumers to see how well a business did in relation to each of the component criteria (at the time of an unannounced, programmed inspection) that determines the overall food hygiene rating:

- 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.

There are six 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 of ‘5’, businesses must do well in all three elements above. Business with scores of ‘3’ (generally satisfactory) or greater are also deemed to be ‘broadly compliant’. Those with ratings of ‘0’, ‘1’ or ‘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. Premises subject to this type of action are not awarded a score as they are deemed to be closed and therefore not trading.

Progress to date

The following table identifies the rating distribution in Carmarthenshire (Accurate on 29TH December 2016)

FHRS RATING	Number of premises in Carmarthenshire	%
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 1650 premises with a Mandatory food hygiene score, amongst a total of 1994 food premises.

Encouraging improvement

Premises scoring a 0,1, or 2 would be subject to the Authority's re-visit policy, established in conjunction with other Local Authorities in Wales. It is important to note however, 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 inspections. Carmarthenshire currently has no businesses with a '0' rating.

Officers no longer provide onsite advice to new proprietors but will signpost businesses to relevant information. The first inspection will result in a rating.

Carmarthenshire's current poor performers

In the latter part of 2016, a total of 36 premises were written to by the Authority, notifying them that it was the Authority's intention to identify the County's poor performers in terms of food hygiene and to explore the intentions of the various businesses who continue to trade with food hygiene scores below that of being broadly compliant.

Note: The discrepancy in figures is due to the programme of inspections being a rolling programme whereby, the poor performer data referred to here is sourced from a fixed point in time.

Of the 36 poor performers addressed, this prompted the following responses:

No.	Nature of response
1	Change in Ownership
5	Premises scheduled and programmed inspection undertaken
5	Request for rescore received (£150 fee each)
2	Right to reply received
1	Request for rescore refused
24	No response received

The Authority is now in a position to identify its poor performers as the following:

CHECK POINT FILLING STATION, LLANWRDA	14 Months	
DENHAM STORES, LLANELLI	9 Months	
DHAKA 2 BOMBAY, PEMBREY	2 Months	
FURNACE UNITED RUGBY FOOTBALL CLUB, FURNACE	10 Months	
JUST DESSERTS, LLANBOIDY	9 Months	*
LING DI LONG, AMMANFORD	2 Months	
NEW SUNRISE CHINESE TAKE AWAY, LLWYNHENDY	2 Months	
NUMBER 11, NEWCASTLE EMLYN	1 Month	
TRIMSARAN RFC, TRIMSARAN	9 Months	
WEBBS FOODS, BURRY PORT	6 Months	
ANDREW & E BARKER, LLANWRDA	7 Months	
BARA GWALIA BAKERY, LLANYBYDDER	10 Months	
THE CURRY PORT, BURRY PORT	9 Months	
CYMRU BALTI, TUMBLE	10 Months	
FARMERS ARMS, PENCADER	12 Months	
LYNN'S CATERING, LLANWRDA	1 Month	
MYNYDD MAWR FRESH MEATS, TUMBLE	10 Months	
NEW CHINA WOK, LLANYBYDDER	10 Months	
PEPPINOS, PONTHENRY	15 Months	
PJ SNACK BAR, LLANELLI	15 Months	
PONTYBEREM BALTI TANDOORI TAKEAWAY, PONTYBEREM	11 Months	
POPTY BACH Y WLAD, PENTRE CWRT	15 Months	*
TOP TASTE, CARMARTHEN	9 Months	
WHITE HART INN, NEWCASTLE EMLYN	11 Months	
WHITE LION INN, LLANELLI	10 Months	
WHITLAND MART CAFÉ, WHITLAND	20 Months	

*Denotes Right to reply received

Challenges

Consistency in rating premises will always be subject to scrutiny. The Authority currently participates in all Wales consistency exercises. In addition to this, we have recently participated in a National exercise.

Enforcement of the scheme continues to be an issue of concern. Fraudulent / misleading displays of scores throughout the County have been an issue which has been dealt with informally to date. The challenge remains, however, as to whether every premises within County should be monitored to some degree, and proportional enforcement action undertaken. Currently, such enforcement is undertaken as a direct result of service complaints and ad hoc visits based on Officer vigilance.

Re-rating requests have not proven to be too onerous to date. Since the introduction of the voluntary scheme, of all re-score requests received in Carmarthenshire, each and every re-score visit has resulted in an improvement in the respective food hygiene score.

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
----------------------------------	-----------

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
NONE	YES	NONE	NONE	YES	NONE	NONE

2. LEGAL

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

5. RISK MANAGEMENT ISSUES

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

CONSULTATIONS

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