

BIRMINGHAM CITY COUNCIL

**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

16 MARCH 2016
ALL WARDS

**THE REGULATION AND ENFORCEMENT OF STANDARDS
AT OUTDOOR EVENTS**

1. Summary
 - 1.1 To advise Committee of the Food Lead Teams role in regulating standards at city-wide outdoor events in 2015.
2. Recommendation
 - 2.1 That the report be noted.

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Originating Officer: Helen Harper (Food Safety Team)

3. Background

- 3.1 A large number of events take place in the city throughout the year. These range from events lasting a few hours with minimal food offerings i.e. one or two mobile traders, to large events such as the Frankfurt Christmas Market (FCM) and Craft fair which operates for nearly six weeks and has over 80 food traders.
- 3.2 The Events Lead Officer from the Food Safety Team, Environmental Health, attends Safety Advisory Group (SAG) meetings for the larger events. The group consists of the event organisers and representatives from the emergency services and Birmingham City Council regulatory departments to ensure a consistent and coordinated approach to all events. This is where knowledge from previous events can be disseminated and all the requirements of each individual SAG representative can be advised.
- 3.3 The events lead officer has contributed to producing an Outdoor Events Manual which provides traders with information on what is expected of them prior to and during the event. This is issued to the event organiser who is expected to adhere to relevant sections.

4. Food Hygiene

- 4.1 A number of pre-requisites have been introduced for all traders at events which are detailed in the Outdoor Events Manual. These include ensuring that all traders are registered with a local authority and have received a Food Hygiene Rating Scheme (FHRS) score of three or above.
- 4.2 Officers from the Food Lead Team attended 14 events both during the week and at weekends this year to carry out Food Hygiene Interventions. This resulted in the carrying out of in excess of 250 inspections of mobiles and temporary premises. A number of aspects were looked at including food hygiene practices, hand wash facilities, temperature records, particularly for food produced away from site and general cleanliness.
- 4.3 Officers then give advice where necessary and also undertook formal action as required. This ranged from preventing a business from trading at an event to stopping them from trading until problems had been rectified i.e. hand wash purchased or hot water installed.
- 4.4 Food that was out of temperature control was disposed of as was food that did not have accompanying temperature records.
- 4.5 On site water supply is sampled by either the event organiser or the Food Lead Team to ensure that it meets microbiological criteria and is safe to use as drinking water, and during the cooking process.

5. Noise

- 5.1 Noise complaints can be a factor at some of the larger events, particularly Fusion Festival in Cofton Park and the Frankfurt Christmas Market due to the scale of the event and the length of time it takes to build and derig.
- 5.2 This is addressed by both the Events Lead Officer and an officer from the Noise team if deemed necessary.
- 5.3 Noise complaints are brought to the attention of the event organiser through the SAG process and this enables the organiser to determine what measures need to put in place to prevent them from occurring (again), or which residents they need to advise about ongoing works to prevent complaints in the future.
- 5.4 This was particularly important during the Frankfurt Christmas Market where a larger number of complaints were received this year. Most of these were resolved during the event period itself, a number of the issues will be addressed in next year's planning phase, especially around prior notification.

6. Super September

- 6.1 A number of high profile events took place during September, hence the name Super September. New Street Station and Grand Central opened along with John Lewis' first store in Birmingham. Villa Park hosted two Rugby world cup matches and a fanzone screening area was set up by the world cup to enable the public to watch the matches on a large screen. Birmingham also hosted an Arts weekend at the same time.
- 6.2 The Food Lead Team carried out a number of interventions prior to these events occurring:
 - The city centre officer worked closely with Grand Central management and New Street management to ensure food businesses were ready to trade.
 - Pre-opening inspections were carried out by the Food Lead Team and all businesses were inspected and scored once they had opened.
 - Villa Park was inspected prior to the Rugby matches taking place.
 - SAG meetings were attended by the Events Lead Officer.
 - The Fanzone area and mobile traders around Villa Park_were inspected_by the Food Lead Team
 - A number of Food Lead Team Officers provided cover during Super September weekend to ensure that if any problems arose they could be dealt with quickly ie illegal traders, waste problems, noise complaints etc.
 - Arts fest was also inspected by officers of the Food Lead Team.

- 6.3 Approximately 60 food businesses were inspected by the Food Lead Team during this period.

7. Waste

- 7.1 Waste removal needs to be considered as it is not only a food hygiene concern but it can have a detrimental impact on the event. Whilst it is the individual trader's responsibility to have their own arrangements for containing their waste during the event it is the event organiser's responsibility to arrange for storage and disposal of the waste. They are also required to ensure that the event does not impact on other businesses waste removal arrangements through road closures or road diversions. Again these concerns can be highlighted and resolved during the SAG process.

8. Complaints

- 8.1 Since the introduction of the pre-requisites (namely having an FHRs of at least three) complaints regarding the food served at events have decreased significantly.
- 8.2 In 2015 we only received one complaint regarding food served at the craft market. This involved alleged food poisoning, but due to the complaint being lodged after the event no investigation was possible.

9. Follow-up Work

- 9.1 Due to the nature of events, most follow-up work occurs shortly after the initial inspection, normally once inspections of the other traders has been completed. This can involve checking hot water, ensuring the business has purchased sanitiser and checking cooking temperatures.
- 9.2 Occasionally it is necessary for the Events Lead Officer to contact the Local Authority where the trader is registered to advise of any poor practices and highlight concerns. This was required on five separate occasions.
- 9.3 Inspections for the Frankfurt Christmas Market and the Craft Market are slightly different in that each business is issued with a Pass, Improve or Fail card. Traders who receive a Fail card are prohibited from trading until works have been carried out to ensure that they meet with the minimum food hygiene requirements. Traders who receive an Improve card are still allowed to trade, however, they will be revisited on a regular basis until they meet the necessary requirements to achieve a Pass Card. The Event Lead Officer also uses this information to determine which traders to revisit throughout the duration of the market.

- 9.4 In 2015 two businesses received a fail card and this was due to poor pest proofing and gnawed food being found at the initial inspections. Once proofing works had been carried out, an improve card was issued and then the businesses were monitored over the following weeks to ensure they remained pest free. In addition 10 businesses received an improve card, later issued with pass cards following re-inspections.
- 9.5 For a longer term event such as the Frankfurt Christmas Market a number of revisits may be carried out as significant works may be required. In 2015 a number of stalls required pest proofing works.

10. Enforcement Action

- 10.1 Due to the short term nature of the events, formal action in the form of Hygiene Improvement Notices is impractical. As a result traders are initially advised, through the SAG process and information given to them prior to the event, that should they meet our minimum Food Hygiene requirements. During the event itself if the inspecting officer feels that there may be a risk to the public we stop traders from operating and we are supported by the Birmingham City Council Events team and the Event's Organisers who ask the traders to leave the site.
- 10.2 One trader at Eid was asked to leave due to very poor conditions and food being exposed to a risk of contamination.
- 10.3 A number of food items were disposed of by a trader at the St Patricks Day parade because they were being kept out of temperature control.

11. Future Events

- 11.1 Following on from the improvements at events over the past two years, the Events Lead Officer, in conjunction with Event Organisers, proposes to introduce further pre-requisites. This includes only allowing traders with a FHS of 4 or above to attend (this has already been implemented for City Centre management organised events) and ensuring that all traders attend with their own hand wash unit (not a bowl as is currently acceptable).
- 11.2 The Events Lead Officer also proposes to move away from inspecting the long standing events such as Vaisakhi and Eid Mela and concentrate on newer events such as Bangla Mela and smaller events that have the capacity to grow. This would enable the larger more established events to show that they can regulate themselves, and focus resources on higher risk activities.

12. Consultation

- 12.1 The activities highlighted in this report involve consultation with a number of additional agencies including other City Council partners, the Police, Fire Service and external organisers.

13. Implications for Resources

- 13.1 There were no additional costs incurred from the Committee's approved budget.

14. Implications for Policy Priorities

- 14.1 The work of the Food Lead Team identified in this report supports the City Council's strategic outcomes, 'Stay Safe' and 'Be Healthy'.

15. Implications for Equality and Diversity

- 15.1 The Frankfurt Christmas Market and Craft Fair and other events are enormously popular annual events that have huge appeal. They continue to attract large numbers of people of all ethnicities and a number have acquired both national and international acclaim.

ACTING DIRECTOR OF REGULATION AND ENFORCEMENT

Background papers: nil