



Notice of a public

Decision Session - Executive Member for Economy and Strategic Planning

To: Councillor Mason (Executive Member)

Date: Tuesday, 27 September 2022

Time: 4.00 pm

Venue: The Thornton Room - Ground Floor, West Offices (G039)

AGENDA

Notice to Members – Post Decision Calling In:

Members are reminded that, should they wish to call in any item* on this agenda, notice must be given to Democracy Support Group by:

4:00pm on Thursday 29 September 2022 if an item is called in *after* a decision has been taken.

*With the exception of matters that have been subject of a previous call in, require Full Council approval or are urgent which are not subject to the call-in provisions. Any called in items will be considered by the Customer and Corporate Services Scrutiny Management Committee.

Written representations in respect of item on this agenda should be submitted to Democratic Services by **5.00pm on Friday 23 September 2022.**

1. Declarations of Interest

At this point in the meeting, the Executive Member is asked to declare any disclosable pecuniary interests or other registerable interests he might have in respect of business on this agenda, if he has not already done so in advance on the Register of Interests.

2. Minutes

(Pages 1 - 4)

To approve and sign the minutes of the meeting held on 27 July 2022.

3. Public Participation

Please note that our registration deadlines are set as 2 working days before the meeting, in order to facilitate the management of public participation at our meetings. The deadline for registering at this meeting is 5:00pm on Friday 23 September 2022.

To register to speak please visit www.york.gov.uk/AttendCouncilMeetings to fill in an online registration form. If you have any questions about the registration form or the meeting, please contact Democratic Services. Contact details can be found at the foot of this agenda.

Webcasting of Public Meetings

Please note that, subject to available resources, this meeting will be webcast including any registered public speakers who have given their permission. The meeting can be viewed live and on demand at www.york.gov.uk/webcasts.

During coronavirus, we made some changes to how we ran council meetings, including facilitating remote participation by public speakers. See our updates (www.york.gov.uk/COVIDDemocracy) for more information on meetings and decisions.

4. Food Service Plan 2022/23

(Pages 5 - 54)

This report contains the annual food service plan to satisfy the statutory requirements within the Food Law Code of Practice which is overseen by the Food Standards Agency (FSA).

5. **Inclusive Growth Fund – update and final** (Pages 55 - 64) **allocations**

This report provides an update on the actions set out in the Inclusive Growth Fund, as agreed by the Executive Leader at his Decision Session on 18 of September 2019.

6. **Urgent Business**

Any other business which the Executive Member considers urgent under the Local Government Act 1972.

Democracy Officer

Margo Budreviciute

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This information can be provided in your own language.

我們也用您們的語言提供這個信息 (Cantonese)

এই তথ্য আপনার নিজের ভাষায় দেয়া যেতে পারে। (Bengali)

Ta informacja może być dostarczona w twoim własnym języku. (Polish)

Bu bilgiyi kendi dilinizde almanız mümkündür. (Turkish)

یہ معلومات آپ کی اپنی زبان (بولی) میں بھی میا کی جاسکتی ہیں۔ (Urdu)

 **(01904) 551550**

For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting

- Registering to speak
- Written Representations
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above

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City of York Council

Committee Minutes

Meeting	Decision Session - Executive Member For Economy and Strategic Planning
Date	26 July 2022
Present	Councillor Mason

6. **DECLARATIONS OF INTEREST (10:04)**

The Executive Member was asked to declare, at this point in the meeting, any disclosable pecuniary interests or other registerable interests he might have in respect of business on the agenda, if he had not already done so in advance on the Register of Interests. None were declared.

7. **MINUTES (10:05)**

Resolved: That the minutes of the previous meeting held on 28 June 2022 be approved as a correct record and be signed by the Executive Member.

8. **PUBLIC PARTICIPATION (10:05)**

It was reported that there had been two registrations to speak under the Council's Public Participation Scheme.

Gwen Swinburn spoke under the general remit of the 10 year economic plan, suggesting that it was not fit for purpose. She listed a number of areas in which she felt that the strategy was deficient, highlighting that the strategy made no mention of targeting inequalities in deprived communities. She noted that the key actions in the strategy were unfocussed and suggested that it needed to be rewritten.

Cllr Kilbane spoke on agenda item 4, Quarterly Economic Update. He welcomed inward investment being taken in house at the council and he asked for clarification on the staffing

structure of the inward investment team. He raised a number of questions concerning update and made requests to the Executive Member for areas of inclusion in the report.

The Executive Member noted the speakers' comments and advised that before the Decision Session he and officers had met with 15 businesses to discuss policy.

9. QUARTERLY ECONOMIC UPDATE (10:16)

The Executive Member considered a report providing updates on the local financial climate, core business support work and Council-led initiatives, and includes an update on the state of the national and local economy, key account management work, progress against major milestones, and inward investment. The Head of Economic Growth and Director for Housing, Economy and Regeneration were in attendance to present the report. The Head of Economic Growth detailed the report, highlighting that:

- The number of people on payroll had increased.
- The claimant count was 1200 above pre covid levels.
- City centre footfall was 15% down. There had been spikes in footfall during the changing footfall restrictions. This figure was now levelling up.
- There had been a successful visit from the Minister for Rail the previous day for the bid to bring GBR Rail to York.
- The York Festival of Business was in development and 2000 businesses received the business bulletin.

The Executive Member then asked several questions about the update to which the Head of Economic Growth and Director for Housing, Economy and Regeneration explained:

- How the claimant count had changed during different economic phases, including covid.
- The background to the inward investment posts and the staffing structure for it. It was noted that the Head of Inward Investment would consider the resources needed to support this when they were in post.
- The concerns raised by businesses at the business breakfast that morning. These concerns included the cost of doing business (particularly for sole traders), which was causing stress, impacting mental health and causing uncertainty. There was concern around skills recruitment and retention, with uncertainty being the common theme in concerns.

The Head of Economic Growth and Director for Housing, Economy and Regeneration then addressed the points raised by the public speakers. The Executive Member noted that the 10 year economic strategy was a draft strategy that included health implications within it. He asked the Head of Economic Growth and Director for Housing, Economy and Regeneration about the themes for the Business Festival and they explained that they would be working with partner organisations on this. Businesses were encouraged to email economic.growth@york.gov.uk for information on support for their businesses. The Executive Member then;

Resolved: That the contents of the Quarterly Economic Update report be noted.

Reason: To support York's ongoing economic work and understand how York is performing from an economic perspective.

Cllr Mason, Executive Member

[The meeting started at 10.04 am and finished at 10.27 am].

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Decision Session – Executive Member for Economy and Strategic Planning **27 September 2022**

Report of the Corporate Director of Place
Portfolio of the Executive Member for Economy and Strategic Planning

FOOD SERVICE PLAN 2022/2023

Summary

1. The council is required to produce an annual food service plan to satisfy the statutory requirements within the Food Law Code of Practice which is overseen by the Food Standards Agency (FSA).
2. It is recommended that the service plan is approved at a level which ensures local transparency and accountability.

Recommendations

3. The Executive Member is asked to:
 - a) Approve the food service planReason: This will ensure that the council has a plan to fulfil its obligations under the Food Law Code of Practice.

Background

4. The FSA has a key role as the 'Central Competent Authority' in overseeing official feed and food controls undertaken by Local Authorities and ensuring their activities meet the requirements of the Food Law Code of Practice. It also seeks to work in partnership with local authorities to help them to deliver official feed and food controls.
5. Service plans are seen as an important part of the delivery process to ensure that national priorities and standards are delivered locally.
6. The FSA advises that a service plan should include the following information about the services they provide;
 - the means by which they will provide those services

- the means by which they will meet any relevant performance targets or performance standards; and
 - a review of performance, in order to address any variance from meeting the requirements of the service plan and identification of areas for improvement.
7. Local Authorities are subject to a programme of audits by the FSA. As part of these audits, the FSA would expect to find a service plan in place on which the Local Authority can be audited. The results of these audits are published in the public domain.
 8. The FSA are not prescriptive on who should approve the service plan, but suggests it is approved at a level that ensures local transparency and accountability.
 9. It is also worthy of note that the FSA are undertaking a fundamental review of the way that Local Authorities regulate food businesses through their 'Regulating Our Futures' programme.

Consultation

10. The service plan in Annex 1 reviews last year's performance and considers service delivery for the year ahead. As our service delivery for the year ahead is prescribed by the Food Law Code of Practice consultation is not considered necessary.

Options

11. (a) Approve the food service plan.
(b) Approve the food service plan with amendments.
(c) Not approve the food service plan.

Analysis

12. Options (a) and (b) will ensure that the council fulfils its obligation to have a food service plan, and will ensure we meet our statutory obligations. It will ensure all premises due an inspection or other type of intervention will receive one.
13. Option (c) would leave the council in a position of reputational risk and possibly subject to adverse publicity e.g. by the FSA.

Council Plan

14. The food service plan contributes to the corporate council priorities in the Council Plan as follows:
- **Good Health and Wellbeing:** Every resident enjoys the best possible health and wellbeing throughout their life.
 - **Well-paid jobs and an inclusive economy:** High-skilled and better-paid jobs in sustainable businesses, providing opportunities for all York's people in an inclusive economy.
 - **Safe Communities and culture for all:** People are safe from harm in strong, resilient and supported communities, enhanced by an appealing and inclusive cultural offer. We respond to complaints from members of the public and investigate cases of food borne illness in the community.
 - **An open and effective Council:** We work as an open, transparent and accountable organisation, in partnership with key stakeholders, to deliver on residents priorities. We help and support businesses.

Implications

15. **Financial** - The proposals set out can be delivered within existing budgets.
16. **Human Resources (HR)** - There are no HR implications.
17. **Equalities** – The work contained in the food service plan has to be delivered in accordance with the Food Law Code of Practice. However, there are clear overlaps with a number of the One Planet York principles, including health and happiness, equity and local economy and culture and community. Our services, particularly the pre-inspection consultancy advice visits, are designed to help local businesses thrive and grow.
18. The service deals with a wide range of customers, including various ethnic groups. The service already adapts its service to meet the needs of different groups.
19. **Legal** - Failure to deliver a food service in accordance with our obligations could result in the FSA taking over delivery of the council's food service.

- 20. **Crime and Disorder** – The work programme is aimed at ensuring businesses are meeting their legal obligations and can link to the disruption of wider criminal activity including modern slavery and organised crime gangs.
- 21. **Information Technology (IT)** – There are no IT implications.
- 22. **Property** – There are no property implications.
- 23. **Other** – There are no other implications.

Risk Management

- 24. The risks associated with the food plan and the steps to manage them through a regular review of performance indicators are highlighted above.

Contact Details

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Chief Officer Responsible for the report:
James Gilchrist
Director of Transport, Environment and Planning
Report **Date** 14/09/2022
Approved

Specialist Implications Officer(s) List information for all

N/A

Wards Affected: List wards or tick box to indicate all **All**

For further information please contact the author of the report

Annexes

Annex 1 – Food service plan 2022/2023

Annex 2 - Equality Impact Assessment - Food Service Plan 2022-2023

List of Abbreviations Used in this Report

Food Standards Agency (FSA)

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PLACE DIRECTORATE

FOOD SERVICE PLAN 2022/2023

**Drawn up in accordance with the
Food Standard Agency's Framework Agreement**

FOREWORD

Under the statutory Food Law Code of Practice, City of York Council (the Council) is required to produce an annual service plan that covers their various food functions.

The Public Protection team carry out many of the Council's regulatory functions particularly those relating to Environmental Health, Trading Standards and Licensing and is responsible for the all the Council's duties in relation to food and feed. For clarity, this includes (i) food hygiene matters i.e. that food is safe to eat, (ii) food standards matters i.e. that food is what it says it is and (iii) similar provisions in relation to animal feed.

This service plan sets out our aims and objectives for 2022/2023 and also looks at what demands are placed on the team and what resources are available to meet those demands. It also reviews our performance over the last year. To this end, any variance between the 2021/2022 planned and actual performance is highlighted as well as any service improvements.

This plan illustrates the effective use of existing resources to target the highest risk businesses, while maintaining a balanced enforcement mix.

The current system of ensuring food hygiene and standards has its roots in the Food Law Code of Practice introduced in 1990. The Food Standards Agency (FSA) is currently reviewing the way this activity is delivered, and there may be changes to the role Local Authorities play in the coming years.

1. SERVICE AIMS AND OBJECTIVES

1.1 Aims and objectives

The Council strives to achieve the following in its various food related functions:-

- To approve and register food/feed premises as prescribed by government;
- To operate a comprehensive regime of interventions, for example inspections, sampling, advice and other approaches, including formal enforcement action, to ensure that food and animal feed is safe and is what it says it is;
- To 'score' food hygiene businesses in accordance with the FSA's food hygiene rating system;
- To provide support, assistance, training and advice to local businesses, thereby enabling them to produce and market products that comply with legal requirements and best practice. In the process of this support, help businesses recover from the coronavirus pandemic, survive the cost of living crisis and those which want to grow, grow. There may be a charge for these services;
- To act as a Primary Authority and Originating Authority, and deal with enquiries referred to us by other agencies;
- To investigate complaints about the labelling, composition, safety and fitness of food, feeding stuffs and the operation of food premises;
- To take prompt and effective action in response to food hazard warnings and other threats to food safety in York;
- To investigate cases of communicable disease notified to the Authority;
- To share intelligence obtained in the course of our work with the police and other law enforcement agencies to help wider social

issues such as tackling modern slavery and disrupting organised crime gangs.

- Through all of the above, ensure the health and well-being of residents and visitors to the city.

1.2 Links to corporate objectives and plans.

The Council's Plan for 2019-2023 includes the following eight key priorities:

- **Good Health and Wellbeing:** Every resident enjoys the best possible health and wellbeing throughout their life.
- **Well-paid jobs and an inclusive economy:** High-skilled and better-paid jobs in sustainable businesses, providing opportunities for all York's people in an inclusive economy.
- **Getting around sustainably:** People benefit from the wide range of transport options available to them, including cycling and walking, with the city's roads, footpaths and cycle network prioritised for improvement.
- **A Better Start for Children and Young People:** Families and carers are supported, so that every child and young person has the opportunity to develop, learn and achieve their aspirations.
- **A Greener and Cleaner City:** York's environment is protected and enhanced through investment in the council's frontline services, on the path to sustainable living.
- **Creating homes and World-class infrastructure:** The right housing is affordable and available alongside good quality infrastructure to support communities and business.
- **Safe Communities and culture for all:** People are safe from harm in strong, resilient and supported communities, enhanced by an appealing and inclusive cultural offer.

- **An open and effective Council:** We work as an open, transparent and accountable organisation, in partnership with key stakeholders, to deliver on residents priorities and achieve the Council Plan outcomes for our city.

1.3 Public Protection managers review the demands across the whole service annually and refresh a Public Protection service plan which describes all the activities we will undertake during the course of the year to support the priorities listed in the Council plan. This includes delivering this specific food service plan to ensure that food businesses are meeting their legal obligations.

2. BACKGROUND

2.1 Profile of the council

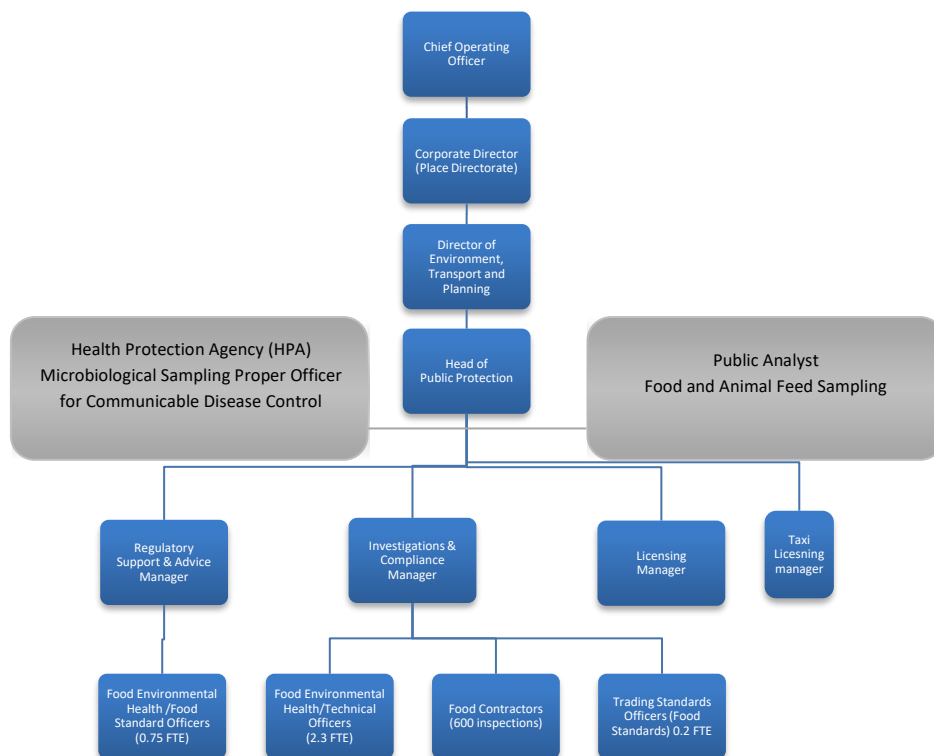
City of York Council is a unitary authority, with a population of 202,800 (according to the 2021 census) and an area of 27,250 hectares. The majority of the electorate are located in the urban city area, with the remainder resident in the outlying towns and villages.

The area is predominantly urban, covering the historic city with the associated tourism, hospitality and catering activities. Studies show that food and drink is the largest area of spend for tourists.

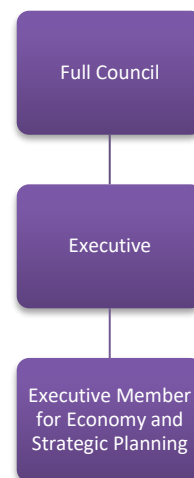
2.2 Organisational structure

The following diagram shows how those responsible for managing and delivering food and animal feed activity fit into the Council's overall structure and also the political structure.

Officer Structure



Political Structure



Other specialist support services include:-

- Public Analyst services for food are provided under contract by 'The Public Analyst Service Ltd'. Feed samples are analysed under the North Yorkshire County Council contract for animal health and feed.
- Microbiological food examination is carried out under service level agreement with the Health Protection Agency (HPA) laboratory service.

2.3 Scope of the food and feed service

The Public Protection team has responsibility for all of the council's food hygiene, food standards and animal feed activities (including 'primary production' activities).

The structure charts above, show that in relation to food matters the team comprises of both environmental health and trading standards professionals, in addition to technical support staff. Some officers have dual qualifications and are therefore able to deal with both food hygiene and food standards matters. We have additional support from specialist Food Safety contractors to deliver routine inspections and North Yorkshire County Council delivers our animal feed activity under a contract for services.

On a day to day basis, officers are involved in the following specific activities:

- A programme of interventions focusing on food and feeding stuffs. This primarily consists of inspections conducted for food safety matters conducted in accordance with a risk assessment (as described in the Food Code of Practice).
- 'Scoring businesses' after an intervention in accordance with the Food Hygiene Ratings Scheme. We also deal with appeals and re-score visits (a charge is made for businesses wishing to be re-scored on a 'cost recovery' basis).
- Investigation of complaints from consumers, and reacting to intelligence from other sources.
- Investigation of food poisonings/infectious disease notifications.
- Promotion and education/advice for businesses and the public. For example, we provide pre-food hygiene rating inspections for businesses, on a cost recovery basis, to help raise standards locally.
- Sampling of food and animal feed.
- Sharing intelligence obtained in the course of our work with the police and other enforcement agencies to help tackle wider social issues including modern slavery and organised criminal activity.
- Signposting growing businesses to the help available through the Local Growth Hubs.

Our Environmental Health Offices also have responsibility for Health and Safety duties in certain business premises (those outside of the scope of the Health and Safety Executive) and also occasionally assist in other areas of Public Protection work including support with trading standards prosecutions – in particular disclosure of unused material.

2.4 Demands on the food team

The Council's area contains a mix of manufacturing, retail and catering premises; hospitality and catering are the dominant sectors. There is a large international confectionery manufacturer, a district hospital, various large academic institutions and a racecourse. We have a relatively small number of farms.

Table 1 - Breakdown of food premises by FSA category (from Civica records).

FSA Category	Number on 1 April 2022
FSA Primary Producer	10
Manufacturer & Packer	44
Importer/Exporter	2
Distributor/Transporter	20
Retailers Other	83
Restaurants/Cafe/Canteen	514
Supermarket/Hypermarket	62
Small Retailer	256
Hotel/Guesthouse	125
Pub/Club	220
Takeaway	208
Caring Establishment	130
School/College	93
Mobile Food Unit	54
Restaurant/Caterers - Other	241
Total	2062

The number of food premises fluctuates year on year, but is typically around the 2,000 mark. As can be seen, the profile of food premises in York is heavily biased towards restaurants and caterers, which is a reflection of the city's status as a major tourist destination.

As a result of the Coronavirus pandemic and current economic situation we have already seen an increased turnover of business ownership in the restaurant and catering food sector, and anticipate that this will continue in the year ahead. This 'business churn' places a strain on the team's resources due to requirement to undertake inspections of these new premises.

Under the product specific Regulation (EC) 853/2004, there are four premises that are currently 'approved' by the food team, these being two egg packing centres, one dairy processing plant and one fish processing plant, the latter being approved during 2021/2022.

The team works in accordance with the principles of the Primary Authority scheme, which is promoted by the Office of Product Safety and Standards (part of the Department for Business, Energy & Industrial Strategy or 'BEIS' as it is commonly referred to). We have developed Primary Authority Partnerships with a number of local businesses.

The service is primarily delivered from council offices at the Eco Depot, Hazel Court, York, but the majority of officers now work at home for around three to four days a week.

The council's hours of operation for the general public are 08:30 -17:00, Monday to Friday. Given the number of restaurants and takeaways, a lot of our interventions, such as inspections, are conducted outside of these hours.

2.5 Regulatory Policy

The Public Protection team follow an enforcement policy which ensures we operate in accordance with the Regulators' code. The formal enforcement action taken under the enforcement policy is reviewed by Members annually.

2.6 Covid-19 Impact

During 2021/2022 the Covid-19 pandemic continued to have a huge impact on the way the world operates. The impact of lockdowns on food businesses has been significant with many businesses being unable to operate during lockdown or having to adapt and operate in new ways.

The Covid-19 lockdown restrictions have also had a huge impact on the work of Public Protection and, like other Local Authorities, prevented us from being able to carry out a large number of food inspections, except for where an imminent food safety matter was identified. Guidance issued by the Food Standards Agency during 2021/2022 and for the year ahead, under the 'Covid Recovery Plan', is being used to help prioritise our service to deal with the greatest risks to public health and safety.

As a result of the reduced number of inspections conducted during the Covid pandemic there is a backlog of some 300 inspections , representing approximately 1/3 of all food hygiene inspections which were due in the 2020/2021 financial year. We are however making good progress against the Food Standards Agency's 'Recovery Plan' (see below) and in that respect are ahead of where we are expected to be.

Whilst Public Protection were unable to carry out significant numbers of inspections during lockdown, advice was given to many businesses on compliance with new Covid-19 regulations and guidance.

3. SERVICE DELIVERY

3.1 Interventions at Food and Feed Establishments

The term 'intervention' is used to cover the broad range of controls that we use when dealing with food businesses to verify compliance with food law. Interventions are classified as either 'official controls' or as 'other interventions'. The following definitions are taken from the Code of Practice:

Interventions that are 'official controls' include:

- inspections;
- monitoring;
- surveillance;
- verification;
- audit; and
- sampling - where analysis/examination is required these are to be carried out by an Official Laboratory.

Other interventions, i.e. those which *do not* constitute official controls include:

- education, advice and coaching (including where businesses pay for this advice); and
- information and intelligence gathering (this can include sampling for information gathering purposes, obtaining relevant information during visits for other reasons, internet research, telephone surveys, and self-assessment questionnaires).

All food premises are 'risk rated' to reflect the products they supply and the systems they have in place to ensure compliance. Almost all food businesses must receive an intervention within a defined period of time. In some cases the intervention must be an 'official control' (and in some cases only a certain kind of 'official control' e.g. an inspection). In other cases, generally lower risk businesses, this can be an 'other intervention' which is not an 'official control'.

Examples of highest risk premises are places serving particularly vulnerable people, and/or places serving high risk foods with short 'use by' dates and a poor record of compliance. Examples of lowest risk premises (providing they have good systems in place and there is good

confidence in management) are retailers selling pre-packed foods, pubs/clubs only serving drinks and bar snacks, sweet/chocolate shops and cake manufacturers amongst others.

3.2 Food Hygiene Interventions

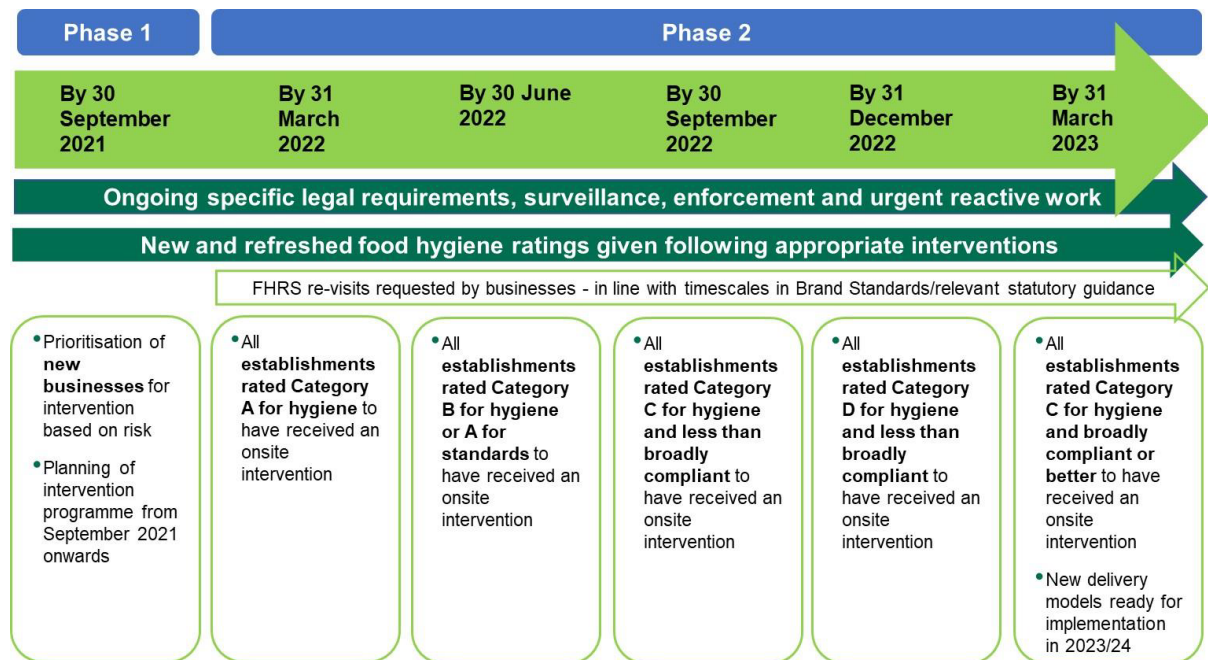
Review of last year's food hygiene intervention performance (2021/2022)

As noted, during 2021/2022 Public Protection were unable to carry out all the food hygiene interventions, normally required by the Food Law Code of Practice, due to the ongoing Coronavirus pandemic, businesses being closed, and re-directing resources to deal with Covid enforcement work.

As a result of these issues, which were not unique to York, the FSA issued guidance to local authorities, known as the Covid Recovery Plan, advising they prioritise higher risk food businesses for interventions. The aim of this being to reduce risk of transmission of the virus, reduce the burden on local authority resources being used to combat Coronavirus, but ensure that food hygiene standards were still being met by higher risk or poorer performing food businesses.

The Covid recovery plan, updated in June 2021, required all local authorities to carry out relevant food hygiene interventions as per Figure 1 below, as a minimum.

Figure 1: Outline of the FSA Recovery Plan



However, Public Protection committed to inspect the following in 2021-22

- all ‘A’ rated food businesses,
- all ‘B’ rated food businesses,
- all ‘C’ rated food businesses,
- all non-broadly compliant ‘D’ rated food businesses,
- all new food businesses

This being above the minimum FSA intervention standard required.

Table 3.1 below shows a summary of the performance against the Covid Recovery Plan for 2021/2022 and also our own targets as set out above.

Table 3.1 Food hygiene interventions from 01/04/21 to 31/03/22

High risk ← → Low risk

Premises intervention rating	A	B	C	D	E	Unrated	New	Total
No. of interventions normally required	16	42	261	724	201	58	144	1,446
No. of interventions required by FSA recovery plan	16	42	10	0	0	58	144	270
No. of interventions required by Public Protection Plan	16	42	261	35	0	58	144	553
No. of interventions postponed by recovery plan	0	0	0	653	184	0	0	837
No. of interventions achieved	13	38	171	35	3	40	108	408
No. of premises closed so unable to inspect	3	4	38	36	14	18	16	126
No. of premises where no intervention was achieved	0	0	52*	1*	0	0	20**	73

* Unable to inspect but businesses rated with a food hygiene rating score of 5.

** Businesses registered late in 2021/2022 year and moved into 2022/2023 inspection programme

As can be seen – apart from the new businesses who registered late in the year - Public Protection were able to undertake all the interventions required by the FSA's recovery plan, as well as carrying out interventions over and above the requirements of that recovery plan.

Of the above inspections carried out 86% of the businesses received a broadly complaint food hygiene rating (Scores of 3, 4 or 5), and 41% received a food hygiene rating score of 5.

Across all businesses in York, including those not inspected this past year, 97% are rated as broadly compliant and 75% have received a food hygiene rating of 5.

Proposed Food Hygiene Intervention Plan (2022/2023)

In March 2022, The Food Standards Agency issued an update to their Covid-19 Local Authority Recovery Plan detailing local authority expectations on the recovery of the food intervention plan until the end of March 2023.

The emphasis of the plan continues to prioritise higher risk premises for interventions where higher risks arise from businesses who are inherently high risk due to the nature of their products or services they provide, or from businesses who are high risk due to their poor food hygiene practices and procedures.

The FSA Covid recovery plan requires that all local authorities carry out relevant food hygiene interventions as a minimum between April 2022 and March 2023 at

- all 'A' rated food businesses,
- all 'B' rated food businesses,
- all non-broadly compliant 'C' rated food businesses,
- all non-broadly compliant 'D' rated food businesses, and
- all newly registered food businesses

To comply with the FSA's minimum intervention recovery plan Public Protection proposes on inspecting

- all 'A' rated food premises,

Food Service Plan – 2022/2023

- all 'B' rated food premises'
- all 'C' rated food premises,
- all non-broadly complaint 'D' rated food premises (food hygiene rating of 0-2),
- all 'D' rated food premises with a food hygiene rating of 3 or 4
- all butcher premises, and
- all newly registered food businesses

As can be seen Public Protection are again going beyond the minimum requirements set out by the FSA.

Based on the above it is anticipated that the following interventions will be required this financial year, see table 3.2.

Table 3.2 Food hygiene interventions due: 1 April 2022 - 31 March 2023

High risk ←————→ Low risk

Premises intervention rating	A	B	C	D	E	Unrated*	Total
No. of premises officially requiring intervention (including all overdue interventions) under normal circumstances	15	60	215	791	315	93	1,489
No. of interventions Planned (compliant with FSA Recovery Plan)	15 (30)	60	215	282	0	93	665 (680)

* This is the number of unrated premises at the start of the year. There will be more premises during the year as new businesses open etc.

In addition where intelligence or complaints are received about a business, which is classed as a 'D' risk category premises with a food hygiene rating of 5, or a risk category 'E' premises, then public protection will consider carrying out an additional food intervention to ensure that food hygiene standards are maintained.

3.3 Food Standards Interventions

Review of last year's food standards intervention performance (2021/2022)

As per the food hygiene standards interventions, food standards interventions in 2021/2022 were also affected by the Coronavirus pandemic. Under the FSA's Covid recovery plan, updated in June 2021, all local authorities were required to carry out food standards interventions as detailed in Figure 1 previously shown above.

Under normal circumstances Public Protection would usually inspect premises falling within the High 'A' premises intervention rating category and take an 'intelligence led' approach to food standards for those premises falling within the medium, low or unrated premises intervention rating categories, rather than following the regime specifically set out in the Food Law Code of Practice.

However under the FSA's Covid Recovery Plan, Local Authorities were required to inspect all higher 'A' rated food standards businesses and identify any unrated or new food businesses which would be likely to be classed as 'A' rated businesses. Where any businesses were identified as being 'A' rated then the FSA require that they are inspection by the end of June '22.

During 2021/2022 Public Protection received additional funding from the FSA to carry out a telephone survey of the 1,100 previously unrated food businesses, with those interactions being classed as an interventions.

Table 3.3 below shows a summary of the performance against the Covid Recovery Plan for 2021/2022.

Table 3.3 Food standards interventions from 01/04/21 to 31/03/22

Premises intervention rating	High 'A' Risk	Medium 'B' Risk	Low 'C' Risk	Unrated	New	Total
No. of interventions required under FSA recovery plan	6	0	0	1,100	71	1,177
No. of interventions achieved	4	0	0	769	0	773
No. of premises closed	2	0	0	127	0	129
No. of interventions not achieved	0	0	0	204	71	275

As can be seen Public Protection managed to inspect all the existing 'A' rated food standards premises and survey 896 of the unrated food premises, of which 127 were found to be closed. We did not carry out any interventions with new businesses (although some key issues like advising on food allergens are addressed by Environmental Health Officers on the opening food hygiene inspection)

Table 3.4 below shows the results of risk categorisation of the unrated food premises contacted in the prioritisation survey. The results of which inform this year's food standards plan below.

Table 3.4 Telephone Survey Prioritisation Results

	High 'A' Risk	Medium 'B' Risk	Low 'C' Risk
Numbers of Premises	18	497	257

Proposed Food Standards Intervention Plan (2022/2023)

The FSA recovery plan continues to require that all local authorities carry out relevant food standards interventions at all 'A' category premises, and consider all new and unrated premises.

In relation to category 'B' and 'C' premises no interventions are required until 2023/2024, or when any new Food Standards delivery model is ready for implementation, unless intelligence or complaints are received about a business and indicates that there may be issues of concern. This is akin to the approach that we have been taking to Food Standards inspections for a number of years.

Based on the above it is anticipated that the following food standards interventions will be required this financial year (see table 3.5).

Table 3.5 Food standards interventions due: 1 April 2022 - 31 March 2023

Premises intervention rating	High 'A' Risk *	Medium 'B' Risk	Low 'C' Risk	Unrated	New	Total
No. of interventions required under FSA recovery plan	18	0	0	275	~ 100	393
No. of interventions Planned compliant with FSA Recovery Plan	18	0	0	275	~100	393

This will involve inspecting the three previously identified 'A' rated; and 18 premises identified in the prioritisation survey by end of June 2022. We are pleased to advise that these inspections have now been completed.

In addition by the end of September 2022 it is hoped that we will have completed the prioritisation of the remaining 275 unrated food premises and, where necessary, undertaken inspections of any additional premises likely to be classed as 'A' risk.

For new businesses registering during the 2022/2023 year, each business will be assessed using a prioritisation questionnaire or telephone survey, and any identified as being likely to fall within a high or 'A' rating will receive a formal inspection as required.

Where intelligence or complaints are received about a business which falls within the 'B' or 'C' risk categories, then public protection will consider carrying out an additional food standards interventions.

In addition to the above our Environmental Health Officers will continue to give advice in relation to food allergens during the course of their food hygiene visits.

3.4 Feeding stuffs/primary production interventions 2022/2023

City of York Council has a total of 192 registered feed premises, as required by Regulation 183/2005, which are involved in the use, manufacture or marketing of feed.

In 2021/2022 a total of 12 programmed animal feed interventions were due to be undertaken, with 11 interventions actually undertaken by North Yorkshire County Council, under the animal health and feed contract, on behalf of City of York Council.

In 2022/2023 a total of 9 programmed animal feed interventions are due to be undertaken, again to be undertaken on behalf of City of York Council by North Yorkshire County Council under the animal health and feed contract.

As well as proving their competence and ability to deliver the service in a customer focussed way, the supplier was asked to demonstrate the ways in which they could contribute towards the council commitment to becoming carbon neutral and help tackle some of the wider concerns around modern slavery and organised crime. Where appropriate we will incorporate primary production hygiene interventions to reduce the burden on farms.

3.5 Food and Feed Complaints

We investigate food and feeding stuffs complaints in accordance with procedures in our quality management system.

In 2021/2022 we received 79 complaints about the safety of food and 113 complaints about the hygiene of premises. We received a further 13 complaints about food standards. These figures are fairly consistent year-on-year, reflecting how busy the food sector is in York and the high awareness of food issues amongst our customers. We anticipate a similar number of complaints in the year ahead.

3.6 Food and feed sampling

The food safety team is primarily concerned with the microbiological safety of food, but also samples food to establish the nature and likely harm arising from foreign bodies and the like.

The sampling programme tends to focus on areas of past non-compliance, premises that are failing to meet minimum standards and emerging priorities such as cross contamination in connection with E.coli.

Each year Public Health England undertakes microbiological analysis of the samples we take, most of which are done without charge under a credits system. It is not known at this stage whether recent changes to Public Health England will affect this provision.

Our food standards samples look at the description, composition and labelling of food, to ensure that legal requirements are being met. Samples are normally targeted at areas where problems are regularly found, or where intelligence and/or complaints suggest there could be issues.

The team sample foods and feeding stuffs in accordance with national guidance. We participate in nationally co-ordinated sampling programmes, such as those organised by Public Health England, and also sample where local intelligence indicates a need (e.g. where poor food handling practices are observed).

We are currently recording our food standards and food safety samples on the United Kingdom Food Surveillance System.

Due to the Covid pandemic no samples were undertaken during 2021/2022, compared to 47 being undertaken in 2019/2020, the last year before the Covid pandemic.

3.7 Control and Investigation of Outbreaks and Food related infectious disease

The team investigate all food poisoning notifications and outbreaks of food borne disease in accordance with procedures agreed with Public Health England and our local quality procedures.

In 2021/2022 the team received 73 formal notifications of infectious disease, with a similar number of notifications anticipated in the coming year.

3.8 Food/feeding stuffs safety incidents

We deal with all food alerts from the Food Standards Agency (FSA) in accordance with the Food Code of Practice and our local quality management system. Notifications are received from the FSA by e-mail and appropriate action is taken in each case.

The reactive nature of these notifications makes it difficult to estimate the likely level of future activity. Although alerts can be issued by the FSA for information only, some require a formal response. A formal response might involve issuing a local press release or contacting multiple food businesses directly, which has resource implications.

3.9 Primary Authority Scheme

We are committed to following the principles of the Primary Authority scheme and have entered into Primary Authority agreements in relation to food with seven businesses.

3.10 Advice to businesses/customers

The team provide high levels of support and assistance to businesses operating or intending to operate in the City of York area.

We typically receive around 300 requests for business advice each year, but in 2021/2022 we actually received 410 requests, as well as numerous requests for advice and support in relation to Covid.

Advice is often requested by prospective businesses before they commence trading. We are seeing many new premises opening and new business proposals being considered. We anticipate dealing with a

much higher number of requests for advice in 2022/2023 as a result of the high levels of business churn being currently experienced.

We also receive a large number of requests for advice from businesses interested in improving their rating under the Food Hygiene Rating Scheme. We provide this service for a charge on a cost recovery basis using a Pre-Inspection Audit (PIA).

Last year 57 businesses took up this PIA service, this number being lower than in the years prior to the Covid pandemic, when typically around 70 or so PIAs were carried out each year.

Of the 57 businesses receiving a PIA last year, 45 were existing businesses and 12 were newly registered food businesses. For the existing businesses, 38% of the businesses saw their food hygiene rating score improve when they received their formal food hygiene inspection, 49% saw their food hygiene rating score remain the same (mainly for those with existing food hygiene rating scores of 4 and 5), and 6 businesses saw their score reduce.

For new businesses, 58% of the businesses who had a PIA received a food hygiene rating score of 5 at their formal food hygiene inspection, and 67% received a 'Broadly Compliant' food hygiene rating inspection score.

This demonstrates that these pre inspection advice visits do improve standards.

3.11 Liaison with other organisations

The team will ensure that it is operating in a manner that is consistent with both neighbouring and national local authorities and other agencies. Various methods will be used to facilitate this, including benchmarking, peer review and liaison with:-

North Yorkshire Food Liaison Group

Our regional food liaison group works under the wing of the North Yorkshire Chief Environmental Health Officers Group. All eight North Yorkshire local authorities are represented on both of these groups. Of particular relevance is the food safety quality management system (QMS) which the group maintains. Officers from the other authorities in the North Yorkshire region are of course preparing for Local Government re-organisation which will see their services amalgamated into one team

across the region. It is yet to be decided how this will impact on the North Yorkshire Chief Officers Group.

Yorkshire and the Humber Trading Standards Group – Food and Feed

This group is formed by the Yorkshire and Humber Trading Standards Executive Group and meets at least once a year to discuss food standards issues. They look at regional projects where intelligence indicates there are emerging issues, for example counterfeit alcohol or meat substitution.

Public Health England (PHE)

The PHE food laboratory, based at FERA near York, undertake microbiological analysis of food samples on our behalf. Regular meetings are held to promote coordination and good sampling practice across the region.

North Yorkshire District Control of Infection Committee

This is a multi-disciplinary group of public health consultants, consultant microbiologists, environmental health officers, infection control nurses, general practitioners and associated professions. It meets on a quarterly basis to discuss infection control issues and set policies in relation to their investigation and control.

North Yorkshire Police Disruption Panel

The panel exists to share intelligence and undertake activities to disrupt organised crime, including activities connected with food businesses. Where the team receives a food related complaint that does not fall within its enforcement remit or geographical enforcement area, it refers the person concerned to the correct body or forwards the item of work to the relevant authority without delay.

3.12 Promotional and project work

The team continues to raise consumer and business awareness through press releases, particularly following prosecutions.

4. RESOURCES

4.1 Financial allocation

The net Public Protection budget, for all environmental health, trading standards and licensing functions is £1.3m per annum.

4.2 Allocation of staff

As can be seen in the structure chart above, our food officers are shared across two teams i.e. 'Investigations and Compliance' which carries out the bulk of our interventions and enforcement, and 'Regulatory Support and Advice' which provides business advice. The resources are however shared between the two teams as demand requires it.

Full time officers spend approximately 1,200 hours per annum on front line related tasks. Of this time, the majority of the team spend approximately 50% of their time on food related issues i.e. 600 hrs per year per FTE. The technical officer spends ~100% of their time on food.

Therefore, we have 3,660 hours of officer time to deliver the food service, and will be broken down as follows.

Task	Time (hours)
Lead officer role – performance monitoring, service planning, NY food group	120
Intervention programme (in house staff only)	750
Enforcement work (e.g. investigations/prosecutions)	280
Food Hygiene Rating Scheme	60
Food/premises complaints, including business advice, alerts etc.	900
Infectious disease	120
Primary authority/income work	780
Project work	120
Management of food contractors	250
Sampling	150

Officer training	140
TOTAL TIME TO DELIVER SERVICE	3,660

In addition to the above resources there is a budget of £40,000 for contractor inspections which will purchase in the region of 600 inspections. Some of which may be used this year to supplement our increased food standards work as required by the FSA's Local Authority Covid Recovery Plan.

Animal Feed

Our animal feed/primary production inspections will be carried out on our behalf by competent officers at North Yorkshire County Council.

Management

The above figures do not include Management time, which will be undertaken within existing resources.

4.3 Staff development plan

The Food Law Code of Practice requires that staff achieve at least 20 hours of food related Continuing Professional Development (CPD) each year.

Staff development needs are identified on an ongoing basis, through the team's quality management system. We also hold annual Performance Development

Reviews with individual officers, where the training needs are considered. Identified training needs will be met by:-

- Training to achieve specific qualifications
- Attendance of technical seminars/courses
- In-house training on specific issues
- Cascade training by staff that have attended relevant courses
- Use of online training resources (e.g. FSA online content)

Training records show that officers achieve the required levels of CPD training required by the Food Law Code of Practice.

5. QUALITY ASSESSMENT

5.1 Quality assessment and internal monitoring

The food team operates within the North Yorkshire Food Liaison Group's quality management system (QMS).

The QMS includes a rigorous system of controlled documents that state the minimum standards for our food enforcement activities. It includes internal monitoring within the authority and is further enforced by inter-authority auditing.

The system ensures the delivery of high quality enforcement activity across the City of York, which is consistent with the other North Yorkshire authorities and is in accordance with good practice.

5.2 External monitoring

The Council's activities are subject to periodic monitoring from the Food Standards Agency. The last monitoring visit took place in February 2022 in relation to Food Standards, whereby a plan of action as previously detailed was put in place. This plan was completed and signed off as complete in March 2022.

6. ENFORCEMENT

6.1 Formal action

The following table 6.1 summarises the level and types of formal enforcement action taken in 2021/2022.

Generally we believe that to be effective, the full range of enforcement options should be used, from informal letters offering advice, through to prosecutions where this course of action is considered appropriate.

Formal action was made more difficult in 2021/2022 due to the partial closure of the courts, due to Covid, and as a result the need for the courts to concentrate on Crown Prosecution Service cases.

Table 6.1 Summary of Public Protection Food safety/standards Enforcement 2021/2022

Type Of Action	Numbers Taken/ Issued 2021/2022
Voluntary Closures	2
Seizure of detention of foods	0
Emergency Prohibition Notice	0
Prohibition Notices	0
Simple Caution	0
Hygiene Improvement Notice	5
Remedial Action/Detention Notices	0
Prosecutions Concluded	0
Prosecutions Pending	3
Written Warnings	392

7. SUMMARY

7.1 Summary of performance – including key variations from the service plan.

We carried out a food hygiene intervention for the vast majority of all the premises due an intervention in 2021-2022, with those missed being as a result of the impact of the coronavirus pandemic since March 2020 and the premises being lower risk.

We have also continued to take firm enforcement action against the poorest performing businesses, where possible due to the pandemic, with 1 business prosecuted for food standards matters.

7.2 Customer Satisfaction

Public Protection regularly survey our business customers and members of the public, to ensure that we are providing a high quality, customer focused service.

In 2021/2022 our surveys found the following, as per table 7.1 below.

Table 7.1 Summary of Public Protection Satisfaction Survey Results 2021/2022

Directorate Measure	2021/2022 Result	Target
% of businesses reporting contact with officers was helpful	100%	95%
% of businesses reporting that they were treated fairly	98%	90%
% of business reporting that the visit was useful	98%	95%
% customers satisfied with the overall level of service provided	76%	85%

7.3 Areas of challenge of areas for improvement in 2022/2023

- Dealing with the backlog of missed food hygiene inspections should be manageable but there are challenges in dealing with the backlog of food standards unrated inspections as required by the Covid Recovery plan.
- Supporting business recovery from the pandemic and support through the cost of living crisis as well as advice as businesses re-open or new businesses start up. Advice will include signposting businesses to those offering grants and other forms of support to help businesses grow.
- Further improvements to intelligence gathering and sharing, particularly in relation to identifying victims of modern slavery and tackling organised crime.
- Undertake horizon scanning on food related issues.
- Improve our Proceeds of Crime capability – particularly amongst Environmental Health staff.
- Increased public interest and scrutiny of the food hygiene inspections.

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**City of York Council
Equalities Impact Assessment**

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Public Protection		
Name of the proposal :	Food Service Plan 2022/2023		
Lead officer:	Ant Dean		
Date assessment completed:	29/07/2022		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Anthony Dean	Public Protection Manager	City of York Council	Environmental Health and Trading Standards

Step 1 – Aims and intended outcomes

1.1	<p>What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.</p>
	<p>City of York Council has a legal responsibility to produce an annual food service plan which sets out the aims and objectives for the year, in relation to food safety and hygiene, food standards, and feed. The plan reviews the performance over the previous financial year, considers the likely demands on the service in the year ahead, and considers the resources available to do this.</p> <p>The report is submitted to the Executive Member Session for approval.</p>
1.2	<p>Are there any external considerations? (Legislation/government directive/codes of practice etc.)</p>
	<p>There is a central government requirement for local authorities to comply with relevant legislation, codes of practice, guidance on enforcement priorities and a framework document to produce an annual service plan for food law enforcement. This plan is supplementary to the Public Protection Service Plan.</p> <p>The plan provides more specific detail on the Service’s aims and objectives for the forthcoming year in complying with the current Food Law Code of Practice and Food Standards Agency Framework Agreement with Local Authorities, which embodies the requirements of the legislation.</p> <p>In addition the food plan also considers the views and requirements of the Food Standards Agency (FSA) who provide advice and guidance for food and animal feed interventions required by local authorities.</p>

1.3	<p>Who are the stakeholders and what are their interests?</p> <p>Food producers and retailers in the City Residents of York, and visitors to York who may visit local food premises, or anyone who consumes food labelled in the district Elected members Authorised officers engaged in Food enforcement activity Animal feed producers</p>
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Step 2 – Gathering the information and feedback

2.1	<p>What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights?</p> <p>Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.</p>	
	Source of data/supporting evidence	Reason for using
	Business customer satisfaction survey results	This survey assesses the effect of interventions undertaken, and how well the advice and service provided is received.
	<p>The Council retains a comprehensive database on which details of all inspections / interventions are recorded. The system identifies all known local premises on the basis of risk, and thereby enables a comprehensive risk-based inspection programme to be identified for the subsequent municipal year.</p> <p>This data is at the heart of the proposed Service Plan.</p>	This provides an understanding of the types of businesses inspected and the levels of compliance associated with business types.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
Gaps in data or knowledge		Action to deal with this
At this moment it is not known precisely how many food premises are managed by persons from particular ethnic groups, although it is suspected that certain types of food business (e.g. takeaways) are run by and tend to members of the BME communities.		Further information could be gained on this during the inspection process, when the ethnicity of food premises owners could be gathered. This could be cross referenced against compliance and customer satisfaction levels to help ensure these groups are not disadvantaged.

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	None identified	Neutral	Low
Disability	None identified	Neutral	Low
Gender	None identified	Neutral	Low
Gender Reassignment	None identified	Neutral	Low
Marriage and civil partnership	None identified	Neutral	Low
Pregnancy and maternity	None identified	Neutral	Low
Race	Language and literacy may add to the challenges of compliance, but information leaflets and translation services are available and our inspections are aimed at helping compliance	Positive	Medium

Religion and belief	Officers need to have a wide knowledge of diverse cultures domestically and commercially within the City. This includes knowledge and respect of different religions and faiths that we come into contact with on a day-to-day basis. E.g. knowledge of slaughterhouse rituals and types of foods consumed by different groups	Positive	Medium
Sexual orientation	None identified	Neutral	Low
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	None identified	Neutral	Low
Low income groups	Included in the inspection programme are food banks and other premises serving low income groups or those otherwise under financial pressure in the current economic climate to ensure that food is safe and what it says it is.	Positive	Medium
Veterans, Armed Forces Community	None identified	Neutral	Low
Other	None identified	Neutral	Low
Impact on human rights:			
List any human rights impacted.	No impacts on human rights have been identified as a result of the service plan.		

Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>Language and literacy issues may mean that people from BME groups may make compliance even more challenging. The availability of translation services is promoted in our literature and through use of language line is available where needed. The training programme on Safer Food and Better Business is designed to improve hygiene standards and reduce the likelihood of enforcement action, and is available in a number of different languages. Applicants are able to carry out food hygiene training in their preferred language.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<p>- No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.</p>	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	Throughout the report the only potential equalities issue relates to ethnicity and concern of potential language barriers. Translation of advice is made available to all businesses, in order that they are able to understand the legal requirements for their business in their own language, and so provide safe food for the residents and visitors to York.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
N/a			

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Business satisfaction surveys will continue to be undertaken, in order to assess the impact of the food safety, standards and feed work undertaken by Public Protection. Where issues are identified, proactive measures will be implemented to resolve any identified concerns.

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**Decision Session – Executive
Member Economy and Strategic
Planning**

27 September 2022

Inclusive Growth Update

Summary

1. This report provides an update on the actions set out in the Inclusive Growth Fund, as agreed by the Executive Leader at his Decision Session on 18 of September 2019.

Recommendations

2. The Executive Member is asked to:

- 1) Note the progress that has been made on the agreed Inclusive Growth Fund projects

Reason: So that the Council nurtures a pipeline of projects that positively address inclusive growth in the City of York.

Background

3. At a Full Council meeting on 17 of July 2019, £300k of the £660k Leeds City Region Business Rates Pool was reallocated to support inclusive growth across York. In September 2019, the Executive Leader then approved the proposal to establish an Inclusive Growth Fund which would support eight inclusive growth projects.
4. By inclusive growth, it is meant that the benefits of economic growth must be felt by all those in society, regardless of where they live, how they make a living, and who they are. Inclusive growth cannot have neighbourhoods that are left behind, opportunities that are only selectively available, or a two-tier economy where some people do well at the expense of others who are not.

5. The eight projects approved by the Executive Leader were intended as one-off pieces of work that would spur inclusive growth for the city over the longer term. The projects would either be subsumed into mainstream budgets or become self-sustaining.
6. These eight projects were as follows:
- Establishing a York Poverty Commission
 - Community hubs as drivers of economic growth
 - Greening our retail estate
 - Community jobs fairs
 - 14+ vocational training and work
 - Independent retail growth fund
 - Mental health, wellbeing and employment
 - York Economic Strategy consultation
7. With the onset of the Covid-19 pandemic in March 2020 and subsequent drop in national economic output by the largest margin since 1709, these projects were put on hold as the Council re-assessed the economic and social landscape of York.
8. The focus of the Council's work went towards ensuring the survival of businesses and jobs primarily through the delivery of Covid-19 grant schemes, such as the Micro Business Grant Scheme and the two rounds of Additional Restrictions Grant. This focus is evident in Figure 1 with City of York Council being among the top 5 local authorities in the UK for delivering its allocation of Covid-19 financial support from the Government.

Local Authority	Allocation	No of payments	Value of payments	Percent spent	Average grant
South Yorkshire MCA	£31,721,837	24,025	£47,939,507	151%	£1,995
Maidstone BC	£64,595,814	9,650	£71,592,928	111%	£7,419
West Berkshire Council	£63,860,844	9,347	£69,392,366	109%	£7,424
City of York	£113,425,329	27,655	£113,429,729	100%	£4,102
Basingstoke & Deane BC	£49,141,983	7,489	£48,678,616	99%	£6,500
Warwick DC	£73,471,157	17,315	£71,854,422	98%	£4,150

Figure 1: Local Authority Spend of Covid-19 Funds¹

¹ BEIS – Coronavirus grant funding: local authority payments to small and medium businesses

9. At the same time, the gravity of the pandemic underlined the importance of every job, every business and every citizen in our economy and gave cause to double down on the commitment to achieve inclusive growth across York.
10. Not only did this flow through into the work re-started in developing York's 10-year economic strategy and in the inclusive growth project initiatives themselves, but across the wider York business community as businesses across the city signed up to the Good Business Charter (GBC). The GBC is an accreditation which organisations in the UK can sign up to in recognition of responsible business practices, such as paying the real living wage, providing fairer hours and contracts, and commitment to diversity and inclusion. York was the first city in the UK to sign-up to the GBC.
11. With Covid-19 restrictions fully removed in July 2021, work on the inclusive growth projects were able to significantly progress. As such, all funding has now been committed to the inclusive growth projects, with the commitment that it will be spent by the end of the 2022/23 financial year.
12. It is clear though that the significant rise in the cost of living will lead to a drop in York residents living standards, with inflation and the cost of energy unlikely to abate in the short-term. As such, a strong focus and commitment to inclusive growth must be maintained if inequalities are not to be worsened.
13. A final report in 2023 will provide a detailed inclusive growth evidence base, summarising York's position so that an assessment can be made of how to progress inclusive growth in the city.

Inclusive Growth Fund Project updates

14. The current status of the Inclusive Growth Fund projects is as follows:

Project title	Funding	Current status
Establishing a York Poverty Commission	£20k	In progress via York CVS
Community hubs as drivers of economic growth	£40k	Complete
Greening our retail estate	£70k	In progress

Community jobs fairs	£30k	In progress via York Learning
14+ vocational training and work	£50k	Complete
Independent retail growth fund	£40k	In progress
Mental health, wellbeing and employment	£25k	On hold
York Economic Strategy consultation	£25k	Complete

Establishing a York Poverty Truth Commission

15. It was agreed at the Executive Members Decision Session in February 2021 that Council funding for the Poverty Truth Commission (PTC) was dependent on other funders being prepared to contribute and an organisation being identified to act as the fundholder. York Centre for Voluntary Service (CVS) have now successfully raised additional funds from the Joseph Rowntree Foundation, University of York, and the Two Ridings Community Foundation's Deciding Together Fund. Council funding has now been released to York CVS and the project is underway.
16. £20k from the Inclusive Growth Fund will help cover staff salaries, expenses for the community commissioners and venue hosting for meetings.
17. As discussed in the last update report, across October 2021 two preliminary sessions were held to get an understanding of what a PTC might look like in York and to talk to those who might like to get involved.
18. Since then, York CVS has been focused on recruiting people with experience of poverty to become community commissioners, of which they currently have 10 and are aiming to have 12-15. The 10 commissioners have already met and been introduced to each other.
19. These community commissioners will identify issues which keep them in poverty and from that they will be able to identify and invite civic commissioners to join the PTC. This approach, and the PTC in general, is very much led by the community commissioners. It is thus not yet clear who will be invited to be a civic commissioner at this stage.

Community Hubs

20. As outlined in the previous report, this project is complete. The work undertaken as a consequence of the funding meant that at the start of the Covid-19 pandemic, our community hub network was well established and had dedicated Council staff resource. For an update on the Community Hubs as a whole see the paper that went to [Full Council on Thursday 19 May 2022](#).

Greening our retail estate

21. Following a review of this project there has been a reallocation of the budget for this initiative. The overall spend commitment remains at £70k, but this has been split for two projects.
22. £20k of this £70k fund has now been allocated towards procuring researchers to produce a report which examines the current, and forecasts the future, 'green' economy in York, with special regards to 'green' jobs and 'green' skills.
23. The report will initially map out what the green economy is with an introductory explainer that defines the green economy, green jobs and green skills, along with an overview of York's current green economy, including its constituent industries, assets and current job numbers. It will then map out what they key industries in York will be, what skill requirements will be needed and job forecasts, before concluding with a prioritised list of actions for the Council and partners to take to support the development of a greener economy.
24. Procurement is on-going at time of writing. The project will be concluded in November with the study being launched at York Business Festival 2022 as part of the Greener Economy week.

Community Job Fairs

25. Community Job Fairs run by York Learning take place twice a year at the York Railway Institute, with these being run in March and September in 2022. At the time of writing, the September fair has not taken place yet but has 73 employer's set-up to exhibit.
26. This will be the first jobs fair since late 2019 in which social distancing rules will not limit the number of attendees and organisations attending. In our last update, it was reported that the Job Fair in March 2022 had much more of the 'buzz' usually associated with pre-Covid events but was limited due to social distancing rules.

27. From a York Learning perspective, the team has benefited hugely the Job Fairs initiative, and they have been able to recruit learners for various programmes including ever-popular English and Maths, ESOL provision, their vibrant Information, Advice and Guidance programme and the thriving Digital Skills courses.
28. Further jobs fairs are planned in Acomb in November this year and at York Railway Institute in March 2023. The list of jobs fairs that have undertaken since the Inclusive Growth Fund was agreed in September 2019 are detailed in Figure 2.

29. **Figure 2: York Learning Jobs Fairs**

Date	Venue	No of Exhibitors	No. of Visitors
25/9/19	York RI	68	578
6/11/19	Local - Acomb parish Church Hall	27	241
23/9/2020	Virtual	n/a	n/a
6/10/2021	York RI	49	274
23/3/2022	York RI	57	396
21/9/2022	York RI	tbc	tbc
Nov 2022	Acomb	tbc	tbc
Mar 2023	York RI	tbc	tbc

14+ Vocational Training and Work

30. The initial aim of this project was to support non-academic career routes for young people at risk of becoming 'Not in Education, Employment or Training' (NEET) through working with York's secondary schools and colleges.
31. The Council has recruited 14 places from 8 of the 9 mainstream secondary schools in York for a two year course, starting in September 2022, for Year 10 students leading to accreditation and progression to York College Post 16. The funding has allowed this to be offered to schools at the reduced rate of £650 per place for the full year which has maximised take up. This is in addition to support that enable the ten Year 11 students training in Construction at York College last academic year.

32. The new Identified students all will benefit from the different style of learning and engagement that the course will offer.

Independent Retail Growth Fund

33. A meeting with traders' associations was held on the 29 June 2022. As well as hearing the benefits of the Good Business Charter, traders' associations were invited to submit proposals for projects and initiatives, particularly around Winter and Christmas 2022.
34. Applications to the fund closed on the 31st of August and we are still considering the merits of the applications in the light of available funds. The Executive Member will be updated in future reports.

Mental health, wellbeing and employment

35. This initiative was designed to support mental health, wellbeing and employment in the city. The initial project funded under this was 'Building Business Resilience' research report which York St John University produced for in July 2021, followed by a mental health event at York Business Week in 2021.
36. The Council continues to promote a number of free support services such as the [HSE's working minds](#) and [St Nick's Thriving at Work](#) service through its weekly business bulletin.

York Economic Strategy and Partnership

37. At the Executive Member for Economy and Strategic Planning Decision in June 2022, the initiation of the next phase of York's 10-year Economic Strategy consultation was approved. This consultation involved the following:
- May – Our Big Conversation - targeted focus groups
 - June to August – Our Big Conversation - 6 week resident, business and partner consultation
 - July to August - Open call for comments on draft Economic Strategy

38. The funding from the Inclusive Growth Fund has ensured that the consultation and development of the strategy has had an inclusive approach. For instance, under the first phase of the consultation, the Council commissioned York Citizens Advice to consult with its clients on the priorities of any future economic strategy.
39. Phase 2 of Our Big Conversation has also had a particular emphasis on reaching all of York's communities, including the disabled community, children and young people, older people, students, black and minority ethnic people, and the LGBTQ+ community.
40. With this consultation period now over, the Council is carefully studying the results and will refine its draft strategy accordingly. These refinements will be articulated to the Executive Member before the final strategy is brought before the Executive in October.

Council Plan

41. The projects in the Inclusive Growth Initiatives Fund address the following outcomes from the Council Plan:
 - Good health and wellbeing;
 - Well-paid and an inclusive economy;
 - A better start for children and young people;
 - A greener and cleaner city; and,
 - Safe communities and culture for all.

Implications

- **Financial** – no new financial commitments. Previous commitments within the body of the report;
- **Human Resources (HR)** – no implications;
- **One Planet Council / Equalities** – the proposed project to green the Council's retail estate will address the Council's climate change challenge. A number of the proposed projects will positively support the Council's equalities objectives;
- **Legal** – no implications;
- **Crime and Disorder** – no implications;
- **Information Technology (IT)** – no implications;
- **Property** – depending on the findings of the survey, the proposed project to green the Council's commercial estate will have property implications. Any measures taken to improve the energy efficiency of

the Council's commercial stock will need to balance commercial viability with environmental benefits.

Risk Management

There are no specific risks identified in respect of the recommendations.

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Report Date 14 Sept 2022
Approved

Wards Affected: List wards or tick box to indicate all **All**

For further information please contact the author of the report

List of Abbreviations Used in this Report

CYC – City of York Council

MIY – Make it York

NEET – Not in Employment, Education or Training

GBC – Good Business Charter

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