



## **CABINET – 24<sup>TH</sup> JULY 2024**

**SUBJECT: FOOD HYGIENE RATING (WALES) ACT 2013 - PROPOSED INCREASE IN RE-RATING FEE**

**REPORT BY: CORPORATE DIRECTOR FOR ECONOMY AND ENVIRONMENT**

### **1. PURPOSE OF REPORT**

- 1.1 To inform Cabinet of the review of the mandatory fee for businesses submitting re-rating applications under the Food Hygiene Rating (Wales) Act 2013 and associated Regulations and to seek approval for a revised re-rating fee.

### **2. SUMMARY**

- 2.1 The Food Hygiene Rating (Wales) Act 2013 and Regulations introduced a mandatory Food Hygiene Rating Scheme which came into force at the end of November 2013. Section 12 of the Act introduced a charge for businesses that require a re-rating of their food business establishment. It is proposed that the current fee for a re-rating visit is increased from £180 to £255. The whole fee of £255 will be retained.

### **3. RECOMMENDATIONS**

- 3.1 That Cabinet approve the increase of the food hygiene re-rating visit fee to £255 with effect from 1st October 2024.
- 3.2 That Cabinet approve that any future revisions to the food hygiene re-rating visit fee as a result of an all Wales review are agreed by the Director or Head of Service in consultation with the relevant Cabinet Member.

### **4. REASONS FOR THE RECOMMENDATIONS**

- 4.1 The fee has been raised to reflect the increase in officer hourly rates and on costs and is necessary to recover reasonable costs, and to ensure proper and effective enforcement of the legislation.
- 4.2 The fee has not been reviewed since March 2019.

- 4.3 The proposed increase to the re-rating cost will ensure consistency with all other local authorities across Wales.

## **5. THE REPORT**

- 5.1 The Food Hygiene Rating (Wales) Act 2013 and Regulations introduced a mandatory Food Hygiene Rating Scheme which came into force at the end of November 2013. The Act introduced mandatory display of food hygiene ratings at food business establishments. Food Hygiene Ratings are awarded to businesses following a scheduled unannounced food hygiene inspection. In cases where the food business operator (FBO) has made improvements to comply with requirements, the FBO may apply for a re-rating in advance of the next scheduled inspection.
- 5.2 Section 12 of the Act introduced a charge for businesses that require a re-rating of their food business establishment. The Act states that a re-rating will not take place until the operator of the establishment has paid the reasonable costs of the re-rating, as determined by the local authority. The Environmental Health Wales Food Safety Expert Panel has reviewed the current fee of £180 which was set in 2019 and recommends a new set fee of £255 per re-rating visit for all businesses located in Wales. The Expert Panel will continue to routinely review the fees.
- 5.3 It is also recommended that any future revisions to the food hygiene re-rating visit fee as a result of an all Wales review are agreed by the Director or Head of Service in consultation with the relevant Cabinet Member.

## **6. ASSUMPTIONS**

- 6.1 No assumptions have been made or were thought necessary.

## **7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 An Integrated Impact Assessment has been undertaken. The recommendation is to implement the proposal taking account of the need for consistency across all local authorities in Wales. The Integrated Impact Assessment outlines that the proposal will have a mostly 'neutral impact'. Part of the proposal is based on a price increase for an already established statutory function, therefore the consideration is purely made on the impact of charging a higher fee for a re-rating visit. The increase to the fee reflects the increases to salaries, on-costs and mileage rates etc. The previous review took place in 2019, so the fee has not changed for five years.

**Link to IIA**

## **8. FINANCIAL IMPLICATIONS**

- 8.1 The number of requests for re-ratings varies year to year however, based on circa 20 re-ratings undertaken per year, a fee of £180 would have resulted in £3600 income. Whereas the new proposed fee of £255 would generate an income of £5,100, equating to circa £1500 additional income per year (based on 20 re-ratings per year).

## **9. PERSONNEL IMPLICATIONS**

9.1 None.

## **10. CONSULTATIONS**

10.1 This report has been sent to the Consultees listed below and all comments received are reflected in this report.

## **11. STATUTORY POWER**

11.1 Food Hygiene Rating (Wales) Act 2013 and the Food Hygiene Rating (Wales) Regulations 2013. The discharge of duties under the above legislation is a Cabinet function.

Author: Ceri Edwards, Environmental Health Manager

Consultees: Councillor Philippa Leonard, Cabinet Member for Planning and Public Protection  
Councillor Andrew Whitcombe, Chair of Housing and Environment Scrutiny Committee  
Councillor Shane Williams, Vice Chair of Housing and Environment Scrutiny Committee  
Dave Street, Deputy Chief Executive  
Mark S. Williams, Corporate Director, Economy and Environment  
Richard Edmunds, Corporate Director, Education and Corporate Services  
Gareth Jenkins, Interim Director of Social Services  
Rob Hartshorn, Head of Public Protection, Community and Leisure Services  
Jacqui Morgan, Trading Standards, Licensing and Registrars Manager  
Rob Tranter, Head of Legal Services and Monitoring Officer  
Stephen Harris, Head of Financial Services and Section 151 Officer  
Paula Beaman, Corporate Finance  
Lynne Donovan, Head of People Services

Appendices: None

Background papers: None