

September 13th, 2019

Notice Of Meeting

You are requested to attend the meeting to be held on **Monday, 16th September 2019 at 6:00 pm** in **Mourne Room, Civic Centre Downpatrick.**

Chairperson Liz Kimmins

Vice Chairperson Mark Gibbons

Cllr G Bain

Cllr S Doran

Cllr H Gallagher

Cllr G Malone

Cllr L McEvoy

Cllr K McKevitt

Cllr G O'Hare

Cllr B Ó Muirí

Cllr M Ruane

Cllr M Savage

Cllr Taylor

Cllr Trainor

Cllr Walker

Agenda

1.0 Apologies & Chairpersons Remarks

2.0 Declarations of Interest

3.0 Action Sheet arising from Active and Healthy Communities Committee Meeting held on Monday 19 August 2019

 *Action Sheet 19 August 2019.pdf*

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Community Engagement

4.0 District Electoral Area (DEA) Fora Update Report

 *DEA Fora Update Report for September 2019.pdf*

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 *Appendix 1 - DEA Update September 2019.pdf*

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 *Appendix 2 - DEA Report - Slieve Gullion Action Sheet 4 June 2019.pdf*

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 *Appendix 3 - DEA Report - Rowallane Action Sheet 5 June 2019.pdf*

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 *Appendix 4 - DEA Report - Downpatrick Action sheet 11 June 2019.pdf*

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 *Appendix 5 - DEA Report - Newry Action Sheet 27 June 2019.pdf*

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 *Appendix 6 - DEA Report - Slieve Gullion Action Sheet 13 August 2019.pdf*

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 *Appendix 7 - DEA Report - Downpatrick Action Sheet 14 August 2019.pdf*

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 *Appendix 8 - DEA Report - Mourne Action Sheet 20 August 2019.pdf*

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 *Appendix 9 - DEA Report - Newry Action Sheet 29 August 2019.pdf*

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5.0 Installation of RAPID Bin at Newry Leisure Centre

 *Installation of RAPID Bin at Newry Leisure Centre.pdf*

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6.0 Castlewellan Lease & 3G Pitch Condition Survey

 *Report on 3G Pitch Castlewellan Community Centre.pdf*

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 *Appendix 1 - Castlewellan CC 3G Pitch Condition Survey HSG Ltd_.pdf*

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7.0 Update on Community Facility Strategy

8.0 Crossgar Community Centre

At the request of Councillor Andrews

Leisure and Sports

9.0 Leisure Facilities Partial Closure - Staff Training

10.0 Healthy Vending Machines in Leisure Centres

Health & Wellbeing

11.0 Service Level Agreement in relation to Affordable Warmth Scheme

12.0 Consultation Response to the Food Standards Agency (FSA) on a Risk Based Approach for the Biotoxin Monitoring programme in Northern Ireland

Notices of Motion

13.0 Notice of Motion - Carers Allowance (Referred from Council 2 September 2019)

The following Notice of Motion came forward for consideration in the name of Councillor Brown:

“Council’s Active and Healthy Communities Department will immediately recognise Carers Allowance as a means tested benefit enabling recipients of that benefit to qualify for concessionary rates at leisure facilities across the District.”

14.0 Notice of Motion - Disability Access on to Newcastle Beach (Referred from Council 2 September 2019)

The following Notice of Motion came forward for consideration in the name of Councillor Clarke:

"This Council provides disability access on to Newcastle beach to enable the facility to be inclusive, which will enhance the visitor experience for all, this initiative will build upon the successful partnership between the Mae Murray Foundation and Council in providing an inclusive destination at Cranfield beach".

For Noting - Community Engagement

15.0 Peace IV Local Action Plan

 ***PEACE IV Report September 2019.pdf***

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 ***Appendix 1 - Peace IV Partnership Meeting Minutes 20 June 2019.pdf***

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For Noting - Health & Wellbeing

16.0 Air Quality Updating and Screening Assessment for Newry Mourne and Down District Council

 ***Air Quality Updating and Screening Assessment for Newry Mourne and Down District Council.pdf***

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Items deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (NI) 2014

17.0 Your School Your Club - Update

This item is deemed to be exempt under paragraph 3 of Part 1 of Schedule 6 of the Local Government Act (Northern Ireland) 2014 - information relating to item 3 and the public may, by resolution, be excluded during this item of business.

 ***Report on Sport NI Your School Your Club Funding.pdf***

Not included

Invitees

Cllr Terry Andrews	terry.andrews@nmandd.org
Cllr Gregory Bain	gregory.bain@nmandd.org
Mr Alan Beggs	alan.beggs@nmandd.org
Cllr Patrick Brown	patrick.brown@nmandd.org
Cllr Robert Burgess	robert.burgess@nmandd.org
Cllr Pete Byrne	pete.byrne@nmandd.org
Mrs Dorinnia Carville	dorinnia.carville@nmandd.org
Cllr charlie casey	charlie.casey@nmandd.org
Cllr William Clarke	william.clarke@nmandd.org
Cllr Dermot Curran	dermot.curran@nmandd.org
Ms Alice Curran	alice.curran@nmandd.org
Cllr Laura Devlin	laura.devlin@nmandd.org
Mr Eoin Devlin	eoin.devlin@nmandd.org
Ms Louise Dillon	louise.dillon@nmandd.org
Cllr Sean Doran	sean.doran@nmandd.org
Cllr Cadogan Enright	cadogan.enright@nmandd.org
Cllr Hugh Gallagher	hugh.gallagher@nmandd.org
Cllr Mark Gibbons	mark.gibbons@nmandd.org
Mr Kieran Gordon	kieran.gordon@nmandd.org
Cllr Oonagh Hanlon	oonagh.hanlon@nmandd.org
Cllr Glyn Hanna	glyn.hanna@nmandd.org
Mr Liam Hannaway	liam.hannaway@nmandd.org
Cllr Valerie Harte	valerie.harte@nmandd.org
Cllr Harry Harvey	harry.harvey@nmandd.org
Mr Conor Haughey	conor.haughey@nmandd.org
Cllr Terry Hearty	terry.hearty@nmandd.org
Mrs Janine Hillen	janine.hillen@nmandd.org
Cllr Roisin Howell	roisin.howell@nmandd.org
Cllr Liz Kimmins	liz.kimmins@nmandd.org
Cllr Mickey Larkin	micky.larkin@nmandd.org
Cllr Alan Lewis	alan.lewis@nmandd.org
Mr Michael Lipsett	michael.lipsett@nmandd.org
Cllr Oonagh Magennis	oonagh.magennis@nmandd.org
Mr Conor Mallon	conor.mallon@nmandd.org
Cllr Gavin Malone	gavin.malone@nmandd.org
Cllr Cathy Mason	cathy.mason@nmandd.org
Colette McAteer	colette.mcateer@nmandd.org
Cllr Declan McAteer	declan.mcateer@nmandd.org
Cllr Leeanne McEvoy	leeanne.mcevoy@nmandd.org
Cllr Harold McKee	harold.mckee@nmandd.org
Patricia McKeever	patricia.mckeever@nmandd.org
Cllr Karen McKeivitt	karen.mckeivitt@nmandd.org

Mr Roland Moore	roland.moore@nmandd.org
Ms Carmel Morgan	carmel.morgan@nmandd.org
Cllr Roisin Mulgrew	roisin.mulgrew@nmandd.org
Cllr Barra Ó Muirí	barra.omuirí@nmandd.org
Cllr Gerry O'Hare	gerry.o'hare@nmandd.org
Linda O'Hare	linda.o'hare@nmandd.org
Cllr Henry Reilly	henry.reilly@nmandd.org
Martin Robinson	martin.robinson@nmandd.org
Cllr Michael Ruane	michael.ruane@nmandd.org
Cllr Michael Savage	michael.savage@nmandd.org
Cllr Gareth Sharvin	gareth.sharvin@nmandd.org
Donna Starkey	donna.starkey@nmandd.org
Cllr Gary Stokes	gary.stokes@nmandd.org
Sarah Taggart	sarah-louise.taggart@nmandd.org
Paul Tamati	paul.tamati@nmandd.org
Cllr David Taylor	david.taylor@nmandd.org
Cllr Jarlath Tinnelly	jarlath.tinnelly@nmandd.org
Cllr John Trainor	john.trainor@nmandd.org
Central Support Unit	central.support@nmandd.org
Cllr William Walker	william.walker@nmandd.org
Mrs Marie Ward	marie.ward@nmandd.org

ACTIONS OUTSTANDING FROM PREVIOUS ACTIVE & HEALTHY COMMUNITIES MEETINGS

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
AHC/224/2018	Remedial Works at Mullaghbane CC	The remedial works at Mullaghbane Community Centre were agreed, subject to a suitable business case being established.	J McCann	Business Case completed and procurement exercise currently underway	y
AHC/077/2019	Notice of Motion referred from Council meeting Monday 3 June 2019 – Suicide Down to Zero	It was agreed on the proposal of Councillor Gibbons, seconded by Councillor Bain that officers investigate the possibility of adopting a 'suicide down to zero' approach to combating the high prevalence of suicide across our district; exploring closer partnership working with local mental health and suicide prevention charities; investigate the establishment of a suicide prevention working group with a dedicated Council officer responsible; explore the possibility of establishing a new small grants scheme within the existing financial assistance programme to fund projects specifically dealing with mental health and suicide in the district; Council also to write to the Permanent Secretary of the Department of Health lamenting the abject failure of the Department to implement the Protect Life 2 strategy, and that this strategy should have been signed off regardless of the absence of an Executive given its vital lifesaving and non-contentious nature.	M. Lipsett E Devlin	Letter sent to the Permanent Secretary. Report to future AHC Committee Meeting.	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
AHC/078/2019	Notice of Motion referred from the Council Meeting Monday 3 June 2019 – Vending Machines	It was agreed on the proposal of Councillor Ruane, seconded by Councillor Ó Muirí, that officers investigate the possibility of introducing a policy to ensure Council buildings and leisure centres with vending machines will replenish them with healthy choice snacks alongside reducing high-sugar items and to work in partnership with partner organisations on the community planning partnership board to follow the example of Council in implementing similar interventions.	M Lipsett P Tamati	Report to September AHC Committee Meeting.	y
AHC/089/2019	Kilbroney Park Pitches	It was agreed to proceed with the appointment of a design team and business plan consultants for the upgrading of Kilbroney playing pitches.	P Tamati	Capital Team update commissioned – Work ongoing	N
AHC/092/2019	Leasing of Council land known as Rosconnor Playing Fields, Strangford Playing Fields and the back Pitch, Greenbank, Newry	It was agreed subject to Departmental Consent that the following leases be agreed at a peppercorn rent: <ul style="list-style-type: none"> • Lease of Rosconnor Playing Fields, Downpatrick to Teconnaught GAC for the term of 5 years. • Lease of Strangford Playing Fields, Strangford to Strangford FC for the term of 5 years. • Lease of the Back Pitch, Greenbank, Newry to Newry AFC for the term of 25 years. 	C Haughey	Subject to Departmental Consent	N

ACTION SHEET ARISING FROM AHC MEETING HELD ON 19 AUGUST 2019

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
AHC/113/2019	Action sheet of the Active & Healthy Communities Committee Meeting held on Thursday 17 June 2019	It was agreed to note the action sheet.	D.Services	Noted.	Y
AHC/114/2019	AHC Business Plan – Annual Review	It was agreed that Committee approve the Mid-Year Assessment of the AHC Business Plan 2018-2019.	M Lipsett	Approved	Y
AHC/115/2019	DEA Fora Update Report	It was agreed to note the report and agree the action sheets from the following DEA Forum Private Meetings: <ul style="list-style-type: none"> • Slieve Croob DEA Forum Private Meeting held on Tuesday 18 June 2019. • Crotlieve DEA Forum Private Meeting held on Tuesday 18 June 2019. • Mournes DEA Forum Private Meeting held on Tuesday 18 June 2019. 	D Brannigan	Approved	Y
AHC/116/2019	Financial Assistance Call 1 2020/21	It was agreed that the Committee: <ul style="list-style-type: none"> • open the Financial Assistance Call 1 2020/21 prior to Christmas (subject to the confirmation of budgets); 	J McCabe	Approved	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		<ul style="list-style-type: none"> • and note the outcomes of the Equality Screening of the Financial Assistance Policy. 			
AHC/117/2019	Financial Assistance – Service Level Agreements for Community Centres	<p>It was agreed to accept the following recommendations:</p> <ul style="list-style-type: none"> • To allocate legacy SLA groups 50% of legacy payments for 2019-2020 and 2020-2021; • To allow all groups, including new groups to reapply to Financial Assistance interim SLA open call (April 2021 – March 2023). 	J McCabe	Approved	Y
AHC/118/2019	Ballyholland FMA	<p>It was agreed to accept the following recommendations:</p> <p>Council legal department to withdraw the sub lease from Ballyholland Development Association and instead a Facility Management Agreement be issued in line with other council owned community facilities.</p> <ul style="list-style-type: none"> • Council to formally write to DEARA to confirm council's decision and proposals. 	J McCann	Draft FMA presented to the Group	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
AHC/119/2019	No. 16 The Square, Rostrevor: Additional funding opportunity through Rural Development Programme	It was agreed to accept the following recommendations: • that the Committee agree to submit a formal application (subject to funding becoming available), to the Mourne, Gullion and Lecale Rural Development Partnership (RDP) for refurbishment works at No 16 The Square, Rostrevor.	J McCann	Application prepared for submission prior to 13/09/19	Y
AHC/120/2019	Application to DfC: New Model Farm Community Centre proposal, Downpatrick	It was agreed to accept the following recommendations: • that the Committee agree to proceed with an application to DfC for a replacement facility for the Trojan Horse, Downpatrick. Including the development of a business case, design proposals and submission of a planning application.	K Hynds	Ongoing	N
AHC/121/2019	Downpatrick (NRP) Report	It was agreed to note the contents of the report.	D Brannigan	Noted	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
AHC/122/2019	Newry (NRP) Report	It was agreed to note the contents of the report.	D Brannigan	Noted	Y
AHC/123/2019	PCSP Report	It was agreed to note the contents of the report.	D Brannigan	Noted	Y
AHC/124/2019	Community Services Strategy	It was agreed to note the contents of the report.	J McCann	Noted	Y
AHC/125/2019	PEACE IV Local Action Plan	It was agreed to note the contents of the report.	J McCabe	Noted	Y
AHC/126/2019	Autism Friendly Swim Sessions	It was agreed to accept the following recommendation: • to permanently introduce Autism Friendly Sessions at Downpatrick Leisure Centre (subject to closures and holiday arrangements) on Thursday evenings from 6pm to 7:00pm with a 6-month review period.	K Gordon	Actioned	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
AHC/127/2019	Community Trails Funding	It was agreed to accept the following recommendation: • subject to the securing of external funding, Council will provide £289,626 match funding for Community Trails at Drumkeeragh Forest, Tievenadarragh Forest, Seaforde Plantations, and Corry Wood as per appendix 1.	C Haughey	Actioned	Y
AHC/128/2019	Swim Ulster Pool Bookings	It was agreed to go back to Swim Ulster and negotiate the dates requested for the Swim Ulster Gala.	K Gordon	Actioned	Y
AHC/129/2019	Home to Hospital Scheme for Slieve Gullion DEA	It was agreed that the Committee agree to allocate £10000 to facilitate a Home to Hospital scheme for Older Persons within Slieve Gullion DEA and issue an Expression of Interest to suitable Community/Voluntary Groups to administer the scheme	E Devlin	Expression of Interest to be issued	Y
AHC/130/2019	SLA Between NMDDC & Armagh City, Banbridge & Craigavon Borough Council	It was agreed that the Committee approve the signing of the attached Service Level Agreement with Armagh City, Banbridge and Craigavon Borough Council in relation to the provision of the Affordable Warmth Scheme	S Trainor	Actioned	Y

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
ITEMS RESTRICTED IN ACCORDANCE WITH PART 1 OF SCHEDULE 6 OF THE LOCAL GOVERNMENT ACT (NI) 2014					
AHC/131/2019	Your School Your Club Funding	It was agreed to approve the recommendation as set out in para 3.1 of the officer's report.	C Haughey	Actioned	Y
AHC/132/2019	Land at Barcroft Community Centre	It was agreed that the Committee agree to extend the existing lease with Newry Felons to include the site marked G2 on the site plan (subject to a satisfactory valuation from LPS)	J McCann	Ongoing – with Council's Legal Department	N
AHC/133/2019	Mullaghbane Community Centre Lease	It was agreed that the Committee agree to changes to the original terms of the Mullaghbane Community Centre lease as per recommendations as set out in para 3.1 of the officer's report and that a deadline of all lease negotiations to be finalised by 31 December 2019 and agreement that failure to do so will result in lease not being renewed.	J McCann	Ongoing – with Council's Legal Department	N
AHC/134/2019	Ballyholland Land Transfer	It was agreed that the Committee agree to proceed with the leasing of Councils play area in Ballyholland to BHGAC in exchange for the leasing of separate lands from BHGAC to Council for the establishment of play	C Haughey	Lease to be formalised	N

Minute Ref	Subject	Decision	Lead Officer	Actions taken/ Progress to date	Remove from Action Sheet Y/N
		park facilities in line with the Councils Play strategy.			
AHC/135/2019	Play Park Update	It was agreed that the Committee agree to proceed with the commencement of design consultation, capital works and spend for the play areas as per the Councils Play Strategy as set out in para 3.1 of the officer's report.	C Haughey	Actioned	Y
AHC/136/2019	Ballykinlar Community Centre	It was agreed to note the contents of the report.	J McCann	Noted	Y
AHC/137/2019	Bann Road Pavillion	It was agreed to proceed with the revised capital budget and commencement of works for the Bann Road Sports Pavilion in Castlewellan as set out in para 3.1 of the officer's report.	C Haughey	Actioned	Y
AHC/138/2019	Social Investment Fund Update	It was agreed to note the contents of the report.	J McCabe	Noted	Y

END

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	District Electoral Area (DEA) Forums Update Report
Reporting Officer (Including Job Title):	Janine Hillen, Assistant Director Community Engagement
Contact Officer (Including Job Title):	Damien Brannigan, Head of Engagement

<table><tr><td>For decision</td><td>X</td><td>For noting only</td><td></td></tr></table>		For decision	X	For noting only	
For decision	X	For noting only			
1.0	Purpose and Background				
1.1	Purpose <ul style="list-style-type: none">To note the report.To consider and agree to approve the actions in the attached Action Sheets from the DEA Forum Private Meetings listed in 3.1 below.				
1.2	Background <p>The information in Appendix 1 is provided to update the Committee on the on-going work of the DEA Forums. DEA Coordinators continue to implement actions detailed in their respective local action plans.</p>				
2.0	Key issues				
2.1	None.				
3.0	Recommendations				
3.1	That the Committee: - <ul style="list-style-type: none">Note the report.Agree to approve the actions in the DEA Forum Private Meeting Action Sheets attached for:<ul style="list-style-type: none">➤ Slieve Gullion DEA Forum Private Meeting held on Tuesday 4 June 2019.➤ Rowallane DEA Forum Private Meeting held on Wednesday 5 June 2019.➤ Downpatrick DEA Forum Private Meeting held on Tuesday 11 June 2019.➤ Newry DEA Forum Private Meeting held on Thursday 27 June 2019.➤ Slieve Gullion DEA Forum Private Meeting held on Tuesday 13 August 2019.➤ Downpatrick DEA Forum Private Meeting held on Wednesday 14 August 2019.➤ Mournes DEA Forum Private Meeting held on Tuesday 20 August 2019.➤ Newry DEA Forum Private Meeting held on Thursday 29 August 2019.				
4.0	Resource implications				
4.1	Support and assistance from partners to deliver actions in the DEA action plans.				
5.0	Equality and Good Relations implications				
5.1	No Equality of Opportunity or Good Relations adverse impact is anticipated. Should have a positive impact on Equality of Opportunity and Good Relations.				
6.0	Rural Proofing implications				
6.1	Due regard to rural needs has been considered.				
7.0	Appendices				
7.1	Appendix 1: Update on the work of DEAs. Appendix 2: Action Sheet Slieve Gullion DEA Forum Private Meeting 4 June 2019. Appendix 3: Action Sheet Rowallane DEA Forum Private Meeting 5 June 2019. Appendix 4: Action Sheet Downpatrick DEA Forum Private Meeting 11 June 2019. Appendix 5: Action Sheet Newry DEA Forum Private Meeting 27 June 2019. Appendix 6: Action Sheet Slieve Gullion DEA Forum Private Meeting 13 August 2019. Appendix 7: Action Sheet Downpatrick DEA Forum Private Meeting 14 August 2019. Appendix 8: Action Sheet Mournes DEA Forum Private Meeting 20 August 2019.				

	Appendix 9: Action Sheet Newry DEA Forum Private Meeting 29 August 2019.
8.0	Background Documents
8.1	None.

Appendix 1

The following information is an update for the Committee on the ongoing work of the DEAs.

Level of Civic Participation:

- > Supported by Slieve Croob DEA, a group of young people from Ballykinler have engaged in an 8-week drama programme addressing issues that affect young people. The young people wrote and produced a play on important issues that affect them today such as mental health, internet safety and drug/alcohol abuse.
- > In partnership with Choice Housing, Rowallane and Slieve Croob DEAs organised a ground breaking Cultural Bash in The Square, Ballynahinch, attracting hundreds of attendees. The event was held to create community cohesion and promote acceptance and understanding of other cultures. Participants enjoyed a fun day of exploring cultures around the world through dance, food, arts and crafts and much more.
- > Newry DEA organised a Youth Shops initiative in partnership with PCSP, EANI and PSNI as a 6 weeks diversionary programme based out of the Buttercrane and Quays Shopping Centres. The programme targeted hard to reach young people including some who had previously been barred from the facilities.
- > Mournes DEA organised a Good Relations programme for women from the Newcastle and Kilkeel areas including a visit to the Ulster Museum to discuss local history.
- > In July, Newry and Mournes DEAs supported the judging days for the Co-operation Ireland Pride of Place Awards Competition and worked with their respective nominated entrants Altnaveigh House, Newry, and Mourne Country Cottages to ensure an excellent quality of presentation.

Level of Educational Wellbeing:

- > Downpatrick, Rowallane and Slieve Croob DEAs in partnership with CYPSP organised a Back to School Uniform Recycling Initiative in August. The percentage of children living in low income poverty after household costs, has remained the highest in the Down area in comparison to other areas of the South Eastern Health and Social Care Trust. This event supported families in the Ballynahinch, Castlewellan, Downpatrick and Newcastle areas.
- > Slieve Gullion DEA supported a used school uniform drive and sale that was held in Newtownhamilton Community Centre on 5 August. The DEA supported the event by organising representatives from the EANI to attend the event with information on school uniform allowance and free school meals.

Level of Health Status:

- > Downpatrick, Rowallane and Slieve Croob DEAs held a host of exciting fun packed activities throughout the area to mark National Play Day across the district. This year's theme was Play Builds Children. It was an opportunity for young people and adults to engage in a number of activities, develop relationships, deal with conflict and learn respect and tolerance. Play is a great way for children to be active making them happier and healthier and make connections.

- > Slieve Gullion DEA supported a summer scheme in Newtownhamilton. The scheme ran for one week and included a range of activities including gardening, sports and safety talks.
- > Crotlieve DEA supported an Educational Summer Splash Programme in the Warrenpoint area in partnership with the EANI. Given the coastal location the programme educated young people in respect of Water Safety and they engaged in First Aid Training, a day with RNLI and water sports.
- > Crotlieve DEA supported summer scheme activities in the Saval area in partnership with the EANI. The young people engaged in a mental health themed activity and were consulted with in respect of setting up a permanent youth club. A trip followed the activities.
- > Crotlieve DEA supported a PEACE IV Sport event in partnership with Newry Rugby Club. The event involved the GAA, IFA and Ulster Rugby and aimed to increase the percentage of young people who regularly socialise or play sports with people from a different community background. Approximately 60 children took part in the event.
- > Crotlieve DEA supported Relax Kids sessions as part of the annual Maidens of Mourne Festival. The sessions were designed to be fun activities with mindful and relaxation techniques alongside values and positive psychology (positivity, strength-building, gratitude, resilience and compassion) to help support children's emotional health and wellbeing.
- > Mournes DEA supported a Dunnaman FC fun day and community event.

ACTION SHEET- Slieve Gullion District Electoral Area Meeting – 4th June 2019

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA/SG/15/2016	WiFi in Community Centres	Council looking at business case	On-going
DEA SG/70/2018	Disability Access	Proposal for disabled parking spaces in Crossmaglen. Department of Infrastructure to be invited to DEA meeting in February 2019.	T. McDonald & L. O'Reilly - Department have requested that the issue be brought at the next bi-annual meeting with Councillors.
DEA SG/80/2018	Health & Wellbeing Directory	Directory of Services to be distributed to Forum	L. O'Reilly to forward on Directory to T. McDonald once it has been finalised.
DEA SG/82/2018	DEA Private Forum Membership	The need to recruit new members. Biggest stumbling block is that groups need to show networking.	Taucher to speak to Aisling and Damien- Completed
DEA SG/83/2018	Safety Issues	Camlough Heritage Society sent letter to Forum looking for Department of Infrastructure to extend the 30MPH speed sign further up the Newry side of the Camlough Road.	Taucher wrote to Dept of Infrastructure (Roads). DFI to respond when a decision has been made.
DEA SG/87/2019	Peace IV Cultural Event Ring of Gullion	Meeting to be set up with Darren Rice in relation to the Funding for the Cultural Event – "The Tunes of the Ring of Gullion Past and Present".	Taucher to set up meeting with Darren Rice

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA SG/88/2019	PCSP Manager Invite	PCSP Manager Martina Flynn to be invited to the next Forum Meeting	T. McDonald
DEA SG/89/2019	Safety	Janine Hillen to be informed about lack of response from Department of Infrastructure to Road and Parking issues within the Slieve Gullion area over the last 2 years especially in relation to disabled parking issues.	T McDonald to liaise with Janine Hillen
DEA SG/90/2019	Environmental	Translink – request for running the late-night bus scheme over a 12 month period.	T McDonald to liaise with Translink and report back to Forum
DEA SG/91/2019	Projects and Events Ongoing	Ongoing projects within the district – International Children's Day, Men's Health Week, Ramadan, Traveller Culture, Respect Project Whitecross, Newtownhamilton Youth Groups.	T McDonald to report on these events.
DEA SG/92/2019	Good Relations	Sinead Boyce, St Oliver Plunkett Youth Club, Crossmaglen requested a meeting with Taucher to discuss some events that she is planning.	T McDonald to meet with Sinead Boyce
DEA SG/93/2019	Good Relations	Taucher requested the Forum to contact her in relation to ideas on how to get groups working together on projects and what type of projects.	Forum Members
DEA SG/94/2019	Capital Projects	(a) Site meeting at Poets Meadow, Creggan with ERT, Maintenance and Forum members. (b) Letter to be written to Marie Ward, Director of ERT to put the Poets Meadow, Creggan on her next agenda.	T McDonald

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA SG/95/2019	Health and Wellbeing	The possibility of running the “Home to Hospital Scheme” like the one that runs in the Mournes area. To be raised.	T McDonald to write to the PHA in relation to this.
DEA SG/96/2019	Health and Wellbeing	Julie McCann had received £30,000 from Dep. Of Justice through their deprivation and anti-social provision for the Bessbrook area. Enquiries into targets for spending to be made.	R Mulgrew to set up a meeting with Julie McCann in relation to the current anti-social issues in Bessbrook
DEA SG/97/2019	Health and Wellbeing	Locked up Handball alleys in Bessbrook that are lying disused for several years. Enquiries to be made into who owns these handball alleys.	R Mulgrew to speak with Bessbrook Development Company to ascertain who owns the handball alley. T McDonald to speak with Julie Casey to see if she knows who owns them.
DEA SG/98/2019	Safety Issues	Declan Crilly to be contacted regarding possible works schedule for Lismore playpark as it is currently unsafe.	T McDonald to contact Declan regarding works schedule.

ACTION SHEET- Rowallane District Electoral Area Meeting – 5 June 2019

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA/19/2	Chairperson's Remarks	<p>Councillor Harvey congratulated his fellow Councillors on their re-election and congratulated Councillor Terry Andrews on his election to the Vice-Chairman of Council.</p> <p>Councillor Harvey said that it was good to have Ellen back again after her period of absence and expressed his thanks to Linda O'Hare and Gillian Anderson who had manned the office in her absence.</p> <p>Councillor Harvey said that he looked forward to the forthcoming year and the continuing implementation of the Action Plan.</p>	
DEA/19/3	Declarations of Interest	There were no declarations of interest.	Noted
DEA/19/4	Minutes and Action Sheet from 27 February 2019	The Minutes and Action Sheet were Proposed as true record by Councillor Walker and Seconded by Councillor Andrews.	Noted
DEA/19/5	Appointment of Chairperson and Vice-Chairperson for Rowallane DEA	It was AGREED on the PROPOSAL of Councillor William Walker and SECONDED by Councillor Terry Andrews that Councillor Patrick Brown be elected Chairperson and Councillor Robert Burgess be elected Vice-Chairperson of Rowallane DEA.	Noted

DEA/19/6	Marie Conway Education Authority	<p>Marie Conway represented Donna Weir at meeting.</p> <p>Marie advised that Mary McGrath has been appointed as Senior Youth Worker for the Down area and will probably be based in Downpatrick. Marie advised that Mary has good local knowledge of the area and should be taking the post up within the next few weeks.</p> <p>Marie further advised that a Full Time Area Worker and Part Time Support Workers were being sought to initially concentrate on the Ballynahinch, Drumaness and Killyleagh area and then move on to other areas.</p>	Noted
DEA/19/7	Approve proposed Event Schedule and Associated Budget for 2019/2020 which may be subject to change	<p>Ellen Brennan, Co-Ordinator, circulated Event Schedule and Associated Budget for Year 2019/2020 and stated that each planned event is supported by statistical evidence of need.</p> <p>Ellen Brennan to liaise with Judith from PCSP to establish where summer schemes need to be provided and see if they could be funded.</p> <p>Ellen Brennan to prepare a paper for consideration at a future Active and Healthy Committee meeting to extend the opening hours of Killyleagh Community Centre and Saintfield Community Centre to 11.00 pm on Friday and Saturday nights with a suitable location in Crossgar to be identified.</p>	<p>Co-Ordinator to Action</p> <p>Ellen made contact with Judith – meeting to be arranged following her return from Annual Leave on 1st July 2019.</p> <p>19/06/2019 Paper for submission to AHC sent to Aisling Rennick for approval.</p>
DEA/19/8	Co-Ordinator's Report	Ellen Brennan circulated an updated report on what had been happening since the last meeting and provided further verbal details on same.	Noted

DEA/19/9	Any Other Business	<p>Brian Gamble advised that the Saintfield Community Centre is now managed by the Saintfield Community Trust and the Official Opening is Thursday 27 June 2019.</p> <p>The Brian Steenson Memorial Group plan to erect a bronze plaque or sculpture mounted on a granite stone in front of Killyleagh Castle and have a large wall mural dedicated to Steenson at a suitable location in Crossgar. It was AGREED that the group should contact Ellen Brennan, Co-Ordinator, who would help investigate funding opportunities.</p> <p>Ellen Brennan to contact DJ Morgan, Outdoor Recreation Officer to pursue and identify the Department responsible for the request from Crossgar Community Group that the fence at the New Westlands Play Park, Crossgar be brightly painted.</p> <p>It was AGREED that the next meeting of the Rowallane DEA be scheduled for Tuesday 9 July 2019 from 9.00 am to 1.00 pm in the Vincent Fulham Room in the Market House, Ballynahinch to develop a Rowallane DEA Manifesto and agree additions/amendments to the current Action Plan.</p> <p>Ellen Brennan to appoint a Facilitator. Members were advised that any items for discussion should be forwarded to Ellen Brennan or Marie McKee prior to meeting.</p> <p>Meeting invitation to be sent to Marie Conway for forwarding to Donna Weir, Education Authority.</p>	<p>Noted</p> <p>12/06/19 Ellen contacted DJ and work request has been forwarded Aidan Mallon for action.</p> <p>18/06/19 Quotations sought from 3 facilitators.</p> <p>11/06/19 Invitation sent to Marie Conway EA for meeting on 9th July 2019</p>
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ACTION SHEET – DOWNPATRICK District Electoral Area Meeting – 11th June 2019

ITEM	SUBJECT	DECISION	FOR COMPLETION (including Actions taken/date completed or progress to date if not yet completed)
2.0	Declarations of Interest.	Forum members to declare conflict of interest of any item on the agenda at the start of each DEA meeting.	No conflicts of interest were declared
3.0 (i)	Term of Office of Chair and Vice Chair	It was proposed that term of office would extend from current nine months to 12 months to be in line with Council AGM. Proposed by Cllr Curran Seconded by Cllr Trainor	All members were in agreement
3.0 (ii)	Appointment of Chair	Cllr Oonagh Hanlon was appointed Chair Proposed by Cllr Trainor, Seconded by Cllr Sharvin	Councillor Hanlon assumed the position of Chair
4.0	Appointment of Vice Chair	Cllr John Trainor was appointed Vice Chair Proposed by Cllr Sharvin, Seconded by Cllr Enright	Councillor Trainor assumed the position of Vice Chair
5.0	Minutes of meeting held on 12 th February 2019 and associated action sheet	Minutes and Action sheet were proposed as a true record. Proposed by Macartán Digney Seconded by Cllr Trainor	Noted
5.0 (i)	Action Sheet 12 th February 2019 – Traffic congestion Edward Street	Cllr Enright requested a comparison from Heather Bradley, DfI, detailing why cost went from £8,000 to £2.7 million. DfI also to be contacted and request that the traffic congestion in Edward Street be regarded as a priority project.	Email request sent to Department for Infrastructure

5.0 (iii)	Action Sheet 12 th February 2019 – Proposed path linking Dunsford Primary School to Church Corner	Cllrs agreed to address this matter as a priority at Full Council meeting on 1 st July 2019.	Downpatrick DEA Cllrs to action
5.0 (iv)	Action Sheet 12 th February 2019 – Peace IV Culture funding	Paper going to Full Council meeting on 5th August 2019 requesting £6k funding for Culture Night. A letter is to be sent to Marie Ward, Director ERT, from Downpatrick DEA highlighting the importance of funding being available for event in September 2019 and that August meeting is very close to the proposed event as will leave too little time to organise.	Email request was sent to Director of ERT and Assistant Director of Tourism, Culture & Events
7.0	Grass Verges/Land Ownership Register	Contact Community Planning to request that this be an approach taken as a joint agency initiative through community planning	Request sent to Community Planning
11.0	DEA Action Plan 2019/2020	Members asked if they supported proposed DEA Action Plan. Members were in agreement. Proposed by Councillor Trainor, seconded by D McEvoy	Action Plan agreed by Forum members
12.0	Proposed Good Relations Initiatives	Members were asked if they supported Proposed Good Relations Initiatives Proposed by Dan McEvoy, seconded by Cllr Trainor	Members supported proposed Good Relations Initiatives
		Dan McEvoy asked members to promote DownTime Festival taking place this weekend in Downpatrick.	All members to action
		Council consider giving independent members the same subsidy that Council staff have in relation to access to the Leisure Centres	Request for consideration referred to Assistant Director of Leisure

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ACTION SHEET- NEWRY DEA MEETING – 27 June 2019

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Item	SUBJECT	DECISION	<i>FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed</i>
2019/1	Clanrye Avenue	Car park currently temporary – can this be made permanent/tarred and spaces lined out.	Coordinator to progress
2019/2	Rodent Infestation	Request updates regarding agency interventions	Coordinator to progress – ongoing
2019/3	Railings at Jennings Park	Railings need to be removed or replaced	Coordinator to progress
2019/4	Barcroft C.C	Nettles at Barcroft Community Centre	Coordinator to progress

ACTION SHEET- Slieve Gullion District Electoral Area Meeting – 13th August 2019

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA/SG/15/2016	WiFi in Community Centres	Council looking at business case	On-going
DEA SG/70/2018	Disability Access	Proposal for disabled parking spaces in Crossmaglen. Department of Infrastructure to be invited to DEA meeting in February 2019.	T. McDonald & L. O'Reilly - Department have requested that the issue be brought at the next bi-annual meeting with Councillors.
DEA SG/80/2018	Health & Wellbeing Directory	Directory of Services to be distributed to Forum	L. O'Reilly currently preparing action plan.
DEA SG/82/2018	DEA Private Forum Membership	The need to recruit new members. Biggest stumbling block is that groups need to show networking. Paper to go to Council to look at amending the criteria for groups to appoint representatives to DEA Forums.	Taucher to speak to Aisling and Damien- Completed A. Rennick to update
DEA SG/83/2018	Safety Issues	Camlough Heritage Society sent letter to Forum looking for Department of Infrastructure to extend the 30MPH speed sign further up the Newry side of the Camlough Road.	Taucher wrote to Dept of Infrastructure (Roads). DFI to respond when a decision has been made.
DEA SG/87/2019	Peace IV Cultural Event Ring of Gullion	Meeting to be set up with Darren Rice in relation to the Funding for the Cultural Event – "The Tunes of the Ring of Gullion Past and Present".	Completed. ArtsEkta to contact community groups regarding projects.

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA SG/88/2019	PCSP Manager Invite	PCSP Manager Martina Flynn to be invited to the next Forum Meeting	T. McDonald
DEA SG/89/2019	Safety	Janine Hillen to be informed about lack of response from Department of Infrastructure to Road and Parking issues within the Slieve Gullion area over the last 2 years especially in relation to disabled parking issues.	Completed
DEA SG/90/2019	Environmental	Translink – request for running the late-night bus scheme over a 12 month period.	T McDonald to liaise with Translink and report back to Forum
DEA SG/91/2019	Projects and Events Ongoing	Ongoing projects within the district – International Children's Day, Men's Health Week, Ramadan, Traveller Culture, Respect Project Whitecross, Newtownhamilton Youth Groups.	Completed
DEA SG/92/2019	Good Relations	Sinead Boyce, St Oliver Plunkett Youth Club, Crossmaglen requested a meeting with Taucher to discuss some events that she is planning.	Completed
DEA SG/93/2019	Good Relations	Taucher requested the Forum to contact her in relation to ideas on how to get groups working together on projects and what type of projects.	Completed.
DEA SG/94/2019	Capital Projects	(a) Site meeting at Poets Meadow, Creggan with ERT, Maintenance and Forum members. (b) Letter to be written to Marie Ward, Director of ERT to put the Poets Meadow, Creggan on her next agenda.	T McDonald

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA SG/95/2019	Health and Wellbeing	The possibility of running the “Home to Hospital Scheme” like the one that runs in the Mourne area. To be raised.	Completed - A paper for Slieve Gullion Home to Hospital Scheme has been submitted to AHC Committee.
DEA SG/96/2019	Health and Wellbeing	Julie McCann had received £30,000 from Dep. Of Justice through their deprivation and anti-social provision for the Bessbrook area. Enquiries into targets for spending to be made.	R Mulgrew to set up a meeting with Julie McCann in relation to the current anti-social issues in Bessbrook
DEA SG/97/2019	Health and Wellbeing	Locked up Handball alleys in Bessbrook that are lying disused for several years. Enquiries to be made into who owns these handball alleys.	Completed - Ownership details passed on to Forum.
DEA SG/98/2019	Safety Issues	Declan Crilly to be contacted regarding possible works schedule for Lismore playpark as it is currently unsafe.	Completed - Worked has been scheduled.
DEA SG/99/2019	Letter to Disability Action	Letter to Disability Action and possible other health organisations to help champion for disabled parking spaces in Crossmaglen.	T. McDonald to write on behalf of the Forum
DEA SG/100/2019	Bessbrook Handball Alley	Council’s outdoor Leisure department to look at leasing the Handball alley in Bessbrook	T. McDonald to contact C. Haughey for update
DEA SG/101/2019	New Toilet Block Installation	New toilet block installation at Kiltybane Lake	T. McDonald to contact C. Haughey to update

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA SG/102/2019	Public Conveniences	Ideas and suggestions regarding public conveniences to be forward on to K. Scullion for next Neighbourhood Services Committee meeting.	Forum Members
DEA SG/103/2019	Up-Coming Good Relations Projects and events spend for September and October	<ul style="list-style-type: none"> • Shared Schools Education Programme • 10 week Mental Health Sessions in Crossmaglen • Support delivery of Silver Screening event on Wednesday 25th September 2019 in Newry Omniplex. • Support delivery of Newtownhamilton's Men's Shed event on 21 September • EID Muslim community celebration event on 14 September • Inter- Youth Club Programme • Positive Ageing Event – 24 October • Mental Health Event 	<p>T. McDonald to delivery in partnership with Newry DEA</p> <p>T. McDonald to support delivery with recovery College.</p> <p>T. McDonald to support delivery in partnership with Age Friendly and other Legacy Council DEA's</p> <p>T. McDonald to support delivery of event</p> <p>T. McDonald to delivery in partnership with Newry & Downpatrick DEA's.</p> <p>T. McDonald to link with Education Authority to support delivery</p> <p>T. McDonald to link with Age Friendly Coordinator and support organizations to delivery</p> <p>T. McDonald & T. Nugent to support delivery.</p>

ACTION SHEET – DOWNPATRICK District Electoral Area Meeting – 14th August 2019

ITEM	SUBJECT	DECISION	FOR COMPLETION (including Actions taken/date completed or progress to date if not yet completed)
2.0	Declarations of Interest	Forum members to declare conflict of interest of any item on the agenda at the start of each DEA meeting.	No conflicts of interest were declared.
3.0	Update from Colin Moffet re request to Place SeaGen Blade on Lower Green, Strangford	Colin Moffet requested view of Downpatrick DEA regarding proposal to place SeaGen blade on Lower Green, this request is part of a wider consultation.	Downpatrick DEA view is to support the proposal.
4.0	Review of Public Conveniences, Kevin Scullion and Gail Kane	Consultation findings on review of public conveniences.	Kevin Scullion to report findings back to Downpatrick DEA in approx. three months.
5.0 (i)	Minutes of Meeting held on 11 th June 2019	Item 12. Proposed Good Relations Initiative. Members requested a current policy review through Director of AHC relating to independent DEA members receiving same benefits as Councillors (free admission to Council facilities and mileage costs). Proposed by Cllr Enright Seconded by Dan McEvoy	Request for consideration sent to Director of AHC
5.0 (ii)	Minutes of Meeting held on 11 th June 2019	Minutes were proposed as a true record Proposed by Dan McEvoy, Seconded by Cllr Curran	Contents Noted
5.0 (iii)	Action Sheet of Meeting held on 11 th June 2019	Grass Cutting Register – request Community Planning to consider Downpatrick as the Pilot Scheme for the District	Referred to Community Planning for consideration

5.0 (iv)	Action Sheet of Meeting held on 11 th June 2019	Single Issue stakeholder meeting to be held regarding Traffic Congestion, Edward Street	DEA Co-Ordinator to invite stakeholders to meeting at 4:00pm, 8 th October 2019
5.0 (v)	Action Sheet of Meeting held on 11 th June 2019	Traffic Congestion Edward Street Councillors to highlight to Simon Richardson, DFI at party meeting that Edward Street is a priority.	Cllr Trainor to write to Downpatrick DEA Councillors to request they put in writing their questions regarding Edward Street
5.0 (vi)	Action Sheet of Meeting held on 11 th June 2019	Action Sheet was proposed as a true record. Proposed by Cllr Curran, Seconded by Dan McEvoy	

ACTION SHEET- Mournes District Electoral Area Meeting – 20 August 2019

ITEM	SUBJECT	DECISION	FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed
DEA/19/1	Parking at Tollymore	Parking at Tollymore Forest Park, Burrenreagh Road	Ongoing – Kathleen Magee
DEA/19/2	Kilkeel Cinema	Councillor Henry Reilly requested a walk around of Kilkeel Cinema	Ongoing – Kathleen Magee
DEA/19/3	Anti-Social behaviour	Councillor Sean Doran requested a meeting with the PSNI regarding anti-social behaviour in the Kilkeel area	Ongoing – Kathleen Magee
DEA/19/4	Kilkeel Harbour	Alan McCullough, Seasource to be invited to attend the next Mournes DEA Meeting regarding an update on the ongoing works at Kilkeel Harbour	Ongoing – Kathleen Magee
DEA/19/5	Rat Infestation	Councillor Henry Reilly raised concerns regarding rat infestations at Aughrim River, Kilkeel. Environmental Health to be contacted	Ongoing – Kathleen Magee

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ACTION SHEET- NEWRY DEA MEETING – 29 August 2019

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Item	SUBJECT	DECISION	<i>FOR COMPLETION – including actions taken/date completed or progress to date if not yet completed</i>
2019/1	Clanrye Avenue Car Park Graffiti	Request relevant department remove graffiti from the wall at Clanrye Ave Carpark. This issue is ongoing and should be monitored.	Coordinator to report to J. Parks for progression
2019/2	Meigh Post Box	Make contact with Post Office to discuss the relocation of post box to improve motorists sight line.	Coordinator to progress and refer to A Smyth
	Meigh Traffic Calming	Officers to consider highlighted road surface coverage on entrance to village. Recommendation to cover all 4 roads.	A Smyth will provide update to members.
	Meigh EI Scheme	Circulate Planning Map for the Meigh EI Scheme	M Patterson to progress
2019/3	Peter McParland Park	Agreed new date to discuss this item	Coordinator to progress with C Haughey, A Mallon
2019/4	Alleygating – Dominic Street	Coordinate a site meeting with relevant officials at Dominic Street	Coordinator to progress Liz Kimmins to provide map for circulation
		Request alleyway ownership mapping exercise be gathered and circulated to members. Contact NMDDC, NIHE, DFI	Coordinator to progress request
2019/5	Housing in the communities meeting	Circulate details of next Housing in the Community Meeting with members. 17 October 2019, NIHE Offices – Constituted Groups only	Owen McDonnell to provide details

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2019/6	DEA City Centre	Meeting to be arranged with working group to develop and deliver city centre project. E. Connolly, Newry BID, L Bradley, YAC	Coordinator to Progress
2019/7	Health Update	Promoting Wellbeing Team Updates to be circulate to members	M McCann to provide information for circulation.
2019/8	Public Order Offences	Investigate land ownership and costs to cut bushes back at St Colman's Park which currently are overgrown and occupied by rough sleepers.	Liaise with PCSP and relevant authorities to refer issues accordingly.
		Meeting to be coordinated with Statutory, community sector and DEA members	Coordinator to progress as a matter of urgency
		Investigate proposal to provide a temporary enforcement officer across the city centre with a view to immediate impact and evaluated for long term use.	Coordinator to liaise with PCSP and relevant officials.
2019/9	Houses of Multiple Occupancy	Cllrs advised to refer addresses to Kerri Morrow or Grainne McKinley for investigation	Coordinator to refer items to relevant officer
2019/10	Parking Issues High Street Area	Recommendation to carry out a PR exercise at this site using PCSP Road Safety Items	Coordinator to liaise with PCSP
2019/11	Traffic – Red Light Running at Camlough Road, Newry	Coordinator to Report to PSNI for investigation	Coordinator to Progress

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	Installation of RAPID Bin at Newry Leisure Centre
Reporting Officer (Including Job Title):	Janine Hillen, Assistant Director Community Engagement
Contact Officer (Including Job Title):	Martina Flynn, Safer Communities & Good Relations Manager

For decision	<input checked="" type="checkbox"/>	For noting only	<input type="checkbox"/>
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1.0	Purpose and Background
1.1	Purpose <ul style="list-style-type: none"> To consider and agree the installation of a RAPID Bin at Newry Leisure Centre.
1.2	Background <p>RAPID (Remove All Prescription and Illegal Drugs) is a community-led initiative supported regionally by the PSNI and Public Health Agency, and locally by the Policing and Community Safety Partnership (PCSP). RAPID raises awareness of the risks of using and misusing prescription drugs, and facilitates the removal of these from the community by providing a secure facility (in the form of a RAPID Bin) for the safe and anonymous disposal of these.</p> <p>RAPID launched in Belfast in 2010 and there are now more than 30 RAPID Bins located across Northern Ireland – more than 150,000 items of prescription medicine have been disposed of since the scheme began.</p> <p>The most recent statistics from the Public Health Agency indicate that the majority of drug-related deaths in Northern Ireland are due to the misuse of a variety of prescription medicines, often taken with alcohol and illicit drugs. In 2017, 81% of drug-related deaths were classed as drug-misuse deaths, compared to 56% in 2007. Between 2006-2016 there were 842 deaths in NI where prescription drugs were mentioned on the death certificate - 56 more than the number of deaths as a result of illegal drugs, including ecstasy and cocaine.</p> <p>Figures from NISRA (Northern Ireland Statistics & Research Agency) also confirm that people living in the most deprived areas in NI are four times more likely to die from a drug-related death than those in the least deprived areas. The Newry, Mourne & Down District Council area is currently ranked the 3rd most deprived Council area in NI (NISRA).</p> <p>Newry, Mourne & Down PCSP is working in partnership with a range of other agencies to encourage the disposal of unused medicine to help reduce the incidences of drugs being misused or illegally shared. Since late 2018 the PCSP has overseen the installation of RAPID Bins at the following locations across the Council District –</p> <ul style="list-style-type: none"> - The Nautilus Centre, Kilkeel - North Street Car Park, Newry - Hughes Extra NISA Complex, Camlough - The Ballymote Centre, Downpatrick

	<p>Over 12,000 items of prescription drugs have been removed from these RAPID Bins since October 2018. Trace amount of illegal drugs have also been removed.</p> <p>Each RAPID Bin is attached securely to a wall or the ground – once bolted it cannot be stolen or moved, and it is not possible to physically remove or retrieve any of the contents. Bins are emptied on a monthly basis by the PSNI and PCSP staff – once removed the contents are counted, recorded and disposed of or destroyed by the PSNI. The PSNI have sole access to the key for any Bin installed by the PCSP – no other individual or agency can access the contents at any time.</p>
2.0	Key issues
2.1	<p>Newry Leisure Centre has been identified as a preferred location for the installation of a RAPID Bin due to the high level of public use and significant footfall at the Centre. The Bin is likely to be installed on an outside wall at the Centre.</p> <p>The location also offers an unparalleled opportunity to develop and deliver a series of positive mental wellbeing and healthy life choices programmes to support the installation of the Bin and raise awareness of the RAPID initiative.</p> <p>A full risk assessment in relation to the proposed installation has been carried out by the Council's Safety, Health & Emergency Planning Officer who advises that -</p> <ul style="list-style-type: none"> i) Any RAPID Bins installed on Council premises will be covered by Council Public Liability Insurance as this falls under Occupiers legal liability. ii) The risk associated with the use of the RAPID Bins is extremely low and would be little different from other facilities on Council premises such as bins, defibs, street furniture etc. iii) The RAPID Bins are installed and emptied by others (PSNI) and Council therefore has no legal liability in this respect. <p>The Council's insurance broker has further confirmed that there are no concerns with extending Public Liability Insurance once the location is confirmed. The RAPID Bin will be installed by Safeguard Devices who have all necessary cover for carrying out the installation and ongoing product liability cover. The PCSP will be responsible for the installation of the Bin and all associated costs.</p> <p>The further installation of RAPID Bins at other Council premises, facilities and sites will need to be considered on a case by case basis.</p>
3.0	Recommendations
3.1	<p>That the Committee:</p> <ul style="list-style-type: none"> • Agree to proceed with the installation of a RAPID Bin at Newry Leisure Centre.
4.0	Resource implications
4.1	No resource implications - all actions are budgeted for in the 2019/20 PCSP Action Plan (including installation costs and programme development/delivery costs).
5.0	Equality and Good Relations implications
5.1	No Equality of Opportunity or Good Relations adverse impact is anticipated.
6.0	Rural Proofing implications
6.1	A Rural Needs Impact Assessment is not required at this time
7.0	Appendices
7.1	None
8.0	Background Documents
8.1	None.

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	3G Pitch Castlewellan Community Centre Remedial work prior to handover to Community group
Reporting Officer (Including Job Title):	Janine Hillen Assistant Director: Community Engagement
Contact Officer (Including Job Title):	Julie McCann Head of Community Services Facilities and Events

For decision		x	For noting only		
1.0	Purpose and Background				
1.1	<p>Castlewellan Community Partnership were awarded SIF funding to the value of £527,951 for an extension to and refurbishment of Castlewellan Community Centre.</p> <p>In June 2019 it was agreed "To approve that Newry, Mourne and Down District Council enters into a 25yr lease agreement with Castlewellan Community Partnership to include the Community Centre, 3G Pitch and mobile units at a peppercorn rate £25 per annum".</p> <p>As part of the Lease, the council is agreeing to lease the 3G pitch to the association. To assess its current state and expected life span the Council commissioned a condition report which was carried out by Haffey Sports Ground (See Appendix 1).</p> <p>The council have also received several complaints from residents in relation to balls coming into their properties and the consultant was asked to assess remedial options as part of their report.</p>				
2.0	Key issues				
2.1	<p>The reports key findings where:</p> <p>1. The existing Synthetic carpet will be required to be replaced after another 5 years of play.</p> <p>The (current) approximate cost for this is c.£50,000 + VAT (including disposal of existing car pet).</p> <p>Existing Schmitz shockpad can be reused with a replacement carpet. These shockpads have a warranty of 20-25 years.</p> <p>2. Current works to immediately improve the condition of the playing surface:</p> <p>Decompact infill - £600 per visit (required quarterly) Clean surface - £450 per visit (required twice annually)</p> <p>Top up infill – 20 tonnes @ £300 per tonne - £6000 (to be assessed annually thereafter)</p>				

	<p>Spraying weeds at perimeter - £200 (completed by council)</p> <p>3. Fencing improvements would cost in the region of £35,000.</p> <p>4. The price of replacement goals ranges from £1500-£2500 per set.</p>
	Recommendations
3.1	<p>That the Committee note and agree to approve:</p> <ol style="list-style-type: none"> 1. The council to pay a contribution of 50% towards the replacement of the synthetic carpet in 5 years' time. 2. The council to forward the Fencing improvements for consideration in 20/21 rate estimates. 3. Improvement works to bring the 3G pitch up to necessary standards to be completed by Neighbourhood Services department using existing maintenance budgets. 4. Council to provide replacement goals from existing budgets.
4.0	Resource implications
4.1	<p>Detail resource implications:</p> <p>50% of capital costs in 5 years' time.</p> <p>Approx. £7,500 for improvement works</p> <p>£2,500 for replacement goals.</p>
5.0	Equality and good relations implications
5.1	Should have a positive impact on Equality and Good Relations
6.0	Rural Proofing implications
6.1	There are no negative implications identified:
7.0	Appendices
	<ol style="list-style-type: none"> 1. 3G Synthetic pitch condition survey
8.0	Background Documents
	None

3G Synthetic Pitch Condition Survey

August 2019



Prepared for Newry, Mourne and Down District Council
by Haffey Sports Grounds Ltd.

Client Brief:

Inspect synthetic pitch at Castlewellan Community Centre and comment on condition including recommendations for on-going maintenance of life-cycle costs. Provide recommendations to stop balls going into neighbouring properties.

Installation Details:

Castlewellan Community Centre – Newry, Mourne and Down District Council.

3G synthetic pitch approximately 60m x 35m.

Currently a 40mm 3G synthetic carpet (*image 1) overlying a 20mm Schmitz shockpad (*image 2) infilled with crumb rubber.



Image 1



Image 2

Condition Survey:

Visual Inspection:

- Overall condition of existing synthetic surface appears to be good. (*image 3)
- The crumb rubber infill is low especially in areas of high wear. (*image 4)
- There are weeds growing around perimeter of pitch. (*image 5)
- Fencing including pitch surround WISA boards are in good condition. (*image 6)
- The portable goals do not have in-built wheels and are in a poor state of repair (*images 7-10)

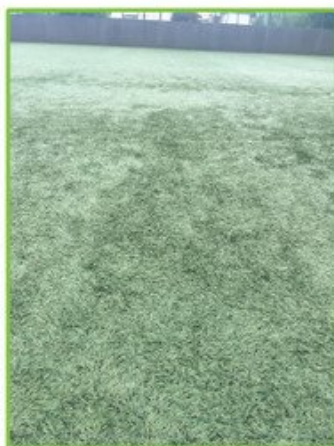


Image 3



Image 4



Image 5



Image 6



Image 7



Image 8



Image 9



Image 10

Recommendations:

- 3G carpet and shockpad will be suitable for use for at least another 5-8 years providing a suitable maintenance regime is produced and adhered to.
- The Schmitz shockpad will have a manufacturer's warranty of 20-25 years from the date of installation.
- The 3G synthetic carpet will have a manufacturer's warranty of 8-10 years from the date of installation.
- Decompact existing infill using specialist machinery. Top up infill as required to leave free pile height of approximately 15mm. (Approximately 20 tonnes required). Decompaction should be carried out on a quarterly basis. Infill levels should be assessed annually and topped up where necessary.
- The existing surface should be cleaned using a proprietary tractor drawn 3G pitch cleaner to remove debris and other detritus matter. This process should be carried out twice annually.
- The perimeter of the pitch surface should be sprayed with a suitable weed killer to remove unwanted grass and weeds. This should be carried out twice annually.
- Ensure regular brushing; manufacturers recommend every 40 playing hours (at least 1 brushing per week).
- Ballstop fence should be increased in height by at least 3m on all sides of the pitch to prevent stray balls entering adjoining properties as the height of the current fence is not sufficient. Alternatively a "sky net" could be placed over the entire pitch to act as a roof. For both options the corner and intermediate fence posts would need to be upgraded to accommodate the alterations.
- The existing goals should be modified or replaced to include new wheels and a rear roller bar. The current goals are damaging the grass fibres by having the steel bars dragging over the playing surface.

Conclusions:

- The existing Synthetic carpet will be required to be replaced after another 5 years of play. The (current) approximate cost for this is c.£50,000 + VAT (including disposal of existing carpet).
- Existing Schmitz shockpad can be reused with a replacement carpet. These shockpads have a warranty of 20-25 years.
- Current works to immediately improve the condition of the playing surface:
 - Decompact infill - £600 per visit (required quarterly)
 - Clean surface - £450 per visit (required twice annually)
 - Top up infill – 20 tonnes @ £300 per tonne - £6000 (to be assessed annually thereafter)
 - Spraying weeds at perimeter - £200 (completed by council)
- Fencing improvements would cost in the region of £35,000.
- The price of replacement goals range from £1500-£2500 per set.

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 th September 2019
Subject:	Community Facilities Strategy Update
Reporting Officer (Including Job Title):	Janine Hillen (Assistant Director Community Engagement)
Contact Officer (Including Job Title):	Julie Mc Cann (Head of Community Services, Facilities and Events)

<table><tr><td>For decision</td><td>x</td><td>For noting only</td><td></td></tr></table>		For decision	x	For noting only	
For decision	x	For noting only			
1.0	Purpose and Background				
1.1	Purpose To consider and agree to: 1. The revised definition of a community facility (Appendix 1) 2. Vision, Outcomes and Themes for the community facilities strategy (Appendix 1) 3. Revised timeline for delivery (Section				
1.2	Background In Aug 2018 Council agreed to appoint a consultant to develop a Community Centre Strategy, specifically to identify gaps in provision and make recommendations on how we address current and future needs. Following a procurement exercise Venture International were appointed.				
2.0	Key issues				
2.1	When complete, Council expects that, the Community Facilities Strategy will provide an evidence base to: <ul style="list-style-type: none">• Provide an agreed pathway to proactively identify gaps in community facilities provision in the district;• Guide Council decision making in relation to capital investment in community facilities.• Guide how the Council operates the community facilities that it owns and manages.				

	<ul style="list-style-type: none"> • Guide how Council supports community facilities that are operated by voluntary organisations throughout the district. <p>To progress, Council is required to agree, the definition of a community facility, vision, outcome and themes as detailed in Appendix 1.</p> <p>Agreement on a revised timeline for delivery is also required (detailed below):</p> <ul style="list-style-type: none"> • Nov/Dec 19 – Draft strategy to be presented to DEA forums • Jan/Feb 20 - Public consultation meetings throughout the district • March 20– Draft strategy to be presented at CMT • April 20- Draft strategy to be presented at SMT • May 20- Completed strategy to AHC committee • June 20- Ratified at Full council
3.0	Recommendations
3.1	<p>To consider and agree to:</p> <ul style="list-style-type: none"> • The revised definition of a community facility • The vision, outcomes and themes for the community facilities strategy • Revised timeline for delivery
4.0	Resource implications
4.1	<p>Consultancy fees (already included in the 19/20 budget)</p> <p>Officer time</p>
5.0	Equality and good relations implications
5.1	<p>No equality impact assessment is required at this time</p>
6.0	Rural Proofing implications
6.1	<p>A rural Needs Impact Assessment is not required at this time</p>
7.0	Appendices
	<p>Appendix 1: Newry, Mourne and Down District Council Community Facilities Strategy 2020 – 2030 - Definition of a Community Facility, Vision, Outcomes and Themes</p>
8.0	Background Documents
	<p><i>None</i></p>



Newry, Mourne and Down District Council Community Facilities Strategy 2020 – 2030 Definition of a Community Facility, Vision, Outcomes and Themes

Definition.

A community facility is a building which is open to the public where the community can gather for a diverse range of social, cultural, educational, recreational, training and information activities. The facility will normally provide a minimum of three of these diverse activities.

A community facility will have independent accounting procedures and will produce its own annual Income and Expenditure accounts separate from any associate or parent organisation. The facility should be managed by a constituted community Association (see below).

The governing rules of the Facility must not restrict any section of the community from using building-or restrict any type of activity other than for reasons of insurance.

N.B - A community association is established to promote for the benefit of the inhabitants of an area or its immediate environs without distinction of age, sex, race, political or other opinions, by associating with statutory authorities, voluntary organisations, institutions, business and inhabitants in a common effort to advance education and to provide facilities in the interests of social welfare, health, recreation and leisure activities, with the objective of improving conditions for the inhabitants it represents.

Vision

The Council's Vision for community facilities across the District is:

High quality, inclusive, well managed facilities in locations where they are needed, providing a diverse range of programmes, and capable of enhancing the quality of life of the local communities they serve

Outcomes

Council recognises that this is a vision which will be delivered over the medium to long term; typically, this would be up to 2030 and in line with the Community Plan timeframe. This Community Facilities Strategy sets out the direction Council will take and the actions it will deliver across the ten year 2020-2030 timeframe. This Ten Year Community Facilities Strategy will work to deliver the following outcomes and in doing so works towards the vision (to 2030):

- Outcome One: Decision making, including investment, in community facilities is needs led and strategic
- Outcome Two: Community facilities are multi-purpose, efficient and fit for purpose
- Outcome Three: Council and its community planning partners deliver a range of accessible services, activities and opportunities from Council owned and community managed facilities across the District

Themes

The 2020-2030 Community Facilities Strategy is focused around the following three themes:



Action plans been developed according to each theme to ensure the vision and outcomes of the 2020-2030 Community Facilities Strategy are achieved.

Report to:	Active and Healthy Community
Date of Meeting:	16 th September 2019
Subject:	Leisure Facilities Partial Closure - Staff Training
Reporting Officer (Including Job Title):	Paul Tamati, Assistant Director Leisure and Sport
Contact Officer (Including Job Title):	Kieran Gordon, Head of Indoor Leisure

<table><tr><td>For decision</td><td>X</td><td>For noting only</td><td></td></tr></table>		For decision	X	For noting only	
For decision	X	For noting only			
1.0	Purpose and Background				
1.1	Purpose <ul style="list-style-type: none">To seek approval for Councils Leisure and Sports Facilities to implement a partial closure up to 5pm on Friday 20th December 2019 to facilitate staff training for employees.				
	Background <ul style="list-style-type: none">Council Leisure and Sports Section currently employees approx. 200 permanent and casual staff across several facilities, many of which are open 7 days a week, up to 15 hours per day with x3 staff shifts on potential days.Given the operational dynamics of the service, ensuring employees receive the appropriate compliance training is extremely challenging.Previously in May 2017, Council approved up to 2 full closure days per year per leisure facility for identified staff training.The identified 2 full closure for 2019/20 are as follows:<ol style="list-style-type: none">16th & 17th December 2019 (NLC, Newcastle Centre, St Colmans, Newry based Sports Development, Outdoor Recreation and Admin staff).18th & 19th December 2019 (DLC, Ballymote, Kilkeel LC and Downpatrick based Sports Development, Outdoor Recreation and Admin staff).A third partial closure day is being requested for the 20th December 2019 as part of this report.				
2.0	Key issues				
2.1	<ul style="list-style-type: none">Council have a corporate and legal responsibility to ensure all staff receive appropriate staff training relevant to their job roles.Given the dynamics of the Leisure and Sports 7-day service, administering staff training and ensure high levels of attendance can be challenging.The proposed dates for staff training have been scheduled at a time of year when demand for services is at its lowest, however availability of staff potentially at its highest due to the proximity of the holiday period and particularly availability of casual staff.Balancing closure days of facilities with public demand for services can be challenging, and subject to staff availability, partial closures on these designated dates will be attempted to be implemented to minimise disruptions to services however depending on staff availability, full closures				

	on designated days may be implemented.
3.0	Recommendations
3.1	<ul style="list-style-type: none"> That the Committee approve Councils Leisure and Sports Facilities to implement a partial closure up to 5pm on Friday 20th December 2019 to facilitate staff training for employees.
4.0	Resource implications
4.1	Financial - there are potential implications for overtime costs due to partial closure operations, however it is anticipated these costs will be absorbed within the current budget provision.
5.0	Equality and good relations implications
5.1	No equality or opportunity or good relations adverse impact is anticipated.
6.0	Rural Proofing implications
6.1	There are no negative implications identified
7.0	Appendices
	None
8.0	Background Documents
	None

Report to:	Active and Healthy Community
Date of Meeting:	16 th September 2019
Subject:	Healthy Vending in Leisure Centres
Reporting Officer (Including Job Title):	Paul Tamati, Assistant Director Leisure and Sport
Contact Officer (Including Job Title):	Kieran Gordon, Head of Indoor Leisure

<table><tr><td>For decision</td><td>For noting only</td><td>x</td></tr></table>		For decision	For noting only	x
For decision	For noting only	x		
1.0	Purpose and Background			
1.1	Purpose <ul style="list-style-type: none">To note that when clear guidance on minimum nutritional standards (MNS) for Council Catering Outlets and Vending is established, a future report will be brought back to AHC committee regarding the potential implementation of these standards.			
1.2	Background <ul style="list-style-type: none">A notice of motion was referred to the AHC committee on 3rd June 2019, relating to healthy vending in Council Leisure CentresCurrently there is established guidance for MNS for vending in hospitals and other health service areas, however this guidance doesn't extend to Council leisure and sports facilities.A pilot initiative is currently being carried out by the Food Standards Agency with Belfast, Lisburn & Castlereagh and Fermanagh & Omagh Councils to implement MNS for council catering outlets and vending.At present the Food Standards Agency is developing an implementation strategy for the introduction of MNS with councils and this strategy will include vending.The intention of MNS is to limit the calories, fat and sugar that will be purchased by consumers using the following methods:<ol style="list-style-type: none">Increased availability of water, sugar-free and 'no added' sugar beveragesReduced availability of sugar sweetened beveragesA calorie cap on savoury snacks such as crisps and nutsA calorie cap on chocolate bars and confectionery			
2.0	Key issues			
2.1	<ul style="list-style-type: none">Currently there is no established guidance for MNS in Council leisure and sports facilities.There are currently a number of contract arrangements with annual extensions up until September 2021 in place for vending and catering services within Council leisure and sports facilities, however these arrangements do not enforce the implementation of MNS.There is arguably a need for products in vending machines with sugar content for those with specific health conditions and to support those undertaking physical activity, therefore a ban on products with sugar is not a viable alternative.			

3.0	Recommendations
3.1	<ul style="list-style-type: none"> To note that when clear guidance on minimum nutritional standards (MNS) for Council Catering Outlets and Vending is established, a future report will be brought back to AHC committee regarding the potential implementation of these standards.
4.0	Resource implications
4.1	There are no anticipated resource implications.
5.0	Equality and good relations implications
5.1	No equality or opportunity or good relations adverse impact is anticipated.
6.0	Rural Proofing implications
6.1	There are no negative implications identified
7.0	Appendices
	None
8.0	Background Documents
	None

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	Service Level Agreement in relation to the Affordable Warmth Scheme
Reporting Officer (Including Job Title):	Eoin Devlin (Assistant Director Health and Wellbeing)
Contact Officer (Including Job Title):	James Campbell (Head of Environmental Health -Residential)

<table border="1"><tr><td>For decision</td><td>X</td><td>For noting only</td><td></td></tr></table>		For decision	X	For noting only	
For decision	X	For noting only			
1.0	Purpose and Background				
1.1	Purpose To consider the report and agree that the Chief Executive signs the attached Service Level Agreement between the Department for Communities and Newry Mourne and Down District Council.				
1.2	Background Since 2015 the Council has been delivering the Affordable Warmth Scheme ("Scheme") in partnership with the Department for Communities and the Northern Ireland Housing Executive. The Scheme is targeted at those dwellings in greatest need with some allowance for referrals. Council Officers carry out the initial survey work and the Housing Executive then enable the adaptation work to be carried out. To date Council has referred 2300 addresses to the Scheme.				
2.0	Key issues				
2.1	<ul style="list-style-type: none">• In addition to managing the Scheme in its area Newry Mourne and Down District Council from 1 August 2019 has been administering the Scheme in the Armagh Banbridge and Craigavon Borough Council area.• Council is required to refer 36 dwellings each month to the Housing Executive for both Council areas.• To reflect the change in administrative area and numbers of referrals a Service Level Agreement has been prepared to allow the Scheme to continue.				
3.0	Recommendations				
3.1	That the Committee approve the signing of the attached Service Level Agreement with the Department for Communities in relation to the provision of the Affordable Warmth Scheme.				

4.0	Resource implications
4.1	Within existing estimates. Additional visits for Armagh Banbridge and Craigavon Borough Council will be funded by the Department for Communities.
5.0	Equality and good relations implications
5.1	No equality impact assessment is required at this time;
6.0	Rural Proofing implications
6.1	Officers confirm due regard to rural needs has been considered;
7.0	Appendices
	Appendix 1: Service Level Agreement
8.0	Background Documents
	None

Affordable Warmth Scheme

SERVICE LEVEL AGREEMENT

between

DEPARTMENT FOR COMMUNITIES

and

NEWRY, MOURNE AND DOWN DISTRICT COUNCIL

Date: August 2019

Service Level Agreement Affordable Warmth

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1. Overview

The Department for Communities (DfC) is responsible for developing policy and implementing programmes to mitigate the effects of fuel poverty and improve the thermal comfort of low income households across Northern Ireland. The Affordable Warmth Scheme is DfC's primary scheme for tackling fuel poverty. DfC works in partnership with all local councils and the Northern Ireland Housing Executive (NIHE) to deliver the Affordable Warmth Scheme.

The Affordable Warmth Scheme targets low income households and delivers home energy efficiency improvement measures to qualifying households.

All parties will use opportunities during the life of this agreement to display a commitment to work together in support of Government aims to improve household energy efficiency.

This SLA will also cover Armagh, Banbridge and Craigavon Borough Council (ABC) from 1 August 2019. Newry, Mourne and Down will administer the scheme on behalf of ABC and will be responsible for all aspects of work previously completed by ABC.

2. Purpose of this Document

The purpose of this Service Level Agreement (SLA) is to provide clarity in terms of accountability, policy, operation and reporting procedures for each of the parties and in particular to:

- reaffirm the scope of the scheme;
- describe the roles and responsibilities of each party;
- set out the financial arrangements; and
- detail the arrangements for monitoring performance in relation to the scheme.

The measures available under this scheme are listed at Annex 1.

3. Scope

The Affordable Warmth Scheme aims to mitigate the effects of fuel poverty in targeted households living in severe or extreme fuel poverty. It is expected to reduce energy consumption in eligible private housing through home energy efficiency interventions.

The NIHE will maintain a central record of all completed surveys referred to it and their progress. When local council officials have completed the survey and referred that survey to the NIHE, any query regarding the application should be directed to the NIHE to resolve.

DfC will provide agreed funding to each local council to administer the Affordable Warmth Scheme. The NIHE will transfer agreed funds to each local council on a quarterly basis.

4. Roles and Responsibilities

The Department for Communities

(a) The Department for Communities will:

- provide advice to the NIHE regarding the policy of the scheme as required;
- provide each local council with data detailing the households to be targeted where appropriate;
- set a target for referrals which local councils will deliver to the NIHE annually and monthly;
- continually monitor and evaluate the scheme through reporting arrangements with the NIHE and local councils;
- seek feedback from its Social Welfare Group regarding Benefit Entitlement Checks;
- consider changes that will improve process or impact as the scheme develops;
- on completion of the scheme complete a full evaluation;
- provide reporting templates for local councils monthly progress reports.

The Local Council's Role

(b) Each local council will be provided with details of households considered to potentially meet the conditions of the scheme. Each local council will:

- with the consent of the targeted householder, conduct a survey to collate and verify financial information to confirm eligibility for the scheme;
- have discretion regarding accepting self-referrals (as defined by DfC). Local councils **must** bear in mind that Affordable Warmth is primarily a targeted scheme;
- refer a total of 360 completed surveys to their local NIHE Grant Office from April 2019 to March 2020, following the

Service Level Agreement Affordable Warmth

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profile which will be set by NIHE, 144 of which should be on behalf of ABC Council covering the period from 1 August 2019-31 March 2020. The number of self-referrals included in the total of 360 referrals should not exceed 20%. Any change will be formally notified by the Department. Additional referrals will not be accepted without prior agreement with DfC and NIHE;

- the number of referrals may be adjusted in year due to budget change or scheme performance, however, numbers will be small;
- highlight urgent cases to the NIHE Grants Manager at the time of referral. An urgent case is defined as a household with no heating system, or central heating which is broken down beyond repair;
- ensure that when an application is received by Building Control that officials arrange for measures to be inspected. Building Control officials will confirm to the NIHE whether the installation is in compliance with the building regulations;
- provide householders participating in the scheme with information regarding energy advice;
- manage and respond to complaints concerning local council staff regarding the Affordable Warmth Scheme;
- meet with the NIHE and DfC at least quarterly to discuss the progress of the scheme and discuss any areas of concern;
- participate in both the established Senior Officer group and other ad hoc meetings as and when required;
- where the householder agrees, refer their details (name, address, contact number) to the Social Welfare Group for the purposes of conducting a Benefit Entitlement Check with them.
- Carry out additional duties such as handholding of householders and qualitative case studies of homes which have received assistance through the Scheme.

The Northern Ireland Housing Executive's Role

- (c) The NIHE is a non-departmental public body. Therefore it will not be a signatory to this SLA as the DfC and the NIHE has an established accountability process. This accountability process sets out the controls to be exercised over the different areas of the NIHE's activities by the DfC directly or by the NIHE itself. The prime purpose is to assist

Service Level Agreement Affordable Warmth

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the Permanent Secretary of DfC in discharging his responsibilities in relation to NIHE systems and as such represents a formal statement by DfC of the standards it requires the NIHE to achieve in relation to the probity of activities.

5. Financial Arrangements

Local councils will be responsible and accountable for the management of the Affordable Warmth budget allocated to them. Each local council must ensure the Affordable Warmth budget is ring fenced for Affordable Warmth activities. NMD will ensure that budget for ABC will only be spent on households within that councils boundaries.

6. Monitoring & Reporting

Each local council will provide the DfC with monthly progress reports regarding the number of:

- surveys completed;
- the number of self referral surveys completed; and
- numbers and details of referrals to other schemes or services.

NMD will provide separate reports for both of the council areas, NMD and ABC. Local councils will share any Audit recommendations concerning Affordable Warmth and consider those to improve the management of the scheme. This will be done in consultation with DfC.

7. Accountability

Overall accountability for the delivery of the scheme rests with the Accounting Officer of DfC as the funding department. However, each receiving organisation is accountable for its own finances and ensuring that appropriate controls are in place in order to provide them with the necessary assurances regarding expenditure.

8. Limited Liability

The local council shall have no liability to the Department for any loss or damage sustained by the Department as a result of the Department relying on any information supplied to it by the local council under this agreement.

9. Termination of SLA

Service Level Agreement Affordable Warmth

Once entered into, the SLA can be terminated within three months written notice from any Party. Any party may also terminate the Agreement without notice, for any of the following reasons:-

- a) any breach by the other of its obligations under this Agreement; and
- b) in the case of a breach capable of rectification, where such breach has not been rectified by the other party within 14 days of it being given notice of same.

10. Confidentiality and Data

All Parties are to take cognisance of the Data Protection, GDPR and Freedom of Information legislation. Appendix 2 sets out an agreement for the processing of personal data for the DfC and the NIHE.

Department for Communities
August 2019

Service Level Agreement Affordable Warmth

FORMAL COMMITMENT

Signed
On behalf of the Department for Communities

Dated

Signed
On behalf of Newry Mourne and Down Council

Dated

Service Level Agreement Affordable Warmth

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Annex 1

Affordable Warmth Measures

Prioritised list of measures available under the Affordable Warmth Scheme:

Priority rating	Conditions in existing property	Improvement measures available
Priority 1 - Insulation	No cavity wall insulation	Install cavity wall insulation
	Ineffective cavity wall insulation	Remove and replace cavity wall insulation
	No loft insulation or below minimum	Installation or top up of roof space insulation to 270mm
	No hot water jacket	Install hot water jacket
	Ineffective or no draught proofing	Draught proof windows/doors
Priority 2 - Heating	No heating system exists	Installation of natural gas or oil heating
	Conversion of existing LPG or solid fuel system	Installation of natural gas or oil heating
	Conversion of Economy 7	Conversion to natural gas (or oil where natural gas isn't available) or conversion to high efficiency storage system
	Householder 65 or over, or with child under 16, or receiving a disability benefit and with a boiler over 15 years old	Boiler replacement and new radiators where required
	Heating system exists without controls	Add heating controls
	Heating system exists but radiators defective	Replace radiators as needed
Priority 3 - Windows	Windows in disrepair	Repair/replace windows with double glazing if draught proofing is not possible
Priority 4 - Solid wall	Solid wall with no insulation	Internal/external insulation

Annex 2

Data Processing Agreement for the processing of personal data for the Department of Communities and Northern Ireland Housing Executive

1) Purpose

1. This agreement sets out the terms and conditions by which personal data will be processed by the Council's on behalf of the Department for Communities (DfC) and the Northern Ireland Housing Executive (NIHE)¹.
2. This agreement is signed and agreed to ensure full compliance with the provisions of the Data Protection Act 2018 (DPA 2018) and is consistent with the original purpose for which the data is / was gathered and further processed.
3. The purpose of the disclosure is to facilitate the processing of personal data on behalf of the DfC and NIHE who are the Data Controllers and to fulfil the obligations with regard to:

Improving domestic energy efficiency in the private sector across Northern Ireland via the Affordable Warmth Scheme. This scheme aims to target identified low income households and deliver energy efficiency improvement measures to qualifying households. The Affordable Warmth Scheme is DfC's primary scheme for tackling fuel poverty. DfC and NIHE work in partnership with all local councils and the NIHE to deliver the Affordable Warmth Scheme.

4. The terms Data, Data Controller, Data Processor, Personal Data, Sensitive Personal Data, Processing and Information Commissioner have the same meaning as defined within the Data Protection Act 2018.
5. "Agreement" – means this Data Processor agreement along with any associated documents attached or referred to as forming part of the agreement.
6. "Services" – means the services that will be provided by the Data Processor during the period of the agreement.

¹ This agreement may be subject to change following on from the Affordable Warmth Workshop scheduled for June 2018.

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7. "Council Liaison officer" – means the person nominated by each Data Processor who will assume day to day management responsibility and liaison with the Data Controllers.

2) Use and Disclosure of Personal Data

Newry, Mourne and Down District Council will receive specific targeted lists of referral addresses within their Council area of responsibility, and that of Armagh, Banbridge and Craigavon Council area, and also receive independent enquiries from individuals who are not on the target list. Council officers will visit targeted and non-targeted addresses, where appropriate to assess eligibility for the scheme and collect the necessary documentation.

When visiting an address, the Council officers will complete an electronic NIHE application form named '**Affordable Warmth Scheme**' application and also complete a paper form named '**Affordable Warmth Survey**'.

As part of the process, the applicant is required to provide documentation to verify eligibility including proof of ownership, occupancy and income. These eligibility documents will be photographed by Council staff on a Council issued electronic tablet at the time of the visit and in the home of the applicant. Upon return to the Council office, the eligibility documents are printed from the electronic tablet and the eligibility document data is then deleted beyond recovery from the tablets.

The tablets have a security feature that secures all data being stored on and transmitted to a device and provides functionality to lock down and wipe data from a device if it is lost or stolen.

In certain cases the original hard copy eligibility documents are removed by the Council officers instead of photographing onto the electronic tablet in the home of the applicant. Upon return to the Council office, the documents will be photocopied and the originals returned to the applicant by recorded delivery or collected in person by arrangement.

If the property is privately rented, the Council officers will send a consent form to the landlord.

Data gathered for this purpose will not be disclosed to any other person or organisation. The data is used to confirm the eligibility of the applicant to receive a grant.

3) Proportionality / Subject Access

1. The processing will be proportional for its purpose and a high level of security and confidentiality will be applied. The Council will additionally agree to notify the ICO if any changes are required to their Data Protection notification.
2. If a subject access request is made directly to the Council and it involves personal data controlled by DfC and NIHE, it is the responsibility of the relevant Council to immediately liaise with DfC and NIHE to process the request.
3. DfC and NIHE will give appropriate assistance as is necessary to the Council to enable it to:
 - Comply with a subject access request
 - Respond to any information notice served upon the Council by the ICO
 - Respond to any complaint from a data subject
 - Investigate any breach or alleged breach of the Data Protection Act

4) Security

1. The Council will apply appropriate security measures equal with the requirements of the Data Protection Act 2018.
2. The Council must ensure that appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. In particular, the Council shall ensure that measures are in place to:
 - Prevent accidental compromise or damage during storage, handling, use, processing, transmission or transport;
 - Deter deliberate compromise or opportunist attack;
 - Promote discretion in order to avoid unauthorised access; and
 - Provide suitable training to their staff on how to handle DfC and NIHE data.

3. Information Security Standards

Council	Information Security standard	Accreditation
Newry, Mourne and Down District Council	Is working to the principles of ISO 270001	Accredited/Not accredited

Service Level Agreement Affordable Warmth

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4. The personal data is transferred to NIHE (on behalf of DfC) via -
Electronic forms are transferred to NIHE using XML files and FTPS site or using password protected xml files via e-mail.
Paper application forms and supporting documentation is hand delivered to NIHE grants office and signed in by case officers.
5. The services of any sub contractor will not be used by either Council in connection with the processing of DfC and NIHE data without prior approval.

5) Confidentiality

1. The Council will not disclose or communicate to any other individual or organisation the personal data gathered for DfC and NIHE. They shall treat any personal data provided strictly private and confidential.
2. The Council shall ensure that any of their staff listed within the agreement are aware of their responsibilities in connection with the use of that data.
3. The obligations of confidentiality in relation to this agreement by the Council will remain in force after the expiry of this agreement.
4. This obligation of confidentiality shall not apply where disclosure of DfC and NIHE data is ordered by a Court of law. There may also be occasions when disclosure is required by the Police or other law enforcement agencies for the investigation of a crime or is required for legal proceedings.
5. If this happens, and a request is received by the Council, it must inform DfC and NIHE as soon as possible in writing, stating the identity of the requesting body and nature of the data sought. This will allow DfC and NIHE to deliberate and decide on what can be released.

6) Retention and Review

1. The data should be retained for five years in line with DfC retention policies.

7) Data Processor Breach of Security

Service Level Agreement Affordable Warmth

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1. In the event of a data breach by either Council, which involves DfC and NIHE data, the Council Liaison Officer must immediately inform DfC and NIHE of the circumstances.
2. A data breach can take the form of the following:-
 - The loss or theft of data;
 - Equipment failure;
 - Professional hacking attempt;
 - Professional “blagging” whereby data is obtained by deceit; and
 - Human error by accidental disclosure. (An organisation mistakenly providing personal information to the wrong person, for example by sending details out to the wrong address).
3. Once it has been confirmed that DfC and NIHE personal data has been involved, the main DfC Data Breach procedure must be invoked. It must also be assumed that the Council will have a data breach procedure in place; however, DfC will lead on this matter.

8) Time Period of agreement and Termination

1. This agreement will remain in force until the SLA is reviewed. However if potential issues do emerge, this may require further consideration.
2. DfC may at any time by notice in writing, terminate this agreement if the Council is in breach of any obligation under this agreement.
3. DfC retains the final decision in any variation to the agreement. No variation will occur unless written directions are signed by both parties and included within this document.

This constitutes an agreement between the Council (acting as Data Processors) and DfC / NIHE who will abide by the content of this document.

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	Consultation Response to the Food Standards Agency (FSA) on Risk Based Approach for the Biotoxin Monitoring programme in Northern Ireland
Reporting Officer (Including Job Title):	Eoin Devin Assistant Director Health and Wellbeing
Contact Officer (Including Job Title):	Graham Farthing Senior Environmental Health Office – Food Safety

Confirm how this Report should be treated by placing an x in either:-

For decision	X	For noting only	
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1.0	Purpose and Background
1.1	<p>To consider and agree to:-</p> <p>The attached response to be provided in relation to the FSA's consultation on a proposed new risk-based approach to monitoring marine biotoxins in live bivalve molluscs.</p>
2.0	Key issues
2.1	<p>Background</p> <ul style="list-style-type: none"> Regulation (EC) 854/2004 requires the FSA to monitor shellfish for the presence of Biotoxins. During a recent FVO audit by the European Union on official controls improvements were required on the frequency of sampling regarding biotoxins in bivalve molluscs. Newry, Mourne and Down District Council procure samples on behalf of the FSA at 3 sites within the district. While Newry, Mourne and Down District Council agrees the proposed approach may aid compliance with Regulation EC No. 854/2004 Annex II section B, Paragraph 4 and 5, during some of the winter months it will not be possible to gather the required samples due to the limited day light hours and tide times. Therefore, if samples cannot be gathered this approach will not aid compliance. It is understood that the proposal will be to sample each shellfish bed on at least a monthly frequency. The risk based approach to Biotoxin sampling has the potential to further underpin confidence however it may not be possible due to limited accessibility to sample points in winter months.

	<ul style="list-style-type: none"> To increase confidence individual sampling plans should be created to meet the bespoke geographical needs and restriction such as tides, collection methods of the area.
3.0	Recommendations
3.1	<ul style="list-style-type: none"> That the Committee agree to the attached response being provided in relation to the FSA's consultation on a Risk Based Approach for the Biotxin Monitoring programme in Northern Ireland Due to a short time frame to respond to this consultation the attached response has already been sent, however the response can be withdrawn if the committee is not in agreement.
4.0	Resource implications
4.1	Additional Technical Officer time to be determined by the final sampling schedule.
5.0	Equality and good relations implications
5.1	<ul style="list-style-type: none"> No equality or opportunity or good relations adverse impact is anticipated.
6.0	Rural Proofing implications
6.1	<ul style="list-style-type: none"> There are no negative implications identified:
7.0	Appendices
	Appendix 1 – Consultation response
8.0	Background Documents
	Appendix 2 – Consultation Pack

Consultation Response on behalf of Newry, Mourne and Down District Council.

Risk Based Approach for the Biotoxin Monitoring programme in Northern Ireland

Date 28 August 2019

Q1 – Do you agree with a risk-based approach to reduce risk of a toxin event going undetected.

Newry, Mourne and Down District Council agrees with a risk-based approach regarding the monitoring of biotoxins. It is understood that it is proposed that each bed be sample on at least a monthly frequency.

Consideration must be given to beds that are currently not being harvested or operated "dormant". An example of such a bed would be Dundrum South (DB2). At this site there is no harvesting, operation or infrastructure such as trestles or stands however it is still sampled to keep it open. Our sampling officers pull wild mussels from rocks as there is no stock to sample.

I would propose that in this example or similar when a bed is dormant the minimum sampling regime is set at 3 months. Should the FBO wish to reactivate the bed and begin production they would be required to notify the competent authority of their intention and wait until 2 clear sample results are obtained. This approach would preserve council resources while still protecting the public as the onus is placed on the FBO to notify.

Q2 – What potential challenges may this approach present for you, your organisation or your business.

1. Officer time

The proposed new sampling plan appears to suggests taking all 3 sites within Newry, Mourne and Down District Council area on the same day.

The distance between Killough (K1) and Dundrum South (DB2) is around 20 miles and the time from exiting the car at K1 and getting back in the car at DB2 would be around 2 hours. If Dundrum North (DB1) is to be added into the same sampling day this will add an additional 1 hour to the sampling. DB1 requires a 1.5 km walk out and back to the site. Currently Dundrum North is taken on its own and Killough and Dundrum South are taken on the same day.

It takes 2 officers to travel to site and collect samples due to the councils loan working policy. Taking approx. 3hrs x 2 (6 hrs) and 1 officer to transport to the lab (2 hrs). Approx 8Hrs Total and a 60 mile round trip.

Total costs associated with sampling
 Travel Cost £30.30
 Officer time £157.92
 Total cost £188.22 (sampling all 3 sites on 1 day)

2. Issues associated with sampling days

Due to restrictions at the AFBI Lab, Toxin samples can only be collected on Mon, Tues or Weds AM. Tuesday and Wednesday are also our food micro sampling days. These days are agreed with the Public Health lab to fit in with all other NI LAs. Our Technical Officers collect shellfish samples as well as all food micro samples.

3. Day light and tide times

I have some concerns regarding tide times and available day light for the winter months. For example, on week 2 of the proposed sampling plan 14/10/19 low tide is 5.59 am and 6.12 pm and sunset is 6.28pm therefore it is not possible to take flesh samples this week? This is the case for weeks 4, 6, 8, and 10. We have not looked at all the weeks. I would have grave concerns regarding the health and safety of staff sampling on a rising tide in the dark.

Q3 – Do you agree the proposed approach will aid compliance with Regulation EC No. 854/2004 Annex II section B, Paragraph 4 and 5?

Newry, Mourne and Down District Council agrees the proposed approach may aid compliance with Regulation EC No. 854/2004 Annex II section B, Paragraph 4 and 5.

The proposed approach may aid with compliance with the legislation however during some of the winter months it will not be possible to gather the required samples. Therefore, if samples cannot be gathered this approach will not aid compliance. Consideration must be given to the answers to Q1 and Q2.

Q4 – Do you agree the proposed approach will further underpin confidence and assurance in Northern Ireland's live bivalve mollusc industry.

This approach has the potential to further underpin confidence however it may not be possible due to limited council resource.

To increase confidence individual sampling plans should be created to meet the bespoke geographical needs and restriction such as tides, collection methods of the area.

CONSULTATION ON THE IMPLEMENTATION OF THE OFFICIAL CONTROLS REGULATIONS

CONSULTATION SUMMARY PAGE

Date launched:	29 August 2019	Closing date:	11 October 2019
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Who will this consultation be of most interest to?

- Local authority and port health authority food and feed enforcement officers as well as any other body responsible for undertaking official controls.
- Food or feed business operators that import food and feed products into the EU.
- Food business operators approved under Regulation (EC) 853/2004.

What is the subject of this consultation?

The directly applicable Official Controls Regulation (EU) 2017/625 (OCR) takes effect on 14 December 2019. The OCR addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products.

This consultation focuses on the implementation of legislation in Northern Ireland to provide for the execution of powers and enforcement of the OCR only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.

What is the purpose of this consultation?

To seek stakeholder views and comment in relation to:

- The proposed implementation of the Northern Ireland legislation to provide for the execution of powers and enforcement of the OCR in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.
- Our assessment of the impacts associated with the implementation of the legislation in England, Wales and Northern Ireland in relation to FSA areas of responsibility only.

Responses to this consultation should be sent to:

Executive Support Unit

Tel: 028 90417700

Food Standards Agency in Northern
Ireland
10a-c Clarendon Road
Belfast
BT1 3BG

Email: executive.support@food.gov.uk

Impact Assessment included?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
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CONSULTATION ON THE IMPLEMENTATION OF THE OFFICIAL CONTROLS REGULATIONS

DETAIL OF CONSULTATION

Introduction

In 2016 the UK voted to leave the EU. The Government remains focused on ensuring the smooth and orderly withdrawal from the EU with a deal as soon as possible. The deadline for doing so is 31 October, with the option to leave earlier as soon as a deal has been ratified. The Government will continue to negotiate, implement and apply EU legislation until the UK ceases to be a member of the EU.

1. The Official Controls Regulations 2017/625 (OCR) are due to come into effect across the EU on 14 December 2019.¹ The FSA is preparing the legislative groundwork to implement the OCR in the event that the UK leaves the EU with an implementation period at the end of October, or sooner. It is anticipated that during any implementation period it will be necessary to maintain alignment with EU Regulations for food and feed safety and hygiene.
2. The OCR was adopted by the European Parliament and the Council on 15 March 2017 and entered into force on the 27 April 2017. The new OCR rules were set to apply gradually over several years, with the main application taking effect 14 December 2019. A table listing the different application dates is available on the European Commission Website.²
3. The OCR addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. It repeals and replaces Regulation (EC) 882/2004 on official controls and other legislation which currently governs the control and enforcement of rules along the agri-food chain.
4. During EU negotiations the Food Standards Agency (FSA) consulted stakeholders on the impacts of the proposed OCR. This included the extended scope of the regulation to integrate controls in relation to plant health and plant protection products with those of food and feed law, and rules on animal health and welfare.³
5. This consultation focuses on the implementation of legislation in Northern Ireland to provide for the execution of powers and enforcement only in relation to the aspects of the OCR that apply from 14 December 2019, and

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32017R0625>

² https://ec.europa.eu/food/sites/food/files/safety/docs/oc_application_timeline_20170407.pdf

³ <https://webarchive.nationalarchives.gov.uk/20141204222847/http://www.food.gov.uk/news-updates/consultations/2013/officialcontrols-consult>

only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare.

6. In the event that the UK leaves without a deal the FSA will update stakeholders further in relation to the proposed implementation of the OCR. We will also consult further on any proposals to align national legislation with the OCR, including an updated assessment of the impacts.

Proposals

The OCR is an overarching piece of legislation that sets operational standards for the performance of official controls and other official activities by competent authorities across the EU. The provisions of the OCR that take effect on 14 December 2019, will repeal and replace existing legislation integral to official control activities carried out by the FSA and local authorities in Northern Ireland. This includes Regulation (EC) 882/2004 regarding official controls performed to verify compliance with feed and food law, and Regulation (EC) 854/2004 on official controls on products of animal origin intended for human consumption.

7. The legal framework created by the OCR allows members of the single market to be sure that the competent authorities in other Member States are conducting controls in a suitably rigorous and impartial fashion. The legislation cuts across aspects of the agri-food chain, such as import controls and laboratories, as well as different commodities, such as live animals, plants and food of animal origin.

Key aspects of OCR application that apply from 14 December 2019:

- **A harmonised and coherent regulatory approach to official controls and enforcement actions along the agri-food chain;**
- **Increased transparency and greater accountability required by Member State competent authorities through the publication of information on the organisation and performance of official controls;**
- **More stringent rules on fraud will provide greater consumer protection and benefit compliant businesses;**
- **A common set of rules for controls at EU borders that overcomes the current fragmentation and makes the control system less burdensome for enforcers and businesses;**
- **An integrated computerised system to improve the exchange of information between Member States on official controls;**
- **Greater flexibility in relation to the accreditation of official laboratories (i.e. formal recognition of competence in their field);**
- **Businesses and authorities will benefit from reduced administrative burdens, more efficient processes and strengthened controls.**

8. A breakdown of identified changes which the OCR and the tertiary legislation will implement are provided in **Annex C**. We have tried to identify as many of the changes as possible but, as some tertiary legislation is still subject to

negotiation, it is not possible to present a final list and items identified may be subject to change.

9. The FSA proposes to introduce three Statutory Instruments (SIs) to provide for the execution of powers and enforcement to the OCR and its tertiary legislation in Northern Ireland. The SIs are not available for publication at the time of consultation. It is intended that the new SIs will follow the framework of the existing SIs which provide enforcement powers for the current official controls regulation (Regulation (EC) 882/2004 and Regulation (EC) 854/2004).

Impacts

10. An Impact Assessment is provided at Annex B which seeks to assess impact in England, Wales and Northern Ireland, of the changes brought about by the incoming domestic secondary legislation. It provides an overview of the changes and expected impacts that the directly applicable European secondary and tertiary legislation will necessitate in the UK context.
11. The FSA assessment identifies very few direct impacts on business from the implementation of the OCR in Northern Ireland, and those impacts that are identified are not considered to be significant. This is largely due to the changes resulting from the OCR relating to the overarching principles of conducting official controls, to which the UK is already aligned.
12. The FSA in Wales and England are consulting separately on their respective national legislation, and on the impacts identified in this combined Impact Assessment. Food Standards Scotland (FSS) is preparing equivalent legislation for the execution of powers and enforcement in Scotland and will consult accordingly with their stakeholders.

Engagement and Consultation Process

13. Stakeholder views are being sought on this consultation and the associated FSA Impact Assessment. The FSA would particularly welcome any evidence that stakeholders may be able to provide towards this and as such we have provided a list of questions below:

Questions asked in this consultation:

Please explain your answers as a far as possible, and where available please also include evidence to support your views.

- Q.1: Have we appropriately identified the key aspects of the OCR application that apply from 14 December 2019.
- Q.2: Have we appropriately identified the impacts of the changes that apply from 14 December 2019 in our Impact Assessment?
- Q.3: Do you agree with the assumptions made in our Impact Assessment?
- Q.4: Are you aware of any other significant impacts of the changes that apply from 14 December 2019?

Questions asked in the Impact Assessment (Annex B)

Groups Affected:

Q.I: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.

Costs:

Q.II: We would welcome evidence from affected businesses on the expected costs on their establishment if the FSA were to verify compliance by either a) collecting industry data or b) by sampling.

Q.III We would welcome supporting evidence on the total throughput levels of low capacity slaughterhouses and Game Handling Establishments, and the distribution of such establishments in relation to the new maximum annual threshold. We would also welcome views on our assumption that the new requirement may result in additional costs on such businesses and the degree to which this change is likely to impact them.

Q.IV: We would welcome any evidence stakeholders are able to provide in relation to the number of food business operators that currently harvest echinoderms from unclassified areas.

Q.V: We would welcome views, and where possible supporting evidence, from business importing one or more of the products subject to the above changes. What impact do you believe the harmonising of controls will have on your business?

Q.VI: We would welcome evidence from stakeholders, and in particular Port Health Authorities (PHAs), on the number of controls on reptile meat and insects currently performed.

Q.VII We welcome enforcement authority views on our stated assumptions for training requirements to support delivery of the changes introduced by the OCR. Please provide details of any specific training needs you think will be necessary.

Q.VIII We would welcome information from existing specialised border facilities (DPE/Is and BIPs) on what necessary changes and/or upgrades are required in order to obtain certification as a Border Control Post.

Q.IX: We would welcome views from Official Control Labs representatives, or LAs that currently send/receive sub-contracts samples to/from other non-designated laboratories in other Member States. Specifically, we invite evidence on the impact(s) that may arise from this change.

Benefits:

Q.X: Do you agree that a harmonised and coherent regulatory approach to official controls will deliver any benefits and/or cost savings to industry? We would welcome evidence on what benefits (if any) you expect to be delivered.

Q.XI: We would welcome stakeholders' views on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

Q.XII: We would welcome views from PHAs and LAs on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

14. The FSA will publish a summary of response report within 3 months of the closing date of this consultation.

Other relevant documents

15. A link has been provided to the OCR for ease of reference⁴.

Responses

16. Responses are required by close 11 October 2019. Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

17. Thank you on behalf of the Food Standards Agency for participating in this public consultation.

Yours,

Kathryn Baker
Head of Food Safety Policy and Delivery
Food Standards Agency in Northern Ireland

Enclosed

Annex A: Standard Consultation Information

Annex B: Impact Assessment

Annex C: List of changes between existing legislation and the OCR

⁴ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:02017R0625-20170407&qid=1566396449807&from=EN>

Annex A: Standard Consultation Information

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Disclosure of the information you provide

Information provided in response to this consultation may be subject to publication or release to other parties or to disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 2018 (DPA) and the Environmental Information Regulations 2004).

If you want information you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

Any automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding.

The Food Standards Agency will be what is known as the 'Controller' of the personal data provided to us.

Why we are collecting your personal data

Your personal data is being collected as an essential part of the consultation process, so that we can contact you regarding your response and for statistical purposes. We may also use it to contact you about related matters.

The Data Protection Act 2018 states that, as a government department, the Food Standards Agency may process personal data as necessary for the effective performance of a task carried out in the public interest. i.e. a consultation.

What we do with it

All the personal data we process is located on servers within the European Union. Our cloud based services have been procured through the government framework agreements and these services have been assessed against the national cyber security centre cloud security principles.

No third parties have access to your personal data unless the law allows them to do so. The Food Standards Agency will sometimes share data with other government departments, public bodies, and organisations which perform public functions to assist them in the performance of their statutory duties or when it is in the public interest.

What are your rights?

You have a right to see the information we hold on you by making a request in writing to the email address below. If at any point you believe the information we process on you is incorrect you can request to have it corrected. If you wish to raise a complaint on how we have handled your personal data, you can contact our Data Protection Officer who will investigate the matter.

If you are not satisfied with our response or believe we are processing your personal data not in accordance with the law you can complain to the Information Commissioner's Office (ICO) at <https://ico.org.uk/>, or telephone 0303 123 1113.

Our Data Protection Officer in the FSA is the Information Management and Security Team Leader who can be contacted at the following email address:

informationmanagement@food.gov.uk

Further information

If you require a more accessible format of this document please send details to the named contact for responses to this consultation and your request will be considered.

This consultation has been prepared in accordance with HM Government consultation principles⁵.

⁵ www.gov.uk/government/publications/consultation-principles-guidance

Title: The Official Control Regulations (OCR) IA No: Food 0162 RPC Reference No: Lead department or agency: The Food Standards Agency Other departments or agencies:	Impact Assessment (IA) Date: 23/08/19 Stage: Consultation Source of intervention: Domestic Type of measure: Secondary legislation Contact for enquiries: Liz Stretton
Summary: Intervention and Options	RPC Opinion: RPC Opinion Status

Cost of Preferred (or more likely) Option (in 2016 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status
-£0.3m	-£0.2m	£0.0m	Non qualifying provision

What is the problem under consideration? Why is government intervention necessary?

Regulation (EU) 2017/625 or the Official Control Regulations (OCR) addresses official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products. The OCR entered into force on 27 April 2017 and will apply in all European Union Member States from 14 December 2019. At this point the OCR will repeal and replace Regulation (EC) 882/2004 and Regulation (EC) 854/2004 on official controls and other legislation, which currently governs the control and enforcement of rules along the agri-food chain.

What are the policy objectives and the intended effects?

To provide the execution of powers and enforcement of the OCR and associated tertiary legislation. Implementation of national legislation will maintain the legal basis for official control activity in relation food and feed law and animal health and welfare. In doing so consumer protection will be maintained along with confidence in the UK agri-food chain.

What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

Option 1: Implement national legislation to provide for the execution of powers and enforcement of the OCR and associated tertiary legislation. This is the preferred option.

Option 2: Do Nothing – Do not implement national legislation to provide for the execution of powers and enforcement of the OCR. This option does not fulfil UK or FSA statutory objectives and would undermine consumer protection. The option is therefore rejected.

Will the policy be reviewed? It will/will not be reviewed. If applicable, set review date: Month/Year

Does implementation go beyond minimum EU requirements?	No			
Is this measure likely to impact on trade and investment?	No			
Are any of these organisations in scope?	Micro Yes	Small Yes	Medium Yes	Large Yes
What is the CO ₂ equivalent change in greenhouse gas emissions? (Million tonnes CO ₂ equivalent)	Traded:		Non-traded:	

I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.

Signed by the responsible SELECT SIGNATORY: _____ Date: _____

Summary: Analysis & Evidence

Policy Option 1

Description: Implement national legislation to provide for the execution of powers and enforcement of the OCR and associated tertiary legislation

FULL ECONOMIC ASSESSMENT

Price Base Year 2016	PV Base Year 2017	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: -0.3
COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	£0.3		£0.0	£0.3	
Description and scale of key monetised costs by ‘main affected groups’					
One-off familiarisation costs are estimated to accumulate £0.1m for enforcement authorities and £0.2m for businesses.					
Other key non-monetised costs by ‘main affected groups’					
New import requirements could be associated with compliance costs for importers of some products of high-risk food and feed. Selected approved establishments are expected to see some new requirements to verify their compliance with regards to hygiene controls. Enforcement Authorities, including PHAs, OCLs and the FSA, could see minor changes in their responsibility to deliver official controls, e.g. requirements for additional import checks and new data collection tasks.					
BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	n/a		n/a	n/a	
Description and scale of key monetised benefits by ‘main affected groups’					
No benefits have been monetised.					
Other key non-monetised benefits by ‘main affected groups’					
Industry should benefit from a harmonised and coherent regulatory approach to official controls and from a better targeting of risks. Importers of high-risk food and feed should also benefit from the harmonisation of entry documents which will reduce their administrative burden. We assume that Enforcement Authorities will benefit overall from a simplification and consolidation of the legislative framework.					
Key assumptions/sensitivities/risks				Discount rate (%)	3.5
There remains a high level of uncertainty around the implementation of the regulation in certain areas for which we were unable to monetise the impacts, in particular where tertiary legislation is affected. The Impact Assessment is based on the assumption that the United Kingdom will be in an Implementation Period in December 2019 and that trade between the UK and the EU remains unchanged compared to the status quo if the OCR was implemented.					

BUSINESS ASSESSMENT (Option 1)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: £0.02	Benefits: n/a	Net: £0.02	
			n/a

Summary: Analysis & Evidence

Policy Option 2

Description: Do Nothing – Do not implement national legislation to provide for the execution of powers and enforcement of the OCR

FULL ECONOMIC ASSESSMENT

Price Base Year n/a	PV Base Year n/a	Time Period Years n/a	Net Benefit (Present Value (PV)) (£m)		
			Low: Optional	High: Optional	Best Estimate: n/a
COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	n/a		n/a	n/a	
Description and scale of key monetised costs by 'main affected groups'					
n/a					
Other key non-monetised costs by 'main affected groups'					
n/a					
BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)	
Low	Optional		Optional	Optional	
High	Optional		Optional	Optional	
Best Estimate	n/a		n/a	n/a	
Description and scale of key monetised benefits by 'main affected groups'					
n/a					
Other key non-monetised benefits by 'main affected groups'					
n/a					
Key assumptions/sensitivities/risks				Discount rate n/a	
The associated impacts of this option have not been assessed because of the disproportionate negative effects on public health and legal consequences that would be associated with this option.					

BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			Score for Business Impact Target (qualifying provisions only) £m:
Costs: n/a	Benefits: n/a	Net: n/a	
			n/a

Evidence Base (for summary sheets)

Problem under consideration

1. Regulation (EU) 2017/625, referred to as the Official Controls Regulation (OCR), is a directly applicable EU regulation and an overarching piece of legislation that sets operational standards for the performance of official controls and other official activities by competent authorities across the European Union.
2. The OCR entered into force on 27 April 2017, with the applicability of the new rules set to apply gradually over a number of years; with the main application taking effect on 14 December 2019. The OCR empowers the European Commission to adopt implementing acts and introduce delegated acts (tertiary legislation) to supplement the regulation.
3. When the OCR main application takes effect on 14 December 2019 it will give effect to applicable tertiary legislation and the new law will apply in all European Union Member States. It will also repeal and replace existing legislation integral to official control activities, including those carried out by the Food Standards Agency (FSA) and local authorities in England, Wales and Northern Ireland. This includes Regulation (EC) No 882/2004 regarding official controls performed to verify compliance with feed and food law, and Regulation (EC) No 854/2004 on official controls on products of animal origin intended for human consumption.
4. The legal framework created by the OCR allows members of the single market to be sure that the competent authorities in other Member States are conducting controls in a suitably rigorous and impartial fashion. The legislation cuts across aspects of the agri-food chain, such as import controls and laboratories, as well as different commodities, such as live animals, plants and food of animal origin.
5. The OCR is directly applicable in UK law in case of either an Article 50 extension or an Implementation Period. This means, in either of these scenarios, the Regulations that provide the UK basis for feed and food law official controls will no longer apply from 14 December 2019. New secondary legislation in England, Wales and Northern Ireland, is therefore required to repeal and replace current secondary legislation, to provide for the execution of powers and enforcement for the OCR and associated tertiary legislation that is currently being negotiated by Member States and the European Commission.
6. This Impact Assessment assesses the changes that will be brought about from 14 December by the proposed domestic secondary legislation in England, Wales and Northern Ireland that repeals, replaces and amends existing domestic secondary legislation and provides for the execution of powers and enforcement for the OCR and associated tertiary legislation. It also assesses the changes and expected impacts that the tertiary legislation will necessitate in the UK context¹.
7. Impacts are identified and assessed for England, Wales and Northern Ireland. Food Standards Scotland (FSS) are responsible for implementing these changes in Scotland and for assessing the impacts on Scotland.
8. It should be noted that the Impact Assessment covers all impacts and geographical areas for which FSA has full or partial policy responsibility. This ensures that FSA stakeholders receive a comprehensive overview of all impacts they might experience. Due to the broad scope of the OCR and the shared policy responsibilities between FSA and other government departments, especially DEFRA, some of these impacts might also be assessed by other departments.

Rationale for intervention

9. Failing to provide for the execution of powers and enforcement in England, Wales and Northern Ireland, for the OCR, in the event the UK remains subject to directly applicable EU Regulations on 14 December 2019 (i.e. an implementation period or extension to Article 50) would present significant gaps to the legislative framework for the delivery of official controls.

¹ An Impact Assessment was produced to address the initial Commission proposal in 2013. Since then there have been significant changes to the legislation following European negotiations which necessitates a change in scope of the Impact Assessment. The 2013 IA can be accessed via <https://www.reading.ac.uk/foodlaw/pdf/uk-13026-enforcement-consultation.pdf>.

10. UK enforcement authorities (such as the FSA and local authorities) carry out official controls at all stages of production, distribution, use, storage, transport, import and export of food and feed. The controls ensure that food and feed businesses are meeting their obligations to produce safe and wholesome food and feed and that unsafe products are removed from the market. Official controls are integral to protecting consumers' health and other interests and maintaining the integrity of the agri-food chain that provides consumer and business confidence as well as assurance to other Member States and 3rd countries, which is vital to trade.
11. When the main provisions of the OCR take effect on 14 December 2019, the OCR will repeal the European regulations that currently provide the legislative framework for UK official controls in relation to EU food and feed law. To maintain our legislative framework for EU food and feed law official controls the UK must provide for the execution of powers and enforcement of the OCR in domestic legislation. Failure to do so will undermine the effectiveness of official controls and therefore undermine consumer protection as well as confidence in the UK agri-food chain.
12. The FSA estimates that there are around a million cases of foodborne illness in the UK each year, generating an economic burden of treatment costs and loss of productivity in excess of £1 billion each year in resource and welfare costs for the UK². A failure to introduce the required legislation to enforce official food and feed controls would undermine the effectiveness of official controls, likely leading to an increase in non-compliance and cases of foodborne disease, involving severe consequences for public health and costs to society.
13. Official controls also help maintain a level playing field for honest and diligent food and feed business operators, which is in the interest of industry as a whole. In particular, adherence to the principles contained within (or requirements of) the OCR will help the UK to demonstrate that food and feed produced and processed within the UK have been produced and handled in accordance with EU requirements. Consequently this will help to ensure continued confidence in the UK agri-food sector which contributed £121.7 billion (6.7%) to national Gross Value Added in 2017 and employs around 4.1 million people (14% of GB employment).³ In terms of sales, the manufacture of food products remains the largest division within the whole UK manufacturing sector, contributing £71.8 billion (18.4%) of total UK manufacture in 2018⁴, providing inputs for a multiple of secondary industries, including importing, exporting, processing, storage, distribution and retail. There is hence also a strong economic rationale for implementing the OCR and maintaining and strengthening confidence in food and feed produced in the UK.

Policy objective

14. The existing legal framework enables competent authorities to effectively enforce food and feed law. The statutory instruments to provide the execution of power and enforcement for the OCR will ensure sufficient national powers are in place to effectively enforce food and feed law and maintain the high level of consumer protection currently in place. The national legislation will also ensure that domestic law is up to date with the European Union acquis including the changes brought about by the provisions of the OCR on 14 December 2019.
15. Through the implementation of national legislation in England, Wales and Northern Ireland the FSA will repeal and replace current secondary legislation, to provide for the execution of powers and enforcement for the OCR and associated tertiary legislation currently under negotiation by Member States and the European Commission. Implementation of national legislation will maintain a strong legal basis for future official control activity in relation to food and feed law and animal health and welfare. It will also ensure that consumer protection is maintained and that confidence in the UK agri-food chain is maintained through the demonstration of the effectiveness of our regulatory control system including the legal basis for the execution of necessary powers and enforcement of official controls and other official activities.

² 2017/18 Annual Reports and Consolidated Accounts, p. 16. It should be noted that the FSA is currently updating the way it estimates the economic burden of foodborne illness. These figures are therefore preliminary and will be updated as soon as new evidence is available.

³ Defra (2019): Food Statistics in your pocket: Summary (National Statistics, updated 8 April 2019): <https://www.gov.uk/government/statistics/food-statistics-pocketbook>.

⁴ <https://www.ons.gov.uk/businessindustryandtrade/manufacturingandproductionindustry/bulletins/ukmanufacturerssalesbyproductprodcom/2018provisionalresults#manufacturing-of-food-products-contributes-to-growth-in-2018>.

16. The intention of the European Commission is to simplify and further harmonise control systems across the EU agri-food chain through the implementation of the OCR. The organisation of such controls is harmonised at an EU level to ensure a consistent high-level of consumer protection, provide confidence in the safety and standards of food produced in the EU or imported from third countries and provide for effective functioning of the internal market.
17. The new legislation builds upon and clarifies the existing risk-based approach towards the performance of official controls. The main intended effects identified by the Commission are summarised below:
 - A harmonised and coherent regulatory approach to official controls and enforcement actions along the agri-food chain;
 - Increased transparency and greater accountability required by Member States competent authorities through the publication of information about the organisation and performance of official controls;
 - More stringent rules on fraud will provide greater consumer protection and benefit compliant businesses;
 - A common set of rules for controls at EU borders that overcomes the current fragmentation and makes the control system less burdensome for enforcers and businesses;
 - An integrated computerised system to improve the exchange of information between Member States on official controls;
 - Greater flexibility in relation to the accreditation of official laboratories (i.e. formal recognition of competence in their field);
 - Businesses and authorities will benefit from reduced administrative burdens, more efficient processes and strengthened controls.

Background

Delivery of Official Controls

18. The FSA is the Central Competent Authority (CCA) responsible for the delivery of official food and feed controls in England, Northern Ireland and Wales. In England and Wales the FSA is responsible for the delivery of dairy hygiene controls and official controls in approved meat premises, including meat hygiene requirements and regulations on the welfare of animals at slaughter. In Northern Ireland the Department of Agriculture, Environment and Rural Affairs (DAERA) carry out hygiene controls on behalf of the FSA in Northern Ireland in these premises. The FSA is also responsible for the classification of shellfish production areas in England, Wales and Northern Ireland.
19. There are 387 Local authorities (LAs) in England, Northern Ireland and Wales delivering official food controls.⁵ Of these, 149⁶ LAs in England and 22 LAs in Wales have also been designated to deliver official feed controls for matters which are not within the remit of the Veterinary Medicines Directorate (VMD) or the Animal Plant and Health Agency (APHA). In Northern Ireland, the Department of Agriculture, Environment and Rural Affairs (DAERA) is responsible for delivery of all animal feed controls including veterinary medicines and regulating the use of specified materials in animal feed, including the ban on feeding animal proteins to ruminants and processed animal proteins to farmed animals.
20. In England, Wales and Northern Ireland the FSA is responsible for setting the standards and monitoring performance of the delivery of official controls for food and feed law. The FSA directs and maintains the consistency of delivery of food controls by local authorities through the Food Law Codes of Practice and associated Practice Guidance. For feed controls, in England and Wales the Feed Law Code of Practice and associated Practice Guidance and in Northern Ireland the Feed Law Enforcement Guidance document, issued to DAERA. The FSA also sets out the standards of

⁵ Annual report on local authority food law enforcement 2017/18, <http://www.reading.ac.uk/foodlaw/pdf/2018-FSA-LAEMS-2017-18.pdf>

⁶ This figure refers to the number of local authorities as at 1st April 2019. Source: FSA Animal Feed Enforcement Return 2019/20.

performance for official control activity in FSA approved establishments through a published Manual for Official Controls (MOC) in England and Wales. In Northern Ireland, DAERA maintain and publish a parallel MOC which broadly reflects the content of the FSA MOC.

Impact of the OCR

21. The OCR is part of a wider initiative to simplify EU legislation to establish a more integrated approach to official controls in all areas across the agri-food chain to ensure consistency across the legislation. The new OCR expands the scope of the official controls legislation to include official controls on animal health (including aquaculture), plant health, Plant Reproductive Material (PRM) and plant protection products in addition to food and feed and animal welfare. This includes the 'Animal Health Law' (Regulation 2016/429) and the Plant Health Law (Regulation 2016/2031).
22. The OCR also empowers the creation of tertiary legislation ('implementing acts' and 'delegated acts') which allow the European Commission to create further detailed rules in specific areas. The majority of this tertiary legislation so far, which has been under development since 2017, has addressed import controls and conditions. New rules have also been published regarding hygiene inspection for products of animal origin. This tertiary legislation will also apply from 14 December 2019.
23. Though the OCR entered into force on the 27 April 2017, the applicability of the new rules was set to apply gradually over several years; with the main application taking effect 14 December 2019. In the event the UK remains subject to directly applicable EU Regulations on 14 December 2019 (i.e. an implementation period or extension to Article 50) the new rules will fully apply and the current legislative framework for food and feed law official control will be repealed.
24. This impact assessment assumes that the domestic legislation will be implemented fully in December 2019. It focuses solely on the changes in relation to the aspects of the OCR that apply from 14 December 2019, and only in relation to the FSA areas of responsibility for food and feed law and animal health and welfare. In this space the new OCR introduces reforms in certain areas but does not deviate significantly from the existing legal architecture and general approach to official controls. Separate legislation is being prepared by Defra for their areas of responsibility and the impacts assessed accordingly.
25. In the event the UK leaves without a deal the FSA will update stakeholders further in relation to the proposed implementation of the OCR. We will also consult further on any proposals to align national legislation with the OCR, including an updated assessment of the impacts.

General Changes to the Delivery of Official Controls

26. The OCR will introduce changes across a number of policy areas. However, for the most part it is expected that these changes will result in relatively few impacts, as they relate to the overarching principles of conducting official controls to which the UK is already aligned. The key changes identified by the FSA in relation to the main provisions of the OCR that apply from 14 December 2019 are set out below.
27. Further impacts, associated with provisions laid down in the tertiary European legislation, which sets out in further detail how official controls should be carried out, are also identified and assessed.

Other official activities

28. Article 2 of the OCR introduces a new definition of 'other official activities', which includes activities performed by competent authorities (CAs) or delegated bodies other than official controls. For example, enforcement measures and/or remedial actions following non-compliance; management of lists of registered/approved food and feed business operators or the issuance of official certificates. The OCR sets out rules necessary to ensure that such activities are properly and effectively performed. Our assessment is that the FSA Food and Feed Law Codes of Practice, and associated Practice Guidance, likewise, the FSA Manual for Official Controls, already acknowledge and align with the OCR requirements in respect of the way these activities are carried out by CAs in England, Wales and Northern Ireland. We therefore do not expect any incremental impact associated with this change.

Risk-based controls

29. The general risk-based approach of existing legislation and current practice, detailed in Article 9 of the OCR, is maintained. However, a new provision strengthens the fight against fraud along the agri-

food chain by clarifying that CAs are required to carry out regular risk-based official controls, directed at identifying fraudulent and deceptive practices.

30. Our assessment is that the FSA Food and Feed Law Codes of Practice, and associated Practice Guidance already acknowledge and have regard to food fraud as part of the food and animal feed law risk rating schemes. Likewise, the FSA Manual for Official Controls also identify the need to have regard to fraudulent practices during routine audits. We do not expect any change to the frequency or number of official controls as a result of this new provision.
31. Furthermore, there is now a requirement on competent authorities that the penalties associated with fraud convictions must represent the economic advantage gained by the perpetrator as a result of that fraudulent action. Such penalties are already available for fraudulent activities prosecuted in the UK through the Proceeds of Crime Act 2002. We therefore do not expect any incremental impact from this change.

Transparency requirements

28. Transparency requirements for competent authorities are clarified in Article 11 of the OCR by identifying the minimum level of information which must be made public and at what frequency. Competent authorities are required to provide FBOs with copies of reports where non-compliance has been detected as well as where compliance has been achieved. New provisions regulate the delegation of specific tasks relating to 'other official activities' and the conditions to be met for delegating certain official tasks.
29. Our assessment is that the current practice in England, Wales and Northern Ireland already meets these requirements. We therefore do not expect any incremental impact from this change.

Sampling

30. Articles 35 and 36 of the OCR relating to 'second expert opinion' and 'sampling of animals and goods offered for sale by means of distance communication' provide greater clarity to enforcers that a sample ordered on-line by the CA without identifying themselves can be validly used for the purposes of an official control. While also making provision that they need to inform the operator that such a sample has been taken and, where appropriate, is being analysed in the context of an official control.
31. Our assessment is that this provision of notification already exists in UK law. We therefore do not expect any incremental impact from this change.

Official Controls for products of animal origin

32. Article 18 of the OCR creates specific rules on official controls and for action taken by the competent authorities in relation to the production of products of animal origin intended for human consumption. This Article derives from the now revoked Regulation 854/2004 and provides the legal basis for the work of the FSA in establishments or areas where products of animal origin for human consumption are produced or processed. The implementing and delegated acts made under Article 18(7) and Article 18(8) establish detailed rules in this area. Our analysis of the OCR requirements indicates that OAs can continue provide assistance to OVs in undertaking ante-mortem and post mortem inspection. The impact of these changes is analysed in further detail below.

Import controls

33. Articles 43 – 77, 90, 126 -128 and Article 134 of the OCR are revised rules regarding import controls and import conditions on animals and goods arriving in the European Union from third countries. These changes are intended to create a common framework for all goods covered by the OCR across the agri-food chain. Central to this project is the re-designation of all existing specialised border facilities, such as Designated Points of Entry (DPEs) and Border Inspection Posts (BIPs) as Border Control Posts (BCPs). Furthermore, existing entry documents, such as the Common Entry Document (CED) for high-risk food not of animal origin and the Common Veterinary Entry Document (CVED) for products of animal origin, will be amalgamated as Common Health Entry Documents (CHEDs). These systemic changes will be underpinned by a new Information Management System for Official Controls (IMSOC). This platform will link existing systems, such as RASFF and TRACES, rather than replacing any elements of the Commission's computational architecture.
34. Although the groundwork for this new common framework for imports is established in the OCR, the legislation itself provides the power to make detailed implementing tertiary legislation. Since 2017

these rules have been negotiated between European Union Member States and the European Commission. The UK has participated fully in this process. As these detailed rules establish, to a much greater extent, the shape of the new regime, their impact is examined below in greater, individual detail.

National Reference Laboratories (NRLs) & Official Control Laboratories (OCLs)

35. National Reference Laboratories (NRLs) & official control laboratories (OCLs) will see minor changes to the responsibilities placed upon them (Articles 34, 38, 40, 42, 92, 94, 100 & 101). The changes for NRLs have in fact applied since April 2018. Changes to the responsibilities of OCLs (applicable from December 2019) will mean that competent authorities are required to have closer contact with the laboratories and greater oversight of delegated laboratories. The main issue in this area is a legislative change which means that a laboratory can only send a sample to a laboratory in another member state if the second laboratory has been designated an official laboratory in the receiving member state. The impact of this change has been assessed in further detail in the appraisal section.

Cross-border incidents

36. Articles 102 – 108 of the OCR subjects CAs to tighter rules and more formalised processes for interacting with authorities in other Member States when responding to cross-border incidents. For example, CAs must set out within ten days their intentions regarding notifications from other Member States.
37. Our assessment is that the UK already consistently complies with these requirements. We therefore do not expect any incremental impact.

Financing of Official Controls

38. The OCR also expands upon the European Union's existing legal basis for the financing of official controls. This includes, in particular at Article 85, a greater emphasis on transparency.
39. The FSA does not anticipate introducing any changes now or immediately after 14 December 2019. Further stakeholder engagement will take place in due course.

Tertiary Legislation: UK Integrated Multi-Annual National Control Plan (MANCP) – Annual Report

40. It is a European Commission requirement that all member states have a national control plan. The purpose of this plan is to ensure that effective systems are in place for monitoring and enforcing feed and food law, animal health and animal welfare rules, and plant health law. Progress on implementation is continually monitored and annual reports are prepared and submitted to the European Commission.
41. In order to ensure the uniform presentation of annual reports, the OCR provides for implementing acts to adopt and update as necessary standard model forms to be used for annual submission of the information. The EU have now finalised and published these model forms under Commission Implementing Regulation (EU) 2019/723. This requirement applies from 14 December 2019, however, the first annual report against the new template is not required until August 2021. We do not expect any incremental impact associated with this requirement.

Tertiary Legislation: Hygiene controls on products of animal origin (POAO) for human consumption

42. Article 7 of Regulation (EU) 2019/624 places maximum thresholds limiting the use of official auxiliaries (OA) carrying out post-mortem inspection (PMI) at what are now referred to as low-capacity slaughterhouses and low-capacity game handling establishments (GHE) based on maximum number of animals slaughtered annually. The Regulation also permits this level to be raised where the total national production of the low-capacity facilities which take advantage of the increased threshold do not exceed 5 percent of the total market for the species concerned.
43. Currently PMI can be undertaken in slaughterhouses and GHEs which do not operate continually throughout the working week by OAs, without an official veterinarian (OV) being present, following a risk-assessment by the competent authority.
44. The FSA will look to make use of the provision within Article 7 of Regulation (EU) 2019/624 to maximise the use of OAs at low-capacity slaughterhouses and low-capacity GHEs on a risk-basis.
45. Article 36 of Regulation (EU) 2019/627 includes a new requirement for CAs to verify food business operator compliance with campylobacter process hygiene criterion (PHC) as set out in Regulation

(EU) No 2073/2005 on microbiological criteria of foodstuffs, which applies only to slaughterhouses where the approved activity is broiler production.

46. The Regulation provides two options for how the competent authority can undertake its verification, sampling or collection of industry data:
 - The first option is for official sampling using the same method and sampling area as food business operators. At least 49 random samples shall be taken in each slaughterhouse each year. This number of samples may be reduced in small slaughterhouses based on a risk evaluation.
 - The second option is to collect information on the total number of samples and the number with more than 1,000 cfu/g taken by food business operators in accordance with Article 5 of Regulation (EC) 2073/2005 and take samples only where it is considered necessary.
47. The FSA currently considers option 2 to be the preferred policy option but no decision has yet been taken and proposals will be discussed with industry stakeholders before any final decision is taken.
48. From the implementation of the OCR on 14 December 2019, echinoderms will no longer be permitted to be harvested from unclassified areas. This will create an impact on LAs and the FSA as any FBOs that harvest echinoderms from unclassified areas will require the area to be classified in accordance with the Regulation 2019/627 or else cease harvesting.
49. Article 61 of Regulation (EU) 2019/627 specifies that sampling frequency for toxin analysis in live bivalve molluscs shall be weekly. The provision for less frequent monitoring, through a risk assessment, still applies. This is more stringent than the current sampling frequency carried out in England, Wales and Northern Ireland. A Risk Assessment has been carried out to consider the appropriateness of the current regimes and consideration of the evidence in relation to the new requirements is still under review. The FSA will consult further with stakeholders, including an assessment of the impacts, once our analysis is complete.
50. The OCR also changes some existing requirements in the following areas of official controls on POAO:
 - Ante-mortem inspection allowed to take place at the holding of provenance for all species and not limited to poultry and lagomorphs.
 - There is the capacity for delayed post mortem inspection for up to 24 hours in low capacity slaughterhouses and game handling establishments.
 - It is possible for authorities to introduce less supervision of on-line checks of poultry and lagomorphs when certain criteria are met by the food business operator in accordance with Article 25.
 - The age at which post-mortem inspection of bovine animals can be carried out without incision has been lifted from six weeks to eight months reducing risks of cross-contamination and retaining the value of meat, a higher percentage of which will remain intact.
 - There are reduced post mortem requirements for cattle which are from herds that are certified by the competent authority as being 'free' of cysticercosis.
 - There is provision, based on a risk assessment (only on a temporary and non-recurring basis) to permit continued harvesting of live bivalve molluscs when health standards have not been met in Class A areas, without the closure or reclassification as long as the area and all approved establishments are under a single competent authority and are subject to appropriate restrictive measure.

Tertiary Legislation: Import Controls & Conditions

51. The new OCR and its tertiary legislation are intended to streamline, modernise and harmonise rules regarding the import of animals and goods into the European Union. Responsibility for the delivery of official controls on imported food and feed in England, Wales and Northern Ireland is shared between ministerial departments (such as Defra) and the FSA. Port Health Authorities and Local Authorities (at designated airport points of entry) deliver veterinary controls on products of animal origin arriving from third countries on behalf of the ministerial departments, although these controls have a public health element and therefore a significant degree of FSA interest. Port Health Authorities and Local

Authorities (at designated airport points of entry) also perform controls on high-risk foods not of animal origin (FNAO) on behalf of the FSA.

52. Legislative responsibility for the policies which underpin the import controls regime is also shared between the FSA and Defra. This includes legislation which determines the rules and criteria for the performance of controls, as well as import conditions which must be met before goods can enter the European Union. Tertiary legislation empowered by the OCR updates existing rules in the area of import conditions for products of animal origin intended for human consumption in the European Union.
53. Given the division of responsibility in this area between competent authorities, this impact assessment addresses the two aspects of the legislation for which the FSA can be understood to have primary legislative responsibility: controls on high-risk FNAO and import conditions for products of animal origin for human consumption. It is also necessary to examine the impact that the Commission's new Integrated Management System for Official Controls (IMSOC) will have on the general performance of import controls.
54. Although negotiations have been ongoing since 2017, legislation in some areas is yet to be finalised or published. This is clearly set out below where relevant.

Import controls on high-risk FNAO

55. Certain foods are subject to a higher level of import controls as a result of the elevated risk they are deemed to pose to consumers. Specified commodities from specified countries are subject to physical inspection and laboratory sampling at a rate agreed by Member States on a biannual basis. This system is currently based on Regulation (EC) 882/2004 and Regulation (EU) 669/2009. Rules in this area are replaced by the relevant provisions of the OCR and an as yet unpublished Implementing Regulation. It is foreseen that evidence-based frequency rates will be agreed at a committee of Member States at regular intervals. This would allow for a more transparent and efficient review of risks and for a swifter revision of these measures. As the fundamental mechanics of the system will remain the same, no further impact beyond existing practice is expected in this area in the short-term; current sampling frequencies would remain unchanged unless new evidence suggests that the level of risk has changed e.g. the product may be de-listed or subject to a higher frequency of checking or enhanced controls.
56. Existing border control facilities for the control of high-risk FNAO are currently classified as Designated Points of Entry (DPEs). As the OCR unifies all border control facilities under the definition Border Control Posts (BCPs) these facilities will now be required to meet the standards established in Regulation (EU) 2019/1014. These rules go beyond existing standards as set out in Regulation (EU) 669/2009. As a result, the operators of these BCPs will be required to ensure that their facilities are compliant with the new legislation.
57. Detailed rules regarding how competent authorities should deal with transit and transshipment of goods entering the European Union have also been developed. This legislation, to be made under Article 51(1)(a) of the OCR, has, however, not yet been published. The rules, as currently drafted, build on existing processes but have introduced an increased degree of flexibility for Member States in most instances. For example, there are some proposed changes to the minimum time in port requirements and the Commission is proposing no checks at the BCP of first arrival on animal products which are destined to third countries when consignments are staying on the same means of transport for onward travel to the BCP of destination. As a result of the limited nature of these changes, no costs beyond familiarisation costs for operators or competent authorities are foreseen.
58. Regulation (EU) 2019/1013 establishes that the operator responsible for a consignment of high-risk food and feed not of animal origin arriving in the European Union must be notified at least one working day prior to the expected arrival of the consignment. This is consistent with many of the existing requirements which also require notification one day prior to the expected arrival except for POAO which must be notified 'in advance'. In certain scenarios, where there are 'logistical constraints', for example a short journey, this can be reduced to four hours at the discretion of the competent authorities of the BCP. As such minimal additional impacts are anticipated as a result of this new legislation, on operators or competent authorities.
59. A draft regulation is also under development which would allow for the performance of identity and physical checks on high-risk FNAO to be performed at an inland control point, away from the immediate point of entry for the commodity. This inland control point would be required to meet the

same criteria as an inspection centre at a BCP. A process for permitting and management of the transfer of goods would also be established, to ensure the traceability of potentially high-risk foods. As this is flexibility available to the operators of BCPs it does not create potential impacts but could be used in the future to allow for the establishment of more inspection facilities at lower costs. These would require suitable legal designation and approval. Current rules which allow for the onward movement of consignments of high-risk FNAO pending the results of laboratory testing have also been retained.

60. The basic act of the OCR establishes that existing formats of certification will be unified as Common Health Entry Documents (CHEDs). The contents of these categories will vary according to the relevant commodity. The current format of the Common Entry Document (CED), used for consignments of high-risk FNAO, will become the CHED-D. This will require some familiarisation costs for operators and competent authorities alike. The FSA is currently undergoing an internal piece of work to better understand the details of the proposed changes to entry documents and the potential impacts on importers beyond familiarisation costs.
61. Legislation is also yet to be finalised regarding certain derogations for border controls. For example, legislation regarding derogations for the designation of BCPs (such as instances where facilities can be situated away from an entry point in to the Union). As these rules create the potential for derogations and flexibilities, no immediate significant impact is foreseen.

Import Conditions for POAO for human consumption

62. Regulation (EC) No 853/2004 establishes that all products of animal origin imported into the European Union must come from a listed third country. This requirement has not been applied fully in the EU since its inception and has been subject to recurrent transitional measures. Legislation, empowered by the OCR, has been made in order to effectively enforce this requirement and to further harmonise import conditions for POAO and some other high-risk goods across the European Union. Regulation (EU) 2019/625 creates an overarching framework for the reformed import conditions regime. This is supplemented by Regulation (EU) 2019/626, as regards third country listing, and Regulation (EU) 2019/628, as regards certification.
63. The most significant new element of this package of legislation is the increased scope of goods which will be subject to certain forms of harmonised import conditions for the first time. These changes will affect the movement of reptile meat, insects and products derived from insects, composite products, raw materials for the production of gelatine and collagen, sprouts for human consumption and fats and greaves.
64. Regulation 2019/625 reforms to the way composite products are controlled. All composite products (with some exceptions) will need to be channelled through BCPs and there will be a move away from a percentage approach to temperature control requirements. The Regulation will not take effect until April 2021, and as such is not included in the appraisal section.
65. Reptile meat is currently imported in the United Kingdom from third countries under national rules. It is still subject to official controls at Border Inspection Posts. The new rules will require imports of reptile meat to derive from an approved third country, as set out in Regulation (EU) 2019/626. As of December 2019 this list will include only Switzerland, Botswana, Vietnam, South Africa and Zimbabwe. These consignments must also arrive with a model health certificate as established in Annex III Part XII of Regulation (EU) 2019/628, which clearly sets out that the products have been produced in line with the relevant European hygiene legislation. This requirement for a model health certificate is subject to a transitional period until 13 March 2020, allowing time for familiarisation and preparation. Regardless, this introduction of harmonised paperwork may create further work for Port Health Authorities and operators involved with the trade of reptile meat for human consumption. Operators in third countries will require the services of an official veterinarian to sign certificates prior to export.
66. Food consisting of, isolated from or produced from insects or their parts will also now be subject to harmonised import conditions in a similar fashion to reptile meat. This will involve the introduction of a third country list established in Regulation (EU) 2019/626 and a certificate in Regulation 2019/628 Annex III Part XIII. In terms of third country listing, this is dependent upon the prior approval of exporting countries or regions in line with novel foods legislation, Regulation (EU) 2015/2283 and Regulation (EU) 2017/2470. Equally this may create a greater administrative burden on Port Health Authorities and new regulatory requirements on operators.

67. Regulation (EU) 2019/625 also establishes a framework of new risk-based rules on importing composite products from third countries based on shelf stability and composition. These measures, however, will not apply until April 2021. As such their impact will not be assessed at this time.
68. Raw materials for the production of gelatine and collagen are also subject to a slight change in the legislation. The new rules provide that raw materials, intended for the production of gelatine and collagen, referred to in point 4(a), Chapter I of Sections XIV and XV, Annex III to Regulation (EC) No 853/2004, for import into the European Union must be obtained from listed slaughterhouses, game-handling establishments, cutting plants and establishments handling fishery products. Existing rules state that raw materials for the production of gelatine and collagen must derive from a listed third country (as set out in Regulation (EU) 2016/759) and originate from a registered or approved establishment. Although at present there exists an approved list of establishments for *treated* raw material for the production of gelatine and collagen, Regulation (EU) 2019/625 sets out that this requirement will be expanded to such raw materials. As these goods are already subject to certification and veterinary controls, this means that the impact on Port Health Authorities will be limited. However, this could potentially have an impact on the movement of goods from third countries and could affect operators adversely as a result of short-term trade disruption.
69. Sprouts and seeds intended for human consumption produced within the European Union are currently subject to heightened rules as a result of the risk they pose to spread foodborne illnesses. In addition, sprouts and seeds imported into the European Union from third countries must be accompanied by a health certificate, as set out in Regulation (EU) 211/2013. As a result of Regulation (EU) 2019/625, sprouts falling under specific CN codes will be required to derive from a listed establishment in a third country which is approved in accordance with the requirements of Article 2 of Regulation (EU) 210/2013 and Regulation (EU) 852/2004. This means that third country establishments producing sprouts are subject to equivalent legislation as those within the European Union. The model health certificate for sprouts is also reformatted and is now published in Annex 3 Part 15 of Regulation (EU) 2019/628. While this could, in theory necessitate some familiarisation costs for Port Health Authorities and operators, it is understood that this is primarily an inland control.
70. Rendered fats and greaves are currently required to derive from an approved establishment in any third country. Regulation (EU) 2019/626, however, requires these products in future to derive from third countries authorised for the import of meat products into the Union in accordance with point (b)(i) of Article 3 of Decision 2007/777/EC.
71. Regulation (EU) 2019/626 will introduce a list for products of animal origin not otherwise covered by the regulations. This will provide greater clarity than is currently the case under Article 6 of Regulation (EC) No. 853/2004. It is not foreseen yet what this will encompass, but we do not anticipate that this will have a significant impact.
72. Regulation (EU) 2019/628 also creates a new format for the model health certificate required for specific goods. Although this format will only be introduced for goods for which the previous certificates had a legal basis pursuant to Regulation (EC) No. 882/2004, it is anticipated that the new format will eventually be extended to all commodities. This new format will incur familiarisation costs for operators and Port Health Authorities alike.
73. Regulation (EU) 2019/628 also creates new rules for the issuance of replacement certificates at Article 6. It is anticipated that these will also result in familiarisation costs.

Tertiary Legislation: IMSOC

74. The IMSOC will act as a unifying platform for existing EU system such as TRACES, RASFF, Administrative Assistance and Cooperation and the Food Fraud Network. The legal basis for the IMSOC and how it will function will be further expanded upon in an Implementing Regulation empowered under Article 134 of the OCR.
75. Operators and competent authorities will be required to familiarise themselves with the new platform and its interface. However, it is anticipated that in the long run the new system will create efficiency savings for businesses and authorities alike.

GROUPS AFFECTED

76. The following groups will be affected by the proposed changes.

Food and Feed Business Operators

77. As the current landscape and the general performance of official controls under the OCR remains substantially the same for FSA policy areas, for the majority of food and feed industry stakeholders there will be no requirement to familiarise themselves with the requirements of the Regulation.
78. However, where the OCR necessitates changes to the tertiary legislation, selected Food and Feed Business Operators will need to familiarise themselves with the changes and comply with new requirements. Selected FSA Approved Establishments, which are subject to official hygiene controls performed for the verification of compliance, will be affected by new tertiary requirements. These include businesses in the following sub-sectors:
- Slaughterhouses
 - Cutting Plants
 - Fish Auctions
 - Wholesale fish markets, factory vessel and freezer vessels
 - Game Handling Establishments
 - Operators of vessels catching and handling live bivalve molluscs, shell fish and fishery products
 - Milk and Colostrum Production Holdings
79. In addition, we assume that all UK importers of high-risk food and feed will be affected by new import requirements and changes to border procedures.
80. We have identified the following number of affected food and feed business operators (FBOs) across England, Wales and Northern Ireland. To note, total figures may be subject to rounding.

Table 1: Affected food and feed business operators (FBOs)

FBO	England	Wales	NI	Total
Approved Establishments ⁷	1,676	150	89	1,915
Importers of high-risk food and feed ⁸	2,812	32	99	2,944

Enforcement Authorities

81. The OCR primarily addresses the responsibilities of Member States' CCA and their designated enforcement authorities who carry out official controls to check that business operators comply with the relevant law.
82. Local Authorities, as CAs, which deliver official regulatory controls across food and feed will have to familiarise themselves with the new requirements. Similarly, Port Health Authorities (PHAs), as CAs, for the delivery of official regulatory controls with regards to imports of POAO and high-risk FNAO will be affected by the new requirements.
83. Operational staff from FSA (in England and Wales) and DAERA (in Northern Ireland) will be affected by changes to the delivery of official controls in relation to meat hygiene, which are directly undertaken by FSA and DAERA operational staff respectively. In addition, selected FSA staff will be required to familiarise themselves with the proposed changes and acquire sufficient expertise to provide guidance and training to stakeholders.
84. Official Control Laboratories (OCLs) are designated by CAs for the purpose of analysing samples

⁷ A list of all approved establishments is available at: <https://data.food.gov.uk/catalog/datasets/1e61736a-2a1a-4c6a-b8b1-e45912ebc8e3>

⁸ The number of importers has been extracted from TRACES (https://ec.europa.eu/food/animals/traces_en). Regional splits were calculated using the proportion of importers recorded in the LAEMS annual report (<https://signin.riams.org/connect/revision/msy26/Environmental-Health/LAEMS-Annual-report-2017-2018>).

taken during official controls and for food and feed enforcement. They will see minor changes to the responsibilities placed upon them, requiring them to have closer contact with the laboratories and greater oversight of delegated laboratories.

85. We have identified the following number of affected enforcement authorities across England, Wales and Northern Ireland.

Table 2: Number of affected enforcement authorities by country				
Competent / enforcement authority	England	Wales	NI	Total
Local Authorities (LAs) ⁹	354	22	11	387
Port Health Authorities (PHAs) ¹⁰	25	0	2	27
Official Control Laboratories ¹¹	14	5	4	23
FSA Field Operations (no. of managers) ¹²	28		N/a	28
DAERA Operations (no. of managers) ¹³	N/a		5	5

Consumers

86. Consumers are not directly affected by the OCR, although a more integrated and simplified approach to controls across the EU should in theory lead to improved consumer protection and increase consumer confidence in food and feed produced within the EU and imported third countries. Harmonisation of official controls will provide reassurance to consumers on the functioning of control systems and increase their ability to make informed choices.
87. These indirect impacts on consumers have not been further assessed in the cost-benefit section which follows.

Q.I: Is the total list of identified affected sectors / groups representative? If you partly agree or do not agree please identify other sectors / affected groups that should also be considered and provide reasons for your suggestion.

POLICY OPTIONS

Two policy options have been identified:

Baseline: Status Quo

88. This is the baseline option against which all other options have been assessed. It reflects the status quo, i.e. a situation in which there were no incremental changes to the current legislation.
89. It should be noted that this is not a realistic option as the OCR has already been published in April 2017 and will be directly applicable in the UK from 14 December 2019 in an Article 50 extension or transition period. The baseline solely serves the purpose to quantify the expected impacts of all policy options against a consistent baseline.

Option 1: Implement national legislation to provide for the execution of powers and enforcement of the OCR and associated tertiary legislation.

90. Take appropriate action to fully implement the provisions of the OCR into UK law. This would require

⁹ Annual report on local authority food law enforcement 2017/18, <https://signin.riams.org/connect/revision/msy26/Environmental-Health/LAEMS-Annual-report-2017-2018>

¹⁰ This analysis only concerns PHAs that are classed as either DPE/DPI/BIP (<https://www.food.gov.uk/business-guidance/port-designations> and <https://www.gov.uk/government/publications/uk-border-inspection-posts-contact-details/live-animals-and-animal-products-border-inspection-posts-bip-in-the-uk>)

¹¹ <https://www.food.gov.uk/about-us/official-feed-and-food-control-laboratories>

¹² Figures based on internal intelligence.

¹³ Five regional managers in DAERA (four meat and one dairy) require familiarisation, based on internal intelligence.

making legislation to enable the delivery of the requirements.

91. This is the preferred option.

95

Option 2: Do Nothing – Do not implement national legislation to provide for the execution of powers and enforcement of the OCR.

92. Regulation 2017/625 (OCR) will repeal the current legislation on official controls. If the new legislation is not implemented prior to the current legislation being revoked, the UK would have no legal framework to enforce official controls and therefore the UK would be unable to demonstrate that it can meet one of its primary objectives which is to protect human health.
93. The OCR is directly applicable European legislation, so failure to put in place the measures needed to implement could lead to the European Union bringing infraction proceedings against the UK. This policy option is rejected.
94. The associated impacts of this option have not been further assessed because of the disproportionate negative effects on public health and legal consequences that would be associated with this option.

OPTION APPRAISAL

Baseline: Status Quo

COSTS & BENEFITS

95. This is the baseline against which all other options have been assessed. There are no incremental costs and benefits associated with this option.

Option 1: Implement Regulation 2017/625 - OCR

COSTS & BENEFITS

96. The cost benefit analysis that follows assesses a range of different costs and benefits that we expect under option 2. These are:
- **Familiarisation costs:** one-off / transitional costs for all affected stakeholders to acquaint themselves with the new requirements of the legislation. This ensures a smooth transition between the two regimes. Figures are presented in current prices.
 - **Non-monetised costs:** potential outcomes from the legislation where it is currently not possible to quantify their impact. Where we are unable to quantify expected impacts, we have explained in detail why the required data is not available and how we seek to substantiate the assessment and our understanding going forward.
97. All quantified costs and benefits in this section are estimated in current prices and measured over a 10-year appraisal period. This appraisal period was deemed appropriate as all monetised costs and benefits are transitional in nature. All total costs and benefits highlighted throughout are rounded to the nearest '000 to aid interpretation.
98. To ensure consistency in our calculations we have adopted an established method based on the Standard Cost Model (SCM) Approach published by BEIS. Where we have used wage rate data we have taken hourly wage rates from the 2018 Annual Survey of Hours and Earnings (ASHE)¹⁴, using the median rate of pay. Furthermore, when using wage rate data we have uplifted rates to account for overheads by 30%, in line with The Green Book¹⁵ guidance.

COSTS

Food and Feed Business Operators

99. As outlined above, the substance of OCR 2017/625 largely repeals and replaces much of the existing legislation governing official controls of food and feed. Most businesses will not experience any material changes in the way official controls take place and/or are currently delivered. We understand that the main affected sectors will be:
- Importers (including freight handlers) of high-risk food not of animal origin (FNAO) and products of animal origin (POAO) for human consumption; and
 - Selected FSA Approved Establishments which are subject to official hygiene controls performed for the verification of compliance. We understand that only the following approved establishments will be affected:
 - Slaughterhouses
 - Cutting Plants
 - Fish Auctions
 - Wholesale fish markets, factory vessel and freezer vessels
 - Game Handling Establishments
 - Operators of vessels catching and handling live bivalve molluscs, shell fish and fishery products
 - Milk and Colostrum Production Holdings

¹⁴ <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinghours/datasets/ashe1997to2015selectedestimates>

¹⁵ <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government>

Familiarisation

100. Importers of high-risk FNAO and POAO (including Freight Handlers) will have to familiarise themselves with the new legislation as it affects the streamlining of new systems and formatting requirements. According to TRACES, there were 2,944 unique UK-based importers of high-risk FNAO or POAO who submitted either a CED or CVED in 2018 (see Table 1). This can be regarded as the minimum number of UK businesses that need to familiarise themselves with the proposed legislation as they will be directly affected by changes to official entry documents. We assume that one manager from each importing business will spend one hour reading the guidance, and another hour disseminating to staff and key stakeholders. Following the SCM approach, we multiply the wage rate with the number of importing businesses to calculate the total familiarisation costs. This generates a total cost of familiarisation to importers of £133,000 which is equivalent to £45.29 per importer¹⁶.
101. Selected FSA Approved Establishments will also have to familiarise themselves with the legislation. These FBOs are subject to official controls for verification purposes and may be impacted by the new requirements for OV attendance and campylobacter sampling. They may also be affected by the additional flexibilities that the OCR introduces. As of May 2019, there were 1,915 applicable Approved Establishments operating across England, Wales and Northern Ireland which are expected to be affected by the new legislation (see Table 1). We assume that one manager from each establishment will dedicate one hour reading the guidance and another disseminating it to staff and key stakeholders. This implies a total one-off cost to affected Approved Establishments of £58,000 or £30.51, on average, per establishment¹⁷.
102. At the aggregate level, we estimate the total familiarisation cost to industry to be £192,000. This is equivalent to £39.47 per business.
103. As outlined above, this estimate is based on the assumption that the majority of food and feed industry stakeholders will not need to familiarise themselves with the requirements of the regulation for those areas where the FSA has policy responsibility.
104. It should be noted that Defra takes a different approach to familiarisation costs, in line with Defra's broader policy remit. Where there is an overlap between affected Defra stakeholders and affected FSA stakeholders, familiarisation costs for such businesses (of up to £192,000) might therefore be double counted.

Changes to the delivery of Official Controls

General performance of Official Controls

105. In terms of the secondary legislation, the current landscape and the general performance of official controls under the OCR remains substantially the same. Editorial changes will be made to the FSA Food and Feed Law Codes of Practice, and associated Practice Guidance, the Feed Law Enforcement Guidance document (Northern Ireland) and Manual for Official Controls, which will require familiarisation by local authorities, FSA and DAERA staff performing official controls and other official activities. This will be captured by a separate impact assessment at a later date.

¹⁶ Based on the median wage rate for *Managers and directors in transport and distribution* (Code 1161), ASHE (2018), table 14.6a.

¹⁷ Based on the median wage rate for *Managers and proprietors in agriculture and horticulture* (Code 1211) and *Managers and proprietors in forestry, fishing and related services* (Code 1213), ASHE (2018), table 14.6a.

Hygiene controls on products of animal origin (POAO) for human consumption

106. The legislation requires competent authorities to verify the correct implementation by operators of broiler slaughterhouses, of the *Campylobacter* process hygiene criterion (PHC). As of May 2019, there were 63 FSA approved slaughterhouses where the approved activity was broiler production, in England, Wales and Northern Ireland. Collection of sampling data would require FBOs to supply data in a form that permits it to be centrally collated by the FSA. As affected slaughterhouses have existing requirements to test for campylobacter, this additional burden on industry is anticipated to be marginal; the majority of costs will fall on the FSA, as the CCA. Once the FSA clarifies its preferred policy position, a supporting piece of analysis will be completed which will estimate both the cost to industry and the FSA of the preferred verification option.

Q.II: We would welcome evidence from affected businesses on the expected costs on their establishment if the FSA were to verify compliance by either a) collecting industry data or b) by sampling.

107. The introduction of maximum annual throughput thresholds at low capacity slaughterhouses and GMEs will potentially have an impact on the required presence of OVs conducting PMIs at these establishments. It is expected that some affected slaughterhouses and GMEs will exceed threshold levels that have been set, requiring establishments to replace OAs with OVs. However, the FSA would look to maximise the threshold applicable to these establishments, in line with the total national production provision outlined in Regulation 2019/624, as explained in paragraph 44. Where this is not possible then extra OV presence required at affected establishments would generate an additional cost to these businesses due to OVs rate of pay being higher than that of OAs. An OV's charge rate is approximately 30% higher than that of an OA/inspector, before any applicable discount.¹⁸
108. Assessing the total throughput levels of low capacity slaughterhouses and GMEs, as well as allocating individual establishments above or below the maximum annual threshold constitutes a substantial piece of work. Internal engagement and discussions with the OCR Delivery Working Group have begun, in part, to better understand if centrally held data can provide additional understanding in this area.

Q.III: We would welcome supporting evidence on the total throughput levels of low capacity slaughterhouses and Game Handling Establishments, and the distribution of such establishments in relation to the new maximum annual threshold. We would also welcome views on our assumption that the new requirement may result in additional costs on such businesses and the degree to which this change is likely to impact them.

109. From the implementation of the OCR on 14 December 2019, echinoderms will no longer be permitted to be harvested from unclassified areas. As the number of potential FBOs harvesting echinoderms from unclassified areas is unknown, we are currently unable to assess the impact of the change being introduced. In addition, it is understood that the inclusion of 'Holothuroidea' was a drafting error and it is not yet known when this error will be corrected.

Q.IV: We would welcome any evidence stakeholders are able to provide in relation to the number of food business operators that currently harvest echinoderms from unclassified areas.

New import requirements

110. On balance, we anticipate a marginal overall increase in official controls for imported POAO or high-risk FNAO products. The legislation outlines harmonised controls, for the first time, for imports of reptile meat, insects and products derived from insects, raw materials for the production of gelatine

¹⁸ Based on 2019/20 Charge Rates to Food Business Operators (<https://www.food.gov.uk/sites/default/files/media/document/official-controls-charging-guidance-201920.pdf>), Annex A

and collagen, sprouts for human consumption and fats and greaves. Previously, enforcement of these commodities was at the discretion of MSs.

111. Increased import controls are associated with a corresponding rise in compliance costs for the importer. Potential costs include charges and time spent for approval processing, relevant certificates and Sanitary and Phytosanitary checks at the border as well as potential disruption to the supply chain if new import routes have to be established. Robust evidence on the scale of these costs is scarce and highly product specific.
112. In addition, the FSA understands that some of the affected products are already subject to border checks under the current operating regime which will mitigate the tangible impact of a formal harmonisation of controls. We are currently engaging with port officials to understand the practical changes to border procedures and the likelihood of trade disruption in more detail.
113. While we are unable to monetise the costs associated with the new import requirements at this stage, it should be noted that the number of affected consignments is likely to be very small. In particular, we understand that there are currently no imports of reptile meat for human consumption from third countries. Furthermore, the estimated import volume of sprouts for human consumption and rendered animal fats and greaves in 2018 accumulated at most 20,000 tonnes, which is equivalent to less than one percent of all UK food and drink imports from third countries in that year¹⁹.
114. Under OCR 2017/625 IMSOC, as well as other criteria, will determine the level of sampling which has to take place for each high-risk commodity. The system seeks to create a unified platform for existing EU systems, including TRACES, rather than replacing the computational architecture. It is understood that initially, changes in frequencies will still be determined by an EU committee that will meet at regular intervals; we anticipate that IMSOC will influence decisions once enforced. The assumption, under our current understanding, is that IMSOC may automatically change frequencies as IMSOC is implemented further into EU processes. These rates will be based on levels of compliance meaning we could see a decrease or an increase in the number of samples required to be taken. As such, it is intrinsically difficult to quantify what the cost will be for business or understand the potential shift in magnitude at the macro level.
115. However, it is assumed that from the outset current rates and frequency of sampling will remain constant. The FSA supports these changes in principle. However, we realise that we will have to work with industry to ensure compliant trade is not disrupted.

Q.V: We would welcome views, and where possible supporting evidence, from business importing one or more of the products subject to the above changes. What impact do you believe the harmonising of controls will have on your business?

Q.VI: We would welcome evidence from stakeholders, and in particular PHAs, on the number of controls on reptile meat and insects currently performed.

Total costs to Food Business Operators

116. As preparations to implement the OCR are currently in their infancy, the FSA is unable to monetise any of the expected impacts on FBOs beyond one-off familiarisation costs. As such, the total monetised cost to industry is estimated to be £192,000 over a ten-year appraisal period, as reflected in paragraph 102.
117. As internal workstreams progress on the specific additional requirements placed on industry, across all identified policy areas, we will seek to update this analysis to deliver a more thorough representation. We welcome any intelligence from industry stakeholders that can assist in gaining a better understanding of the general impacts and associated costs and benefits.

¹⁹ Import volumes of affected products are based on HMRC UK Trade Info data. It should be noted that we are unable to quantify the import volume of insects and products derived from insects due to a lack of suitable trade statistics.

Enforcement Authorities

118. The 'basic act' of the OCR, Regulation (EU) 2017/625, will make changes across a number of policy areas. However, for the most part these changes will create relatively few impacts for enforcement authorities. Where there are impacts, they will predominantly affect CAs and delegated delivery bodies that perform official controls across a range of areas.
119. In order to perform and deliver statutory obligations, we have identified the number of applicable enforcement authorities across England, Wales and Northern Ireland.

Familiarisation

120. Local Authorities, as CAs, which deliver official regulatory controls across food and feed will have to familiarise themselves with the new requirements. This should enable a smooth transition between the two regimes. We anticipate that one Environmental Health Officer (EHO) and one Trading Standards Officer (TSO) employed at each of the 387 Local Authorities across England, Wales and Northern Ireland will spend one hour reading the new SIs and other provisions, as required by the OCR, and two hours disseminating it to staff via the appropriate channels. We estimate this one-off cost as £132.99 per LA, or £51,000 in total²⁰.
121. Port Health Authorities (PHAs), as CAs, deliver official regulatory controls with regards to imports of POAO and high-risk FNAO will have to familiarise themselves with the new requirements. Across England and Northern Ireland²¹ there are 27 PHAs, including only: existing Designated Points of Entry (DPEs) and Designated Points of Import (DPIs) for high-risk FNAO and Designated Border Inspection Posts (BIPs) for POAO products.²² The number of enforcement agents at each PHA will vary in accordance with the volume of trade received, however each PHA will have a team containing a mix of EHOs, TSOs and Port Health Officers (PHOs), amongst other professions.²³ As the EHOs and TSOs are employed by the respective LA we have chosen not to include them within calculating PHA-specific familiarisation costs, to avoid double counting. We anticipate that one PHO per PHA will spend one hour reading the necessary guidance and two hours disseminating it to staff and notifying main stakeholders via appropriate channels. This one-off cost is estimated to be £67.55 per PHA or £2,000 in total²⁴.
122. Official Control Laboratories (OCLs) are designated by CAs for the purpose of analysing samples taken during official controls and for food and feed enforcement purposes. The analysis of official control samples is carried out in OCLs by official control scientists. As National Reference Laboratories (NRLs) are already familiar with the new changes only OCLs will be required to familiarise themselves. Across England, Wales and Northern Ireland there are 23 OCLs (see Table 2). Anticipating that one professional scientist at each laboratory will spend one hour reading the legislation and one hour disseminating it to staff we estimate a cost of need to each OCL of £50.18, or £1,000 in total.²⁵
123. As the CCA, the FSA will be required to hold expert in-house knowledge of the IMSOC system, both in terms of its content and interface but also in its practical applications. It is believed that one FTE employee will familiarise themselves with the IMSOC system until such point they can be deemed an 'expert'. This is in order to provide support in its wider implementation and also in an advisory capacity to affected policy teams.²⁶ Assuming a SEO grade employee will become the in-house expert, and adopting a central estimate of 24 hours (3 full working days) to become fully versed with the IMSOC system, this one-off cost in productive time lost is estimated to be £1,000.²⁷
124. All field operation managers involved in the delivery of official controls in relation to meat hygiene will

²⁰ Based on the median wage rate for *Inspectors of standards and regulations* (Code 3565) and *Environmental health professionals* (Code 2463), ASHE (2018), table 14.6a.

²¹ There are no DPEs/DPIs/BIPs in Wales.

²² Under OCR 2017/625 DPEs, DPIs and BIPs will be reclassified as Border Control Posts (BCPs). Refer to par. 75 for potential associated costs for this reclassification with regards to requirements in infrastructure upgrades.

²³ Including auxiliary support staff, technical officers and business support officers, for example.

²⁴ Based on the median wage rate for *Health and safety officers* (Code 3567), ASHE (2018), table 14.6a.

²⁵ Based on the median wage rate for *Biological scientists and biochemists* (Code 2112), ASHE (2018), table 14.6a.

²⁶ Imports Surveillance and Incidents will require advice on the day-to-day functioning of the system, e.g data searches and inputting. Also, Strategy and Surveillance will require a general overview of its overall functions.

²⁷ Based on FSA average salary for FY 2018/19.

have to familiarise themselves with the new requirements. As the substance of many of the new provisions do not change the performance of official controls; instead providing nuanced revisions in how they are delivered, it is understood that only field operational managers will have to read the guidance and disseminate it as they see fit. Headcount data identifies 28 field operational managers operating across England and Wales. Assuming, as a central estimate, that each field manager is a Grade 7 employee, we anticipate that each manager will spend one hour reading the guidance and two hours disseminating to. This generates a cost estimate of £127.07 per manager, or £4,000 in total.²⁸

125. In NI, 5 field operations managers will be required to familiarise themselves with the new requirements. Assuming that each field manager is a Grade 7 employee, we anticipate that each manager will also be required to spend one hour reading the guidance and two hours disseminating it relevant colleagues, including Meat Health Inspectors and other key stakeholders. The cost of this is estimated at £205.92 per manager, or £1,000 in total.²⁹

Training

126. Authorised officers³⁰ at each PHA will require additional training to effectively enforce the new legislation. We expect that on average four authorised officers from each of the 27 PHAs (108 in total) will be required to go on a 1.5 day training course. This one-off cost, in productive time lost, is estimated to cost each PHA £1,080.77, or £29,000 in total.
127. Enforcement Authorities will require training and guidance in order to use IMSOC effectively. As the new system will enable a unified platform for existing EU systems, including TRACES, it is understood that the Commission will run a focussed session at a UK venue for enforcement officers and key stakeholder groups. Central estimates suggest that each PHA will require 2 attendees (54 in total) and that the FSA will require 6 attendees. This one-off cost, in productive time lost, is estimated to cost £11,000 in total.
128. Those authorised officers trained in IMSOC will be required to cascade training to other officers, including auxiliary support assistants at each port. They will also be required to support industry during implementation by providing in/formal training and guidance to freight handling agents, importers and associated third-country partners. Over a period of one month, from IMSOCs initial inception, it is assumed that one authorised officer at each PHA will spend a full day per week on training stakeholders, responding to general queries and providing guidance. On average, this will cost each PHA £720.51, or £19,000 in total.
129. It should be noted that the above estimates are based on assumptions around potential training requirements and delivery. These assumptions reflect our current understanding and could be subject to change.

Q.VII: We welcome enforcement authority views on our stated assumptions for training requirements to support delivery of the changes introduced by the OCR. Please provide details of any specific training needs you think will be necessary.

Changes to the delivery of Official Controls

General performance of Official Controls

130. The secondary legislation necessary to provide for the execution of powers and enforcement for the OCR makes no significant changes which would impact on the frequency or number of inland official food and feed controls undertaken by enforcement authorities. Rather it seeks to clarify and enhance current provisions for example by introducing more stringent rules on fraud and provide greater transparency and accountability required by CAs through the publication of information about the organisation and performance of official controls. Such requirements are already being met in the UK.

²⁸ Based on FSA average salary for FY 2018/19.

²⁹ Based on DAERA chargeout rates.

³⁰ Including OVs, EHOs and TSOs.

Campylobacter sampling in broiler slaughterhouses

131. The legislation requires CAs to verify that broiler slaughterhouses have correctly implemented the *Campylobacter* PHC. As explained above, no policy decision has yet been taken as to how the FSA will undertake the verification. If the FSA decides to collect and analyse industry data, this will likely have cost implications to the FSA, as the CCA. Additional administrative resource would be required to create and maintain a framework that centrally gathers and analyses data. This would enable the FSA to monitor compliance at the individual FBO level and on a national scale. Once the FSA clarifies its preferred policy position, a supporting piece of analysis will be completed which will estimate both the cost to industry and the FSA of the preferred verification option.

New imports requirements

132. The Official Control Regulation 2017/625 rebadges DPE/Is and BIPs as Border Controls Posts, or BCPs. BCPs will need to meet specific minimum requirements as laid down in the legislation. Many of the existing DPE and DPI minimum requirements remain in place, but other, new requirements have now been introduced. Any new facilities that wish to become a BCP, once the Regulation has taken effect, will need to fully meet the new requirements and go through the necessary approval process. The changes may therefore affect Port Operators, Port Health and Local Authorities with responsibilities for DPE/Is and BIPs and/or existing BIP/DPE/DPI operators. There may be some work required to ensure that existing facilities meet the new requirements. The financial implications are currently unknown. However, the FSA is drawing up a document which will help to check and verify existing facilities against the new BCP requirements along with a self-assessment checklist, also detailing the new requirements. A letter is planned to be sent to DPEs, along with this checklist in August and Port Health will subsequently be invited to workshops to assist with understanding the new requirements and implementing a plan if changes are required to existing facilities.

Q.VIII: We would welcome information from existing specialised border facilities (DPE/Is and BIPs) on what necessary changes and/or upgrades are required in order to obtain certification as a Border Control Post.

133. New products covered by the legislation, such as insects and reptile meat, will in future be required to be derived from approved third-countries. Raw materials for the production of gelatine and collagen, sprouts for human consumption and fats and grieves will have to be derived from approved establishments in third-countries. Under harmonising legislation across these commodities, new controls could result in additional administrative requirements; increasing the burden of work on PHAs. For example, consignments of reptile meat products will be required to arrive with model health certificates, for PHAs to assess and sanction. As trade in these commodities is expected to remain low, any increase in administrative burden for enforcement authorities is expected to be relatively muted; and might further be offset by general simplifications of administrative procedures.

Official Veterinarian resource requirements

134. As outlined in paragraph 42ff, additional OV resource may be required at low capacity slaughterhouses and GMEs for PMI. Additional costs of OV presence will fall on the affected individual establishment, although there may be some associated administrative costs to the CCA. Any such additional cost is expected to be marginal as resource activity costs (in this case switching OAs for OVs) would be included in the direct cost element of the hourly rates charged to industry.

Funding of analyses carried out by OCLs

135. It is known that there are UK OCLs that currently sub-contract samples for analysis to partner laboratories in other member states (where the partner laboratory is not officially designated as an OCL in that MS) and these may also receive, and subsequently sub-contract samples from other UK OCLs. As explained in paragraph 35, such sub-contracting of samples to other MS would not be permissible under the changes to the OCR which could have a financial impact on OCLs. Alternative arrangements are being explored for the affected laboratories such that any new situation may not have any incremental impact.

136. We are currently unable to quantify this impact as it would have to be calculated on a case-by-case basis where it is known exactly what tests and how many samples are being sub-contracted. The impact of such increased costs of sub-contracting the analysis of samples will be dependent on finding suitable alternative sources for analysis, either by an alternative UK laboratory, another MS OCL or a commercial alternative. Depending on options, this could have an associated cost for LAs, as the primary funders of OCLs. However, alternative arrangements are being explored for the affected laboratories such that any new situation may not have any incremental impact.

Q.IX: We would welcome views from Official Control Labs representatives, or LAs that currently send/receive sub-contracts samples to/from other non-designated laboratories in other Member States. Specifically, we invite evidence on the impact(s) that may arise from this change.

Total costs to Enforcement Authorities

137. We are only able to monetise the one-off familiarisation costs (including familiarisation and associated training requirements) to enforcement bodies with regards to the new SIs and provisions included within OCR 2017/625. The total identified transitional costs are £119,000.
138. It should be noted that, where there is an overlap between affected Enforcement Authorities between Defra and FSA, familiarisation costs (of up to £119,000) might be double counted.

Total costs

139. The total costs associated with Policy Option 1 over a 10-year appraisal period are £311,000 with a Net Present Value (NPV) of £311,000. Industry will assume 62% of total costs imposed as a result of this policy, with enforcement agencies assuming the remaining 38%. As such the Equivalent Annual Net Direct Cost to Business (EANDCB) is £22,000. Benefits were not monetised, therefore the total net cost over the 10-year appraisal period is £311,000.

BENEFITS

Food and Feed Business Operators

Simplified legislative framework

140. Overall, industry should benefit from a harmonised and coherent regulatory approach to official controls and enforcement actions along the agri-food chain, and from a better targeting of risks.
141. In particular import controls would be streamlined and adjusted to actual risk levels in the long-term. It is expected that the harmonisation of entry documents and the establishment of a comprehensive management system, IMSOC, will reduce the administrative burden for importers of high-risk food and feed. As CAs and business operators have not yet had the opportunity to test early versions of IMSOC, it is difficult at this time to estimate the extent of these changes. IMSOC aims to provide numerous benefits. The harmonisation of documents will create a familiar and consistent format, making it easier and more accessible for importers and stakeholders to use. IMSOC will allow competent authorities access to various relevant data/intelligence by interlinking a variety of current systems used for imported products. The intended long-term risk-based adjustments to levels of controls aims to make more efficient use of resource, with the aim of shifting resource as levels of risk change. These adjustments aim to allow changes of frequencies to occur quicker as data and information is analysed on an ongoing basis.
142. Closer cooperation among CAs would improve the overall effectiveness of delivery of official controls, reducing duplication, increasing consistency and ensuring non-compliance is dealt with in a timely manner.

Q.X: Do you agree that a harmonised and coherent regulatory approach to official controls will deliver any benefits and/or cost savings to industry? We would welcome evidence on what benefits (if any) you expect to be delivered.

Additional changes (POAO official controls)

143. The impact of changing some existing requirements on official controls of POAO should enable certain FBOs to generate cost savings across their operations. As the changes will depend on the take up by FBOs, as well as a high level of uncertainty surrounding the future delivery process, it is not possible to estimate the potential cost savings at present. The ability for an FBO to apply these changes depends on a confirmatory risk assessment by the CA which could limit application at some establishments.

Q.XI: We would welcome views from industry stakeholders on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

Enforcement Authorities

Reduced administrative burden

144. We do not expect any substantial benefits for enforcement authorities. While they could benefit, overall, from a simplification and consolidation of the legislative framework, we are unable to substantiate this due to a high level of uncertainty surrounding the future delivery process.

Q.XII: We would welcome views from PHAs and LAs on any benefits you foresee from the implementation of the OCR. Where possible, please explain your views and provide quantifiable evidence.

TOTAL NET COST

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145. The total costs associated with Policy Option 1 over a 10-year appraisal period are £311,000 with a Net Present Value (NPV) of £311,000. Industry will assume 62% of total costs imposed as a result of this policy, with enforcement agencies assuming the remaining 38%. As such the Equivalent Annual Net Direct Cost to Business (EANDCB) is £22,000.
146. Benefits were not monetised, therefore the total net cost over the 10-year appraisal period is £311,000.

Wider considerations

Risks and assumptions

147. A summary of key risks and assumptions underpinning the assessment is provided below:

- All impacts have been assessed to the best of our knowledge and ability to date. However, and as outlined in the sections above, there remains a high level of uncertainty around the implementation of the regulation in certain areas, in particular where tertiary legislation is affected. We have been unable to monetise any recurring costs to industry or enforcement bodies, which over time could deliver a larger impact. As such, the exact impacts are therefore likely to differ from the monetised impacts described in this assessment.
- We have only assessed the impacts of the necessary domestic secondary legislation and those pieces of tertiary legislation which have already been negotiated. All impacts of legislation that is still being negotiated by the Commission and that will be implemented after December 2019, has been excluded. This Impact Assessment can therefore not draw a full picture of the impacts that the OCR will ultimately have for FSA stakeholders as a whole.
- The Impact Assessment is based on the assumption that the United Kingdom will be in an Implementation Period in December 2019 and that trade between the UK and the EU remains unchanged compared to the status quo if the OCR was implemented. The consequences of a non-negotiated Exit have not been considered in the assessment.

Small and Micro Business Assessment (SaMBA)

148. EU legislation generally applies to food and feed businesses regardless of size, as requirements are intended to be risk based to reflect the activities undertaken. It is estimated that there were approximately 170,000 micro businesses and 40,000 small businesses registered in the agri-food sector in 2018, which together represents more than 95% of all food and feed businesses in the UK³¹. It is therefore not feasible to exempt those businesses from the OCR in general as this would fail to achieve the intended effect of reducing risks to consumer health. The negative consequences of an increased risk for public health would be disproportionate to the additional compliance costs to small and micro businesses.
149. The FSA estimates that there are currently a million cases of foodborne disease per year. With an estimated cost per case (in terms of financial losses as well as pain and suffering) of nearly £1,000, even a small hypothetical increase of cases of foodborne disease of 1% could be associated with a societal cost of nearly £10m. The associated costs of severe food incidents exceed these costs by a multiple, with the costs of BSE and Foot and Mouth Disease to the UK economy estimated to exceed several billion pounds.³² In comparison, the estimated costs to industry in this assessment accumulate £192,000.
150. That said, the FSA makes every effort to minimise the burden on small and micro businesses and pays attention to impacts on them. The FSA appreciates that micro and small businesses might find it more difficult to familiarise themselves with new import processes. To mitigate for such disproportionate effects, the FSA is planning to provide additional support, detailed guidance and training to Port Health Officers to ensure they can assist micro and small importers in their familiarisation process.
151. The proposed amendments should therefore not have any disproportionate negative impact on small and micro businesses. If anything, a more streamlined and harmonised controls regime across the EU might benefit micro and small businesses because they will be regulated in a proportionate and consistent way according to their business activities across the agri-food chain.

Trade Implications

152. Implementing the OCR could have implications for trade of high-risk food and feed products with third countries as a result of new requirements and changes to existing border procedures.

³¹ Based on ONS' Inter Departmental Business Register (IDBR), all businesses registered in SIC Codes 10,11,46,47 and 56.

³² DTZ Pieda Consulting (1998): *The Impact of BSE on the UK Economy*; and DEFRA/DCMS (2002). *Economic cost of foot and mouth disease in the UK: a joint working paper*.

153. The OCR aims to integrate and harmonise rules across sectors. Assuming the new legislation is successful in reducing the administrative burden on importers, this could facilitate trade with third countries and contribute to lower food prices, as 20% of food consumed in the UK currently originates in third countries.³³
154. Adherence with the OCR will also enable the UK to demonstrate that food and feed produced and processed within the UK have been produced and handled in accordance with EU requirements. This will help to validate that food and feed is safe and fit for purpose and can stimulate demand for imports from the UK. The UK exports £22bn worth of food, feed and drink annually, 40% of which are exported to third countries.³⁴ Maintaining and strengthening confidence in UK produce is therefore likely to benefit the UK industry.
155. While the OCR also proposes to introduce some new regulatory requirements for imports of selected products into the Union, including reptile meat, insects for human consumption and rendered animal fats and greaves, trade volumes of the affected products are very small relative to the UK's total import volumes.
156. We are engaging with industry stakeholders and other government departments to understand these implications in further detail. However, as trade flows are dependent on a variety of different factors and complex to model, we will not be able to assess the net impact on trade.

³³ Defra (2019): Food Statistics in your pocket: Summary (National Statistics, updated 8 April 2019): <https://www.gov.uk/government/statistics/food-statistics-pocketbook>.

³⁴ Defra (2017): Agriculture in the United Kingdom 2017, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/741062/AUK-2017-18sep18.pdf, chapter 13

OCR: Change to delivery/practices

The table below outlines the OCR changes identified by the FSA to delivery/practice taking affect from 14 December 2019. The changes identified outline the regulatory provisions that need to be provided for in domestic secondary legislation in the event that the UK leaves the EU with an implementation period.

Current legislation	Current requirements	Provision under OCR/tertiary legislation	Change to delivery/practice
Commission implementing Regulation on uniform practical arrangements of multi annual control plans and annual reports by Member States on the presence of contaminants in food			Under negotiation
Regulation 2016/6 imposing special conditions governing the import of feed and food originating in or consigned from Japan following the accident at the Fukushima nuclear power station	<p>Article 9 Prior notification</p> <p>1.Feed and food business operators or their representatives shall give prior notification of the arrival of each consignment of products referred to in Article 5(1).</p> <p>2.For the purpose of prior notification, feed and food business operators or their representatives shall complete:</p> <p>(a) for products of non-animal origin: Part I of the common entry document (CED) referred to in point (a) of Article 3 of Regulation (EC) No 669/2009, taking into account the notes for guidance for the CED laid down in Annex II to that Regulation; for the</p>	<p>Prior notification rules are laid down in Regulation 2019/1013.</p> <p>The legislation containing the Common Veterinary Entry Document (CVED) and Common Entry Document (CED) is being amended as a result of the publication of the OCR.</p>	<p>No substantive changes to delivery/practice</p> <p>Current legislation needs to be amended to refer to definitions in the OCR. No changes to delivery/practice.</p> <p>Current legislation to be amended to:</p> <p>Replace 'Common Health Entry Document (CHED-D) as provided for in [DN: appropriate reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal]'. </p>

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	<p>purpose of this Regulation, Box I.13 of the CED can contain more than one commodity code;</p> <p>(b) for fish and fishery products: the common veterinary entry document (CVED) set out in Annex III to Commission Regulation (EC) No 136/2004(1). The respective document shall be transmitted to the competent authority at the designated point of entry or border inspection post, at least two working days prior to the physical arrival of the consignment.</p>	<p>It is likely that CEDs will be replaced with a CHED D with the introduction of the yet-to-be published tertiary legislation replacing Regulation (EC) No. 669/2009.</p> <p>Common Veterinary Entry Document (CVED) as provided for in Article 2 of Commission Regulation (EC) No 136/2004 but this will be replaced by a 'Common Health Entry Document (CHED-P) with the introduction of the yet-to-be published tertiary legislation replacing Regulation (EC) No. 136/2004.</p>	<p>Replace 'Common Veterinary Entry Document' with 'Common Health Entry Document'</p>
<p>Commission Decision 2011/884/EU on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC, as amended by Commission Decision 2013/287/EU</p>	<p>Article 2 (Definitions)</p> <p>For the purposes of this Decision, the definitions laid down in Articles 2 and 3 of Regulation (EC) No 178/2002, Article 2 of Regulation (EC) No 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules and Article 3(b)</p>	<p>Article 3 (Definitions) of OCR</p> <p>Relevant provisions of yet-to-be published tertiary legislation replacing Regulation (EC) No. 669/2009</p>	<p>No substantive changes to delivery/practice. Current legislation needs to be amended to refer to definitions in the OCR. No changes to delivery/practice.</p> <p>Current legislation to be amended to:</p> <ul style="list-style-type: none"> • Replace 'Article 2 of Regulation 882/2004 with:

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	and (c) of Commission Regulation (EC) No 669/2009 on increased controls on imports of certain feed and food of non-animal origin shall apply.		<p>'Article 3 of Commission Regulation 2017/625'</p> <ul style="list-style-type: none"> Replace 'Article 3 (b) and (c) of Regulation (EC) No. 669/2009' with: <p>'[DN: Insert appropriate reference to EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal]'</p>
	<p>Article 3 (Prior notification)</p> <p>1. Feed and food business operators or their representatives shall give adequate prior notification of the estimated date and time of the physical arrival of the consignment and of the nature of the consignment to the competent authorities at the Border Inspection Post or at the Designated Point of Entry as appropriate. Operators shall also indicate the designation of the product as to whether it is food or feed.</p> <p>2. For that purpose, they shall complete the relevant parts of the common entry document (CED) referred to in Annex II to Regulation (EC) No 669/2009, or the common veterinary entry document (CVED), as provided for in Article 2 of Commission Regulation (EC) No</p>	<p>Article 3 (Definitions)</p> <p>Article 3(38): Definition of 'border control post' Note: Under OCR 'border inspection posts' (BIPs), 'designated points of entry' (DPEs), 'points of entry' and 'first points of introduction' will collectively be known as 'border control posts'.</p>	<p>No substantive changes to delivery/practice. Current legislation needs to be amended to refer only to 'border control posts'.</p> <p>Current legislation to be amended to:</p> <ul style="list-style-type: none"> Replace 'Border Inspection Post or at the Designated Point of Entry as appropriate' with: <p>'Border Control Post' as defined in Article 3(38) of Regulation (EU) 2017/625</p> <p>No substantive changes to delivery/practice other than the overarching need for the competent authority to complete the relevant new type of common entry document provided for by the OCR and yet-to-be published tertiary legislation.</p>

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	136/2004 (*), and transmit that document to the competent authority at the Border Inspection Post or at the Designated Point of Entry as appropriate, at least one working day prior to the physical arrival of the consignment.	<p>Article 56 (Common Health Entry Document (CHED))</p> <p>Relevant provisions of yet-to-be published tertiary legislation replacing Regulation (EC) No. 669/2009.</p>	<p>Current legislation to be amended to:</p> <ul style="list-style-type: none"> Replace 'Common Entry Document (CED) referred to in Annex II to Regulation (EC) No 669/2009' with: 'Common Health Entry Document (CHED-D) as provided for in [DN: appropriate reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal]' Replace 'Common Veterinary Entry Document (CVED) as provided for in Article 2 of Commission Regulation (EC) No 136/2004' with: 'Common Health Entry Document (CHED-P) as provided for in [DN: insert appropriate reference to the EU legislation that will replace Regulation (EC) No. 136/2004, when it is published in the Official Journal]'
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China</i>	Article 2(1) "Article 2 of Regulation (EC) No 882/2004"	ANNEX V - CORRELATION TABLES REFERRED TO IN ARTICLE 146(2) [Repeals]	According to Annex V, replace with: "Article 3 of Regulation (EU) 2017/625"

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<i>and repealing Decision 2008/289/EC</i>		1. Regulation (EC) No 882/2004	
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>	<u>Article 2(1)</u> <u>&</u> <u>Article 3(2)</u> "Article 3 (b) and (c) of Regulation (EC) No. 669/2009"	If becomes relevant - Insert appropriate reference to EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal	Not yet known
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>	<u>Article 3(1) & Article 3(2)</u> Where mentioned "Border Inspection Post or at the Designated Point of Entry"	Would seem to have been renamed as "Border Control Post" as defined in Articles 3(38) and 47(1) of Regulation (EU) 2017/625	Could potentially insert its definition as "Border Control Posts" at Article 2(2)(f) of retained 2011/884/EC and replace wording.
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>	all instances of common entry document 'CED'	Replace with common health entry document 'CHED-D' Provided by appropriate reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal	Although not part of OCR – there is the possible expectation to be replaced into 'Common Health Entry Document' 'CHED-D'
Commission Decision 2011/884/EU <i>on emergency measures regarding unauthorised</i>	all instances of 'common veterinary entry document' 'CVED' as provided for in Article 2 of Commission Regulation (EC) No 136/2004	Replace with 'CHED-PP' Provided by appropriate	Although not part of OCR – expected to be replaced into 'Common Health Entry Document for Plants, Plant

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<i>genetically modified rice in rice products originating from China and repealing Decision 2008/289/EC</i>		reference to the EU legislation that will replace Regulation (EC) No. 669/2009, when it is published in the Official Journal	Products and Plant propagating material' 'CHED-PP'
Regulation (EC) No 1829/2003 of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed	<p><u>ANNEX - Paragraph 3(b) + Paragraph 4</u></p> <p>"Community reference laboratories laid down in Article 32 of Regulation (EC) No 882/2004 "</p> <p>&</p> <p><u>Article 32 of EU regulation:</u></p> <p>Community reference laboratory</p> <p>The Community reference laboratory and its duties and tasks shall be those referred to in the Annex.</p> <p>National reference laboratories may be established in accordance with the procedure referred to in Article 35(2).</p> <p>Applicants for authorisation of genetically modified food and feed shall contribute to supporting the costs of the tasks of the Community reference laboratory and the European Network of GMO laboratories mentioned in the Annex.</p>	<p>ANNEX V - CORRELATION TABLES REFERRED TO IN ARTICLE 146(2)</p> <p><u>[Repeals]</u></p> <p>1. Regulation (EC) No 882/2004</p> <p>&</p> <p><u>Article 93(5)</u></p> <p>By way of derogation from paragraphs 1 and 2 of this Article, the laboratories referred to in the first paragraph of Article 32 of Regulation (EC) No 1829/2003 and the first paragraph of the Article 21 of Regulation (EC) No 1831/2003 shall be the</p>	<p>Not required</p> <p>&</p> <p>This includes all mention of 'Community' in Community Reference Lab for OCR changes into "European Union Reference Lab"</p> <p>Reference laboratory</p> <ol style="list-style-type: none"> 1. The appropriate authority may appoint a reference laboratory to perform the duties and tasks set out in the Annex. 2. Applicants for authorisation of genetically modified food and feed shall contribute to supporting the costs of the duties and tasks of the reference laboratory. 3. The contributions from applicants shall not exceed the costs incurred in carrying out the validation of detection methods. 4. The appropriate authority may prescribe—

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	<p>The contributions from applicants shall not exceed the costs incurred in carrying out the validation of detection methods.</p> <p>Detailed rules for implementing this Article and the Annex may be adopted in accordance with the regulatory procedure referred to in Article 35(2).</p> <p>Measures designed to amend non-essential elements of this Regulation and adapting the Annex shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 35(3).</p>	<p>European Union reference laboratories having the responsibilities and performing the tasks referred to in Article 94 of this Regulation in the areas respectively of:</p> <p>(a) GMOs and genetically modified food and feed; and</p> <p>(b) feed additives.</p>	<p>(a) measures for implementing this Article and the Annex; and</p> <p>(b) measures designed to amend non-essential elements of this Regulation and adapting the Annex.</p>
<p>Regulation (EC) No 1829/2003 <i>of the European Parliament and of the Council of 22 September 2003 on genetically modified food and feed</i></p>	<p><u>Article 5(5)(b) GM Food:</u> <u>In the case of GMOs or food containing or consisting of GMOs, the application shall also be accompanied by:</u></p> <p>(b) a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan; this duration may be different from the proposed period for the consent.</p> <p><u>Article 17(5)(b) GM Feed:</u> <u>In the case of GMOs or feed containing or consisting of GMOs, the application shall also be accompanied by:</u></p>	<p><u>Article 23(2)(a)(ii)</u> 2. The Commission is empowered to adopt delegated acts in accordance with Article 144 to supplement this Regulation...</p> <p>(ii) the cultivation of GMOs for food and feed production and the correct application of the plan for monitoring referred to in point (e) of Article 13(2) of Directive 2001/18/EC and in point (b) of Article 5(5) and point</p>	<p>No change expected onto delivery/practice as its function is to confer the capability to apply additional or change the requirements of the monitoring plan for GMOs.</p> <p>There are no expected plans received from the Commission for this to happen.</p>

	<p>(b) a monitoring plan for environmental effects conforming with Annex VII to Directive 2001/18/EC, including a proposal for the duration of the monitoring plan; this duration may be different from the proposed period for the consent.</p>	<p>(b) of Article 17(5) of Regulation (EC) No 1829/2003;</p> <p>&</p> <p><u>Article 23(3)(b)</u></p> <p>3. The Commission may, by means of implementing acts, lay down rules on uniform practical arrangements for the performance of the official controls... is necessary to respond to recognised uniform hazards and risks of:</p> <p>(b) the cultivation of GMOs for food and feed production and the correct application of the plan for monitoring referred to in point (e) of Article 13(2) of Directive 2001/18/E C and in point (b) of Article 5(5) and point (b) of Article 17(5) of Regulation (EC) No 1829/2003.</p>	
<p>Commission Regulation (EC) No 1981/2006 of 22 December 2006 on detailed rules for the implementation of Article 32 of</p>	<p><u>ANNEX III</u> <u>Amendment to the Annex to Regulation (EC) No 1829/2003</u> <u>Point 3(b) & Point 4</u></p>	<p>ANNEX V - CORRELATION TABLES REFERRED TO IN</p>	<p>No delivery required – was the text amending the ANNEX of 1829/2003, as had already been noted above</p>

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Regulation (EC) No 1829/2003 of the European Parliament and of the Council as regards the Community reference laboratory for genetically modified organisms	"without prejudice to the responsibilities of the Community reference laboratories laid down in Article 32 of Regulation (EC) No 882/2004"	ARTICLE 146(2) [Repeals] 1. Regulation (EC) No 882/2004	UK Statutory Instruments > 2019 No. 705 > PART 4 Revocation of retained direct EU legislation Revocation of Commission Regulation (EC) No. 1981/2006 390. Commission Regulation (EC) No. 1981/2006 on detailed rules for the implementation of Article 32 of Regulation (EC) No. 1829/2003 of the European Parliament and of the Council as regards the Community reference laboratory for genetically modified organisms is revoked.
2013/287/EU: Commission Implementing Decision of 13 June 2013 amending Implementing Decision 2011/884/EU on emergency measures regarding unauthorised genetically modified rice in rice products originating from China Text with EEA relevance	all instances of common entry document 'CED' & all instances of 'common veterinary entry document' 'CVED'	See above as commented in Commission Decision 2011/884/EU	No delivery required - as this is an amending implementing decision onto 2011/844, and is not required to be made again separate to amending 2011/844
Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC	Article 9(2) and the Community Reference Laboratory established under Regulation (EC) No 1829/2003.	Regulation (EC) No 1829/2003 – Article 32 References to 'Community' removed	

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<p>Commission Regulation (EC) No 641/2004 of 6 April 2004 on detailed rules for the implementation of Regulation (EC) No 1829/2003 of the European Parliament and of the Council as regards the application for the authorisation of new genetically modified food and feed, the notification of existing products and adventitious or technically unavoidable presence of genetically modified material which has benefited from a favourable risk evaluation</p>	<p>ANNEX I Method Validation Instances of "Community Reference Laboratory (CRL)"</p>	<p>Regulation (EC) No 1829/2003 – Article 32 References to 'Community' in 'Community Reference Laboratory' removed</p>	<p>No delivery required</p>
<p>Regulation 854/2004 Chapter 1 Article 1</p>	<p>Sets out the scope of the regulations</p>	<p>Commission delegated regulation EU 2019/624 Article 1 Subject, matter & scope</p>	<p>Details the subject, matter & scope of the regulations.</p>
<p>Regulation 854/2004 Chapter 1 Article 2 - Definitions</p>	<p>Article 2 provides definitions of wording that applies for the purpose of the regulation</p>	<p>Commission delegated regulation EU 2019/624 Article 2 Definitions</p>	<p>There are some additions to the 'Definitions' that apply for the purpose of the regulation. These are as follows: follows: (2) 'holding of provenance' means the holding where the animals were last reared. In the case of semi-domesticated cervids as defined in point 2(q) of Annex I to Regulation (EC) No 999/2001 of the European Parliament and of the Council (7), it includes round-ups intended to select animals for slaughter;</p>

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			<p>(5) 'staff designated by the competent authorities' means a person other than the official auxiliary and the official veterinarian, who is qualified in accordance with this Regulation to act in such a capacity in cutting plants and to whom the competent authorities assign the performance of specific actions;</p> <p>(17) 'Low-capacity slaughterhouse' means a slaughterhouse designated by the competent authorities on the basis of a risk analysis and in which slaughtering takes place only during part of the working day or takes place during the whole working day but not on each working day of the week;</p> <p>(18) Low-capacity game-handling establishment' means a game-handling establishment designated by the competent authorities on the basis of a risk analysis and in which game-handling takes place only during part of the working day or takes place during the whole working day but not on each working day of the week;</p> <p>(19) 'livestock unit' means a livestock unit as defined in Article 17(6) of Regulation (EC) No 1099/2009;</p>
Regulation 854/2004 Annex I Section III Chapter I point 2 and II Point 1	In relation to ante-mortem inspection and checks concerning the welfare of animals, official auxiliaries may only help with purely practical tasks at ante-mortem inspection which may	Article 3(1)	There is more scope for the OA to undertake the AMI under the supervision of the OV on species other than poultry and lagomorphs

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<p>Annex I Section III Chapter II Point 2(a)</p> <p>Annex I Section III Chapter II Point 3</p>	<p>include a preselection of animals with abnormalities.</p>	<p>Article 3(2)</p> <p>Article 3(3)</p>	<p>provided the OV does the AMI where abnormalities are detected by the OA.</p> <p>There is no change to the tasks for an OA under the responsibility of an OV where AMI is undertaken at the holding of provenance by an OV (note OV includes approved veterinarian as defined in Regulation 2017/625 Article 3)</p> <p>There are no changes to the situations where the derogation allowing OAs to undertake AMI do not apply.</p>
<p>Regulation (EC) 854/2004, Annex I, Section II, Chapter V, Paragraph 1(a)</p>	<p>Meat from animals which do not undergo AMI before emergency slaughter must be declared as unfit for human consumption.</p>	<p>Article 4</p>	<p>With regards to domestic ungulates only, the OV may perform ante-mortem inspection outside of the slaughterhouse in the case of emergency slaughter. Official veterinarian includes approved veterinarian. Meat from emergency slaughter which passes AMI can enter the food chain.</p>
<p>Regulation 854/2004 Annex I Section IV Chapter IV, Chapter V, Chapter VI and VII</p>	<p>AMI is currently allowed at the holding of provenance for only for pigs, poultry, farmed lagomorphs and farmed game</p>	<p>Article 5</p> <p>Article 6 Point 5</p>	<p>The CA may allow AMI at the holding of provenance for all species.</p> <p>There is species specific criteria and conditions laying down when ante-mortem inspections may be performed at the holding of provenance that now apply to all species.</p>

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			The completed health certificate must accompany the animals to slaughter but in the case of farmed game, the health certificate may be sent in advance and slaughter can be delayed for up to 28 days before a new AMI is required.
Regulation 1244/2007 Annex II Point 2a & 2b (amending Regulation 2074/2005)	Sets out the requirements for the official controls for the inspection of meat detailing that the competent authority may decide that the OV may need not be present at all times during post-mortem inspection, provided that certain conditions are met.	Article 7	Addition of thresholds for the maximum throughput at small slaughterhouses and game handling establishments which can take advantage of official auxiliaries carrying out PMI without an OV being present.
Regulation 854/2004 Annex I Section III Chapter II Point 3	Details the circumstances when PMI PMI must be carried out by the OV	Article 8	No change
Regulation 854/2004 Annex I Section III Chapter I Point 1	Permits the use of official auxiliaries to undertake audit activities in slaughterhouses and game handling establishments under the responsibility of the OV veterinarian, only as regards the collection of information on good hygiene practices and HACCP-based procedures	Article 9	There is no change to this practice
Regulation 854/2004 Annex I Section III Chapter III Point A & B	Provides provisions for the use of other staff as designated by the CA to carry out certain tasks of the OA under the supervision, direction & authority of the OV	Article 10	Makes provision for the use of staff as designated by the competent authority other than official veterinarians and official auxiliaries to undertake certain tasks at cutting plants. These staff now are required to meet minimum qualification requirements
		Article 11	Not applicable to official controls on meat

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		Article 12	Specific derogations on certain species of deer as they apply in Finland and Sweden
Regulation 854/2004 Annex I Section III Chapter IV Point A & B	Sets out the professional qualifications/training requirements for OV's & OA's	Article 13	Details the requirements for minimum qualification requirements for 'other staff' that may be designated by the CA to carry out certain tasks.
Regulation 854/2004 Annex I Section III Chapter III Pont A & B	Details the professional qualifications/training requirements required for OV's & OA's	Article 14 & Chapter III Point 5	Details the training requirements of 'other staff' as designated by the CA
Regulation 854/2004 Article 1 Scope	No significant changes	Commission delegated regulation EU 2019/627 Article 1	The Regulation details those official controls and actions to be performed by the competent authorities taking into account the requirements of Article 18(2), (3) and (5) of Regulation (EU) 2017/625 and Delegated Regulation (EU) 2019/624.
Regulation 854/2004 Article 2 Definitions	Definitions – provides guidance for the purpose of this regulation	Article 2	No new definitions which are not included in the delegated regulation. Some definitions, e.g. Official veterinarian set out in Regulation 2017/625.
Regulation 854/2004 Chapter II Article 3 Approval of Establishments	Specific performance requirements for audits by the competent authorities in establishments handling products of animal origin	Article 3	Some changes to the detail of what audits should include, e.g. at A3 Point 3 They shall, in particular, determine whether the procedures guarantee, to the extent possible, that products of animal origin: (a) comply with Article 3 of Regulation (EC) No 2073/2005 as regards microbiological criteria; (b) comply with Union legislation on:

			<ul style="list-style-type: none">— the monitoring of chemical residues, in accordance with Council Directive 96/23/EC and Commission Decision 97/747/EC;— maximum residue limits for pharmacologically active substances, in accordance with Commission Regulation (EU) No 37/2010 (33) and Commission Implementing Regulation (EU) 2018/470;— prohibited and unauthorised substances, in accordance with Commission Regulation (EU) No 37/2010, Council Directive 96/22/EC, Commission Decision 2005/34/EC;— contaminants, in accordance with Regulations (EC) No 1881/2006 and (EC) No 124/2009 setting maximum levels for certain contaminants in food;— pesticide residues, in accordance with Regulation (EC) No 396/2005 of the European Parliament and of the Council;(c) do not contain physical hazards, such as foreign bodies.
Regulation 854/2004 Article 4	9. The nature and intensity of auditing tasks in respect of individual establishments shall depend upon the assessed risk. To this end, the competent authority shall regularly assess: (a) public and, where appropriate, animal health risks; (b) in the case of slaughterhouses, animal welfare aspects;	Article 4 (2)	Introduces the possibility of the competent authority (CA) examining 'private control systems or independent third-party certification' systems where these have been incorporated into food safety systems

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	(c) the type and throughput of the processes carried out; and (d) the food business operator's past record as regards compliance with food law.		
Regulation 854/2004 Article 5 Fresh Meat	Specific requirement for identification marking (2) The health marking of carcasses of domestic ungulates, farmed game mammals other than lagomorphs, and large wild game, as well as half-carcasses, quarters and cuts produced by cutting half-carcasses into three wholesale cuts, shall be carried out in slaughterhouses and game-handling establishments in accordance with Section I, Chapter III, of Annex I. Health marks shall be applied by, or under the responsibility of, the official veterinarian when official controls have not identified any deficiencies that would make the meat unfit for human consumption.	Article 5	No change Compliance with the requirements of Regulation (EC) No 853/2004 concerning the application of identification marks shall be verified in all establishments approved in accordance with that Regulation, in addition to verification of compliance with other traceability requirements in accordance with Article 18 of Regulation (EC) No 178/2002.
		Article 6 - technological developments	New and requires approval by the Commission/other MS before new technologies can be used as part of official controls.
Regulation 854/2004 Annex I Section I Chapter I		Article 7 - additional requirements for audits in establishments handling meat	Changes in detail plus Article 7 Point 3 includes reference to checking compliance with microbiological criteria in Article 3 of Regulation (EC) No 2073/2005.

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		Article 8 - Official Control on Fresh Meat – Relevance of audit results	New statement of good practice in taking account of previous audits when deciding what areas to concentrate audits on.
		Article 9 Obligations of the competent authorities as regards checks of documents	A new requirement for the CA to ensure food chain information is in the appropriate form and that appropriate checks and communication of information takes place.
		Article 10 Obligations of the official veterinarian as regards checks of documents - Annex I Section I Chapter I A	Detail is broadly the same
Regulation 854/2004 Annex I Section I Chapter II B as supplemented by Section IV Specific Requirements	Sets out the requirements as regards ante-mortem inspection at the slaughterhouse	Article 11	There are no significant changes
Regulation 854/2004 Annex I Section I Chapter II D as supplemented by Section IV Specific Requirements	Sets out the requirements as regards ante-mortem inspection at the slaughterhouse	Article 12	There are no significant changes
		Article 13	New derogation on the timing of PMI which only applies to low-capacity slaughterhouses and low-capacity game handling establishments which allows an OV to undertake PMI up to 24 hours after slaughter/ arrival at a GHE where neither the official veterinarian nor the official auxiliary

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			are present in the game-handling establishment or slaughterhouse during slaughter and dressing. This may have implications for the current policy on cold inspections.
Regulation 854/2004 Annex I Section I Chapter II, D 2	Sets out when additional examinations are to take place, such as palpation & incision of parts of the carcass & offal & laboratory tests, whenever considered necessary.	Article 14	There are no significant changes
Regulation 854/2004 Annex I Section I Chapter II D Point 3 & Point 4	Sets out the requirements for post-mortem inspection. Currently domestic solipeds, bovine animals over 6 months old & swine over 4 weeks old must be submitted for post-mortem inspection split lengthways into carcasses down the spinal column.	Article 15	<p>There are changes to the age at which the carcasses have to be split. Now, the OV shall require that carcasses of domestic solipeds, bovine animals over eight months old and domestic swine more than five weeks old are submitted for post-mortem inspection split lengthways into half carcasses down the spinal column.</p> <p>There is also a new provision that low-capacity slaughterhouses or low-capacity game-handling establishments handling fewer than 1 000 livestock units per year, the OV may, for sanitary reasons, authorise the cutting into quarter carcasses of adult domestic solipeds, adult bovine animals and adult large wild game before post-mortem inspection.</p>
Regulation 854/2004 Annex I Section I Chapter II D Point 5	Requirements that in the event of emergency slaughter, the carcass shall be subjected to post-mortem examination as soon as possible.	Article 16	There are no significant changes

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		Article 17	Confirms that PMI must be carried out in accordance with the requirements set out in the Regulation.
Regulation 854/2004 Annex I Section IV Chapter I A	Currently, bovine animals under six weeks old primarily undergo visible inspection. The trachea and the main branches of the bronchi must be opened lengthwise and the lungs must be incised in their posterior third, perpendicular to their main axes (these incisions are not necessary where the lung are excluded from human consumption)	Article 18	<p>There is a significant change in that bovines animals under eight months old (or under 20 months old if reared without access to pasture land during their whole life in an officially tuberculosis-free Member State or region of a Member State in accordance with Article 1 of Decision 2003/467/EC) can undergo visual inspection of the following:-</p> <p>a) the head and throat; together with palpation and examination of the retropharyngeal lymph nodes, however, in order to ensure the surveillance of the officially tuberculosis free status, Member States may decide to carry out further investigations; inspection of the mouth and fauces</p> <p>(b) the lungs, trachea and oesophagus; palpation of the lungs; palpation and examination of the bronchial and mediastinal lymph nodes;</p> <p>(c) the pericardium and heart;</p> <p>(d) the diaphragm;</p> <p>(e) the liver and the hepatic and pancreatic lymph nodes,</p> <p>(f) the gastro-intestinal tract, the mesentery and gastric and mesenteric lymph nodes</p>

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			<p>(g) the spleen (h) the kidneys (i) the pleura and peritoneum (j) the umbilical region and the joints of young animals. When there are indications of possible risk to human health, animal health or animal welfare indicated in accordance with Article 24, then post-mortem inspection procedures using incision and palpation of the carcase and offal must be followed.</p>
Regulation 854/2004 Annex I Section IV Chapter I Point B	Sets out the inspection procedures which relate to visible & incision PM requirements for bovine animals over 6 weeks old & includes that the lungs be incised in their posterior third, perpendicular to their main axes (these incisions are not necessary where the lungs are excluded from human).	Article 19	The new procedures relate to bovine animals over 8 months old (not 6 weeks as is current). The PMI procedures remain the same except that the lungs do not need to be incised, visual inspection and palpation is only required.
Regulation 854/2004 Annex I Section IV Chapter II	Sets out the inspection procedures for domestic sheep & goats of all ages.	Article 20	Distinguishes PMI requirements from sheep with erupted incisors and goats over 6 months old where the requirements are set out in Article 21. There are no significant changes.
Regulation 854/2004 Annex I Section IV Chapter II	Sets out the inspection procedures for domestic sheep & goats of all ages.	Article 21	Distinguishes PMI requirements from those sheep with no erupted incisors and goats under 6 months old. There are no significant changes.
Regulation 854/2004 Annex I Section IV Chapter III	Sets out the inspection procedures for domestic solipeds. Current procedures require that the includes that the lungs be incised in their posterior third, perpendicular to their main axes (these incisions are not necessary where the lungs are	Article 22	There is no need for incision of the lungs or heart unless there are indications of possible risk to human health, animal health or animal welfare indicated in accordance with Article 24. There are no other significant changes.

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	excluded from human). Current procedures also require that heart be incised so as to open the ventricles and cut through the interventricular septum.		
Regulation 854/2004 Annex I Section IV Chapter IV Point B	Sets out the inspection procedures for domestic swine	Article 23	There are no significant changes
		Article 24	Where there are indications of a possible risk to human health, animal health or animal welfare in domestic bovine animals, domestic sheep and goats, domestic solipeds and domestic swine, there is a new list detailing when PMI should revert to include incision and palpation.
Regulation 854/2004 Annex I Section IV Chapter V Point B	Sets out the inspection procedures for poultry & under current requirements, all birds are to undergo PMI. In addition, the OV is to personally carry out:- (a) daily inspection of the viscera and body cavities of a representative sample of birds; (b) a detailed inspection of a random sample, from each batch of birds having the same origin, of parts of birds or entire birds declared unfit for human consumption following post-mortem inspection; and (c) any further investigations necessary when there is reason to suspect that the meat from the birds concerned could be unfit for human consumption.	Article 25	All poultry shall undergo post-mortem inspection which may include the assistance of slaughterhouse staff provided the criteria in accordance with Article 18(3) of Regulation (EU) 2017/625 is met. In addition, the OA is permitted to carry out those checks which were previously carried out personally by the OV as detailed under the current arrangements. However, there is a new derogation that may be applied (in paragraph 2) in that the CA may decide that only a representative sample of poultry from each flock undergoes post-mortem inspection provided certain conditions are met.

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Regulation 854/2004 Annex I Section IV Chapter VI	Current procedures are that the inspection procedures for poultry are to apply to farmed lagomorphs	Article 26	There are no significant changes. The inspection procedures for poultry are to apply to farmed lagomorphs. The requirements for a single poultry flock applies to lagomorphs slaughtered the same day from single holding of provenance.
Regulation 854/2004 Annex I Section IV Chapter VII	Sets out the inspection procedures for farmed game. Current procedures are that PMI procedures described for bovine and ovine animals, domestic swine and poultry are to be applied to the corresponding species of farmed game.	Article 27	Various changes to PMI requirements for certain cervidae (deer) and suidae. In the case of small (< 100 kg) <i>Cervidae</i> , the post-mortem procedures for young domestic sheep and goats apply. However, in the case of reindeer the post-mortem procedures for older ovine animals apply and the tongue may be used for human consumption without inspection of the head. In the case of game of the family <i>Suidae</i> , the post-mortem procedures for domestic swine apply. in the case of large game of the family <i>Cervidae</i> and other large game, the post-mortem procedures for bovine animals apply. There are no other significant changes.
Regulation 854/2004 Annex I Section IV Chapter VIII	Sets out the inspection procedures for wild game.	Article 28	There are no significant changes
Regulation 854/2004	Annex I Section IV Chapter IX A	Article 29	Contains more detail on the checks required: 1. In addition to the requirements of Regulation (EC) No 999/2001 concerning the official controls to be carried out in relation to TSEs, the

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			<p>official veterinarian shall check the removal, separation and, where appropriate, marking of specified risk material also in accordance with the rules laid down in Article 8(1) of that Regulation and in Article 12 of Regulation (EC) No 1069/2009 on animal by-products.</p> <p>2.The official veterinarian shall ensure that the food business operator takes all necessary measures to avoid contaminating meat with specified risk material during slaughter, including stunning. This includes the removal of specified risk material.</p>
Regulation 854/2004 Annex I Section IV Chapter IX B		Article 30 - Practical arrangements for official controls for cysticercosis during post-mortem inspection in domestic bovine animals and Suidae	The requirements extend to Suidae and make provision for PMI in bovines not to include incision if certain criterion is met.
Regulation 854/2004 Annex I Section IV Chapter IX C		Article 31 - Practical arrangements for official controls for Trichinella during post-mortem inspection	No change
Regulation 854/2004 Annex I Section IV Chapter IX D		Article 32 - Practical arrangements for official controls for glanders during post-mortem inspection of solipeds	<p>New requirements</p> <p>1.Fresh meat of solipeds shall be placed on the market only if it was produced from solipeds kept for at least 90 days prior to the date of slaughter in a Member State or in a</p>

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			<p>third country or region thereof from which it is authorised to bring solipeds into the Union. 17.5.2019 L 131/72 Official Journal of the European Union EN</p> <p>2. In the case of solipeds originating from a Member State or third country or region thereof not meeting the World Organisation for Animal Health criteria for a glanders-free country, solipeds shall be inspected for glanders by a careful examination of the mucous membranes of the trachea, larynx, nasal cavities and sinuses and their ramifications, after splitting the head in the median plane and excising the nasal septum.</p> <p>3. Meat produced from solipeds in which glanders has been diagnosed shall be declared unfit for human consumption.</p>
Regulation 854/2004 Annex I Section IV Chapter IX E		Article 33 - Practical arrangements for official controls for tuberculosis during post-mortem inspection	No change is expected.
Regulation 854/2004 Annex I Section IV Chapter IX F		Article 34 - Practical arrangements for official controls for brucellosis during post-mortem inspection	No change is expected.
Regulation 854/2004 Annex I Section IV Chapter IX G		Article 35 - Practical arrangements for official controls for Salmonella	No changes.

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Regulation 854/2004		Article 36 - Practical arrangements for official controls for Campylobacter	New requirement requiring the CA to undertake verification of FBOs implementation of the campylobacter PHC:
Regulation 854/2004		Article 37 - Specific requirements as regards laboratory tests	Cross references to other legislation where sampling/test methods are specified
Regulation 854/2004 Annex I Section I Chapter I Point 1		Article 38 - Official controls on animal welfare at transport and slaughter	Broadly the same
Regulation 854/2004 Annex I Section II Chapter I	Sets out the measures with regards to the communication of inspection results	Article 39	The measures are broadly the same but now includes a model document at Annex I which the OV may use for the purpose of communicating the relevant results of ante-mortem and post-mortem inspections to the holding of provenance where the animals were kept before slaughter. Also, where the animals were kept on a holding of provenance in another Member State, the competent authorities of the Member State in which they were slaughtered shall communicate the relevant results of ante-mortem and post-mortem inspections to the competent authorities in the Member State of provenance. They shall use the model document in Annex I in the official languages of both Member States involved or in a language agreed between both Member States.

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Regulation 854/2004 Annex I Section II Chapter II		Article 40 - Measures in cases of non-compliance with requirements for food chain information	Requirements broadly the same
Regulation 854/2004 Annex I Section II Chapter II Point 4	Sets out the measures in cases of non-compliance recorded in food chain information	Article 41	There is no change to requirements
Regulation 854/2004 Annex I Section II Chapter II Point 5	Sets out the measures in cases of misleading food chain information	Article 42	There is no change to requirements
Regulation 854/2004 Annex I Section II Chapter III	Sets out the measures in cases of non-compliance with requirements for live animals & includes that when there are overriding animal welfare considerations, horses may undergo slaughter at the slaughterhouse even if the legally required information concerning their identity has not been supplied. However, this information must be supplied before the carcass may be declared fit for human consumption. These requirements also apply in the case of emergency slaughter of horses outside the slaughterhouse	Article 43	The requirements are broadly the same except that the reference relating to the measures in respect of the overriding animal welfare considerations for horses has been omitted.
Regulation 854/2004 Annex I Section II Chapter IV	Sets out the measures in cases of non-compliance with requirements for animal welfare	Article 44	There are no changes to these measures
Regulation 854/2004 Annex I Section II Chapter V	Sets out the measures in cases of non-compliance with requirements for fresh meat	Article 45	There are no changes to these measures
Regulation 854/2004 Article 4 3a)	Sets out the audit requirements in respect of good hygiene practices & d	Article 46	There is a new measure in cases of non-compliance with requirements on

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4 & 5	hazard analysis and critical control point (HACCP)-based procedures	This is a new measure in cases of non-compliance with requirements on good hygiene practices	<p>good hygiene practices, which allows the competent authority to require line-speeds to be reduced though in reality, this is currently being carried out where necessary.</p> <p>The competent authorities may instruct the food business operator to take immediate corrective action, including a reduction in the speed of slaughter, where this is considered necessary by the official present in the following cases:</p> <p>(a) where contamination is detected on external surfaces of a carcase or its cavities and the food business operator does not take appropriate action to rectify the situation; or</p> <p>(b) if the competent authorities consider that good hygiene practices are jeopardised.</p> <p>2. In such cases, the competent authorities shall increase the intensity of inspection until such time as they are satisfied that the food business operator has regained control of the process.</p>
Regulation 854/2004 Annex I Section II Chapter V Point 2	Sets out the restrictions for certain fresh meat	Article 47	There are no significant changes
Regulation 854/2004 Annex I Section I Chapter III	Sets out the requirements for health marking	Article 48 & Annex II	There are no significant changes
		Article 73	This is a new requirement for the ante-mortem and post-mortem

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			inspection of reptiles. This is to be done in accordance with the ante-mortem & post-mortem requirements as for other species as detailed in Article 11 (AMI) & Articles 12, 13 & 14.
Article 47(2), Regulation 2017/625 BCP positive list A list/s will be drawn up of all animals and goods to be subject to veterinary controls at BCPs. Legislation is to be made under this provision which will set out these lists once published.	Not yet published - subject to a technical, indicative vote in the PAFF committee on Thursday 18 July.		Not yet published - subject to a technical, indicative vote in the PAFF committee
Published: Regulation 2019/478 (Article 47(3), Regulation 2017/625 Additional goods to be checked at BCPs) https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2019.082.01.0004.01.ENG	The list of products that require veterinary checks is laid down in Commission Decision 2007/275 (as amended). The Decision also requires certain composite products and hay and straw to be checked. Hay and straw are subject to checks because the origin and subsequent destination may present a risk to spreading infectious and contagious animal diseases.		Amends Regulation 2019/625. Regulation (EU) 2017/625 establishes the framework for official controls and other official activities to verify the correct application of Union food and feed law. That framework includes official controls performed on animals and goods entering the Union from third countries. Regulation (EU) 2017/625 requires for certain categories of animals and goods that each consignment is made subject to official controls at

			<p>designated border control posts of first arrival into the Union, because of the risk those categories of animals and goods may pose to public and animal health.</p> <p>In addition to the categories of consignments already listed in Regulation (EU) 2017/625, foodstuffs containing both products of plant origin and processed products of animal origin (composite products), as well as hay and straw should undergo official controls at border control posts as they too may pose a risk to public and animal health.</p>
<p>Published: Regulation 2019/1081</p> <p>(Article 49 (5), Regulation 2017/625)</p> <p>Specific staff training requirements for BCP staff without OV status working with animals and POAO</p>	<p>UK ports employ Official Fish Inspectors (OFIs) to undertake controls of fish and fishery products at BIPs. A derogation allows this under Article 1 of Decision 93/352/EEC and Article 3 of Regulation 136/2004/EC. These Inspectors are suitably qualified Environmental Health Officers.</p> <p>Support staff often assist OVs and OFIs at the BIP with official controls. This is overseen by the OV and/or OFI.</p> <p>Note – the UK Food Law Code of Practice lays down the current</p>		

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	qualifications and experience required by non-OV/OFI staff at the BIP.		
<p>Published: Regulation 2019/1081</p> <p>(Article 49 (5), Regulation 2017/625)</p> <p>Specific staff training requirements for BCP staff without OV status working with animals and POAO</p>	<p>UK ports employ Official Fish Inspectors (OFIs) to undertake controls of fish and fishery products at BIPs. A derogation allows this under Article 1 of Decision 93/352/EEC and Article 3 of Regulation 136/2004/EC. These Inspectors are suitably qualified Environmental Health Officers.</p> <p>Support staff often assist OVs and OFIs at the BIP with official controls. This is overseen by the OV and/or OFI.</p> <p>Note – the UK Food Law Code of Practice lays down the current qualifications and experience required by non-OV/OFI staff at the BIP.</p>		<p>This Regulation introduces a new training requirement for non-OV staff at BCPs</p> <p>OV and plant health staff are exempt from this training.</p> <p>All other staff involved in POAO controls must undergo additional training which must cover the requirements of Article 3:</p> <ol style="list-style-type: none"> 1. The content of the training programme shall be determined according to the animals and goods for which the border control posts are designated and the tasks and responsibilities to which the staff are assigned. 2. The training programme shall cover the following subject matters: <ul style="list-style-type: none"> (a) applicable Union legislation concerning the entry into the Union of animals and goods, including procedures and activities to be carried out during and after physical checks; (b) general principles of examination of animals; (c) examination of the fitness to travel of animals; (d) practical aspects of handling of animals in line with Union legislation,

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			<p>including arrangements to prevent or reduce delays at border control posts and, where necessary, to feed, water, unload and accommodate the animals;</p> <p>(e) sensorial examination of goods;</p> <p>(f) examination of the means of transport and the transport conditions, including the management of temperature-sensitive goods (cold chain) and the transport of animals;</p> <p>(g) identification of animal species, including, when appropriate, identification of invasive alien species as defined in point (2) of Article 3 of Regulation (EU) No 1143/2014 of the European Parliament and of the Council (4) introduced via animals and goods;</p> <p>(h) control procedures, concerning:</p> <p>(i) the use of equipment;</p> <p>(ii) the implementation of monitoring plans;</p> <p>(iii) sampling procedures and laboratory analysis with regard to animals and animal and public health aspects;</p> <p>(i) methods for the interpretation of laboratory test results and related decisions in accordance with the requirements of applicable Union legislation;</p> <p>(j) risk assessment, including data gathering in relation to animal and public health in order to carry out appropriately targeted physical checks;</p>
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			(k) prevention of cross-contamination and compliance with relevant biosecurity standards; (l) labelling requirements for goods referred to in Article 47(1)(b) of Regulation (EU) 2017/625; (m) investigations and control techniques aimed at detecting fraudulent or deceptive practices in trade.
Article 51, Regulation 2017/625 Rules on transshipment and onward movement	TBC – not yet published		TBC – not yet published
Article 52(1), Regulation 2017/625 Rules for the performance of controls at BCPs	TBC – not yet published		TBC – not yet published
Article 53, Regulation 2017/625 Official controls not performed at Border Control Posts	TBC – not yet published		TBC – not yet published
Article 54(3), Regulation 2017/625 Frequency rates for BCP controls	TBC – not yet published		TBC – not yet published
Article 54(4), Regulation 2017/625 Will merge Regulation 669/2009 and other temporary measures. Will look similar to existing system but contingent on Article 54(3) methodology.	TBC – not yet published		TBC – not yet published
Published: Regulation 2019/1013	FNAO – at least one day prior to the physical arrival of the consignment		Unifying rules on prior notification – major change is prior notification for

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<p>(Article 58, Regulation 2017/625)</p> <p>Prior Notification</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1013&from=EN</p>	<p>POAO – in advance of arrival currently.</p>		<p>animals and goods (POAO and FNAO) will now be one day. To note, there is a derogation when the consignment is transported from the place of dispatch to the border control post in less than 24 hours – notification at least four hours before the expected arrival.</p>
<p>Please note that the empowerment in Art.60(2) has been bundled with the one in Art.64(4)</p> <p>Published: Regulation 2019/1014</p> <p>Article 60(2), Regulation 2017/625</p> <p>Public listing of BCP information</p>	<p>More applicable to CCAs.</p> <p>BIP listings are currently contained in Decision 2009/821. The entry contains details such as the BIP name, the designation e.g. port or airport and whether the facility is approved for human and/or animal consumption or live animals.</p>		<p>Given the change in designation, from BIP to BCP and broadened scope to include goods (FNAO) and plants, some additional administrative requirements have been introduced such as the type of BCP (ports, airport, road or rail), full contact details inc. for inspection centres, categories of goods, animals and specifications plus any additional specifications regarding the scope of the designation.</p> <p>This Regulation lays down rules for the implementation of Regulation (EU) 2017/625 as regards:</p> <p>(a) common detailed rules on minimum requirements for the infrastructure, equipment and documentation of border control posts and control points other than border control posts;</p>
<p>Article 64(4), Regulation 2017/625</p>	<p>Currently official controls on 'higher risk' FNAO are undertaken at either a Designated Point of Entry (DPE) or a Designated Point of Imports (DPI).</p>		

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<p>BCP Facilities Requirements</p> <p>*See attached file also.</p>	<p>Import legislation dictates which whether a DPE or DPI can be used.</p> <p>Minimum requirements for DPEs are laid down in Article 4 of Regulation 669/2009 and similar requirements for DPIs are laid down in Article 6 of Regulation 884/2014.</p> <p>POAO is required to be imported through a Border Inspection Post (BIP). These requirements are considered to be more stringent than the FNAO minimum requirements, and are laid down in Decision 2001/812 and Directive 97/78.</p>		<p>(b) specific detailed rules on minimum requirements for border control posts designated for the categories of animals and goods referred to in Article 47(1)(a) and (b) of Regulation (EU) 2017/625;</p> <p>(c) detailed rules on minimum requirements for inspection centres;</p> <p>(d) the format, categories, abbreviations and other information for the listing of border control posts and control points other than border control posts.</p>
<p>Please note the empowerment in Art.62(3) has been bundled with those in Art.64(2) and (5)</p> <p>Published: Regulation 2019/1012</p> <p>Article 64(2), Regulation 2017/625</p> <p>Situations in which BCPs may be located away from the immediate point of entry into the Union</p> <p>Article 62(3), Regulation 2017/625</p> <p>Partial withdrawal of BCP status</p>	<p>These are derogations from the Regulation 2017/625 requirements.</p> <p>a.) Regulation (EU) 2017/625 provides that Member States are to notify the Commission before designating border control posts, so that the Commission can verify and, where necessary, carry out controls to check if they comply with the minimum requirements for the designation laid down therein. Regulation (EU) 2017/625 empowers the Commission to lay down certain detailed rules on these minimum requirements. Those detailed rules have been laid down in Commission Implementing Regulation (EU) 2019/1014 (2), (hereinafter collectively referred to as 'the minimum requirements'). Regulation</p>		<p>This Regulation lays down derogation rules from the 2017/625 requirements concerning:</p> <p>(a) the designation of a border control post or of a control point other than a border control post where the designation has been partially withdrawn (Article 62(3) of Regulation 2017/625). The derogation from designation requirements are not relevant to control point as their designation need to be made in accordance with Art.59(1) only.;</p> <p>(b) border control posts situated at a distance other than in the immediate vicinity of the point of entry into the Union due to specific geographical constraints.</p>

https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R1012&from=EN	<p>(EU) 2017/625 also provides that Member States are to withdraw the designation of the border control post where it ceases to comply with the requirements for the designation for all or for certain categories of animals and goods for which the designation was made. (3) However, where the withdrawal of the designation was partial because it concerned a specific category of animals or a specific category of goods, or all categories of animals or all categories of goods where the border control post was designated for categories of animals and goods, Member States should be allowed to re-designate the border control post for those categories of animals or goods for which the designation was withdrawn without being first required to give the Commission the opportunity to carry out controls to verify compliance with the minimum requirements. In such cases, addressing the non-compliance should not involve actions as extensive as those necessary to designate a border control post for the first time. It is therefore appropriate to establish rules whereby Member States are allowed to re-designate the border control post for those categories of animals or goods without being first required to give the Commission the opportunity to carry out controls to verify compliance with the minimum requirements.</p>		
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	<p>The derogation from the rules of Regulation (EU) 2017/625 concerning the designation of border control posts should only apply where the re-designation takes place within two years from the date of the partial withdrawal of the designation. If the re-designation takes place more than two years from the date of the partial withdrawal, in order to assess the changes that occurred at the border control posts, the Commission should retain the possibility to perform controls to verify that the border control post complies with the minimum requirements. (6) Regulation (EU) 2017/625, in certain cases, allows official controls to be performed at control points other than border control posts and it requires that those control points comply with the minimum requirements and the requirements for the designation and withdrawal of the designation of border control posts. Therefore, it is appropriate that the rules of this Regulation, concerning the re-designation of border control posts also apply to control points.</p> <p>Point b.) Regulation (EU) 2017/625 requires border control posts to be located in the immediate vicinity of the point of entry into the Union. However, in order to enable the efficient organisation and performance of</p>		
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	<p>official controls and other official activities, rules should be laid down to specify the cases of specific geographical constraints and the conditions under which border control posts can be located at a distance other than in the immediate vicinity of the point of entry into the Union. Geographical constraints should be those that result from the natural characteristics and landscape of the point of entry, and the distance from the point of entry should not exceed what is strictly necessary to overcome the difficulties caused by the geographical constraints. Furthermore, that distance should not be such as to pose a risk to human, animal and plant health, animal welfare and the environment. Specific geographical constraints should include those that may cause major transportation constraints like, for example, high passes with roads unsuitable for the movement of animals and goods or causing significant delays in their movement.</p>		
<p>Article 65(6), Regulation 2017/625</p> <p>Rules for intensified controls at BCPs</p>	<p>TBC – not yet published</p>		<p>TBC – not yet published</p>
<p>Article 77(1), Regulation 2017/625</p> <p>Rules for specific types of official controls at BCPs.</p>	<p>TBC – not yet published</p>		<p>TBC – not yet published</p>

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Article 77 (3), Regulation 2017/625			
Ship supply and re-import			
<p>Published: Regulation 2019/628</p> <p>(Article 90, Regulation 2017/625)</p> <p>Official Certificates</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0628&from=EN</p>	<p>Where an original certificate has been lost or destroyed, the competent authority of exporting country may provide an authenticated copy of the original certificate.</p> <p>Codex rules allow for replacement certificates to be issued. Commission advice is that these should be used in limited circumstances such as lost or destroyed certificates and for minor mistakes in the original certificate. They should not be used for more fundamental problems such as misrepresentation of the consignment.</p> <p>Replacement certificates should include the reference number of the cancelled certificate.</p>		<p>New model health certificate format to be used for electronic certification. Paper certificates are still acceptable.</p> <p>Some new certificates for rendered fats and greaves, insects and reptile meat. This comes from the new import conditions and the end of the transition period for those goods.</p> <p>Most model certificates have replaced what is currently in R.854/2004</p> <p>Replacement certificates: Competent authorities may issue a replacement certificate only in the case of administrative errors in the initial certificate or where the initial certificate has been damaged or lost.</p> <p>The replacement certificate shall not modify information in the initial certificate concerning the identification, traceability and health guarantees of consignments.</p> <p>In addition, the replacement certificate shall: a.) make clear reference to the unique code referred to in Article 89(1)(a) and the date of issue of the</p>

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			<p>initial certificate, and clearly state that it - replaces the initial certificate;</p> <p>b.) have a new certificate number different to that of the initial certificate;</p> <p>c.) carry the date when it was issued, as opposed to the date of issue of the initial certificate; and</p> <p>d.) be presented in its original to the competent authorities, except in the case of electronic replacement certificates submitted in IMSOC.</p>
<p>Published: Regulation 2019/625</p> <p>(Article 126(1), Regulation 2017/625 Establishment of import conditions (third country listings, registered establishments and certification requirements)</p> <p>https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019R0625&from=EN</p>	<p>Third country listings are laid down in multiple pieces of existing legislation.</p> <p>There are no third country listings for some of the newly harmonised products such as reptile meat.</p>		<p>Sets out framework for import conditions – third country listing, establishment requirements and certification.</p> <p>Linked to the repeal of Regulation 854/2004 – making good on requirements of Regulation 853/2004</p> <p>Contains details of the third country listings – some products/categories are retained in existing legislation whilst others are now contained in the Annex to the Regulation e.g. snails, fish and fishery products, live bivalve molluscs, echinoderms etc and insects for human consumption.</p>

			<ul style="list-style-type: none">• In light of the introduction of the IMSOC, the format to model health certificates has been slightly altered to adapt to this usage where relevant.• Similarly, some certificates currently featured in regulation pursuant to Regulation 854/2004 has been transferred here and new certificates are introduced for sprouts and seeds, reptile meat, insects, other POAO, ante-mortem inspection at the holding of provenance and emergency slaughter outside of the slaughterhouse. <p>Some significant changes: Composite products Sprouts Raw materials for gelatine and collagen</p>
<p>Published: Regulation 2019/626</p> <p>(Article 127(2), Regulation 2017/625)</p> <p>Listing of third countries approved</p>	<p>Lists of third countries currently exist for harmonised products intended for import into the EU.</p> <p>Lists for non-harmonised products do not currently exist, for example reptile meat and insects for human consumption.</p> <p>These are currently subject to national rules, so variation may occur between Member States.</p>		<p>For the most part existing third country lists are retained and references are made to existing regulations (e.g. Regulation 206/2010 for fresh meat and meat preparations of ungulates).</p> <p>As a result of Regulation 854/2004 being repealed pursuant legislation which includes lists for frogs' legs,</p>

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			<p>snails, fishery products and live bivalve molluscs is moved here.</p> <p>New third country lists are introduced for reptile meat and live insects for human consumption.</p>
Article 134, Regulation 2017/625	TBC – not yet published		TBC – not yet published
The functioning of the IMSOC			
Regulation 854/2004 Annex IV, Chapter 1	<p>Control of milk and colostrum production holdings.</p> <p>Animals on milk and colostrum holdings must be subject to official controls to verify health requirements, in particular health status and use of veterinary medicinal products. IF there are grounds to suspect health requirements are not being complied with, the general health status is to be checked, Milk and Colostrum holdings are also to undergo official controls to verify that the hygiene requirements are being complied with. If it is shown these are not being met the CA is to verify that appropriate steps are taken to correct the situation.</p>	49	<p>Introduction of the requirement that the official veterinarian shall verify the health requirements for raw milk and colostrum products as laid down in Part I of Chapter I of Section IX of Annex III to Regulation (EC) No 853/2004. In particular the OV shall verify; health status, absence of unauthorised pharmacologically active substances, possible presence of residues of authorised pharmacologically active substances, pesticides or contaminants does not exceed the levels laid down in Regulations (EU) No 37/2010, (EC) No 396/2005 or (EC) No 1881/2006. If there are grounds that the health requirements are not being met, the OV shall check the general health status of the animals.</p> <p>This will be managed through DHIs with OV oversight.</p>

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Regulation 854/2004 Annex IV, Chapter 1	<p>Control of raw milk and colostrum upon collection. the competent authority is to monitor the checks carried out in accordance with Annex III, Section IX, Chapter I, Part III to Regulation (EC) No 853/2004.</p> <p>If the food business operator has not corrected the situation within three months of first notifying the competent authority of non-compliance with the criteria with regard to plate count and/or somatic cell count,</p> <p>delivery of raw milk and colostrum from the production holding is to be suspended or</p> <ul style="list-style-type: none"> — in accordance with a specific authorisation of, or general instructions from, the competent authority — subjected to requirements concerning its treatment and use necessary to protect public health. <p>This suspension or these requirements are to remain in place until the food business operator has proved that the raw milk and colostrum again complies with the criteria.</p>	50	<p>Minor change – When testing competent authorities shall use analytical methods set out in Annex III to check compliance with limits in Part III of Chapter I, Section IX of Annex III to Regulation (EC) No 853/2004 (DETERMINATION OF PLATE COUNT AND SOMATIC CELL COUNT) and verify application of pasteurisation process to dairy products in Part II of Chapter II, Section IX of Annex III to Regulation (EC) No 853/2004 (DETERMINATION OF ALKALINE PHOSPHATASE ACTIVITY IN COW'S MILK).</p>
Regulation 854/2004 Annex IV, Chapter 1	<p>Control of milk and colostrum production holdings. Animals on milk and colostrum holdings must be subject to official controls to verify health requirements., in particular health status and use of</p>	49	<p>Introduction of the requirement that the official veterinarian shall verify the health requirements for raw milk and colostrum products as laid down in Part I of Chapter I of Section IX of Annex III to Regulation (EC) No</p>

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	veterinary medicinal products. IF there are grounds to suspect health requirements are not being complied with, the general health status is to be checked, Milk and Colostrum holdings are also to undergo official controls to verify that the hygiene requirements are being complied with. If it is shown these are not being met the CA is to verify that appropriate steps are taken to correct the situation.		853/2004. In particular the OV shall verify; health status, absence of unauthorised pharmacologically active substances, possible presence of residues of authorised pharmacologically active substances, pesticides or contaminants does not exceed the levels laid down in Regulations (EU) No 37/2010, (EC) No 396/2005 or (EC) No 1881/2006. If there are grounds that the health requirements are not being met, the OV shall check the general health status of the animals. This will be managed through DHIs with OV oversight.
Regulation 854/2004 Annex II Chapter 1	This Annex applies to live bivalve molluscs and, by analogy, to live echinoderms, live tunicates and live marine gastropods.	51	Lists an exclusion that Title V does not apply to live marine gastropods and live <i>Holothuroidea</i> that are not filter feeders.
Regulation 854/2004 Annex II Chapter 2 Part A Paragraph 1 and 2	Classification of production and relaying areas for live bivalve molluscs	52	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 3	Classification requirements of Class A areas	53	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 4	Classification requirements of Class B areas	54	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 5	Classification requirements of Class C areas	55	No change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 6(a)(b)(c)	Requirements for deciding in principle to classify a production or relaying area it must	56	No significant change

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Regulation 854/2004 Annex II Chapter 2 Part A paragraph 6(d)	establish a sampling programme of bivalve molluscs in the production area	57	No significant change
Regulation 854/2004 Annex II Chapter 2 Part A paragraph 6(d)	The competent authorities shall establish a procedure to ensure that the sanitary survey referred to in Article 56 and the monitoring programme referred to in Article 57 are representative of the area considered.	58	No significant change
Regulation 854/2004 Annex II Chapter II Part B Para 1	Monitoring of classified production and relaying areas	59	No significant change
Regulation 2074/2005 Annex III – Analytical methods in Chapter 1 to Chapter 3 are moved to Annex V of 2019/627	RECOGNISED TESTING METHODS FOR DETECTING MARINE BIOTOXINS	60	No significant change
Regulation 854/2004 Annex II Chapter II part B para 2 to 8	Sampling Plans	61	<p>Minor Change</p> <p>(4) Change from 854/2004 which said that sampling frequency for toxin analysis in LBM is as a general rule to be weekly, which can be reduced in specific areas or specific types of molluscs if a risk assessment suggests a very low risk of toxic episodes. The wording “as a general rule” has been removed to read “shall be weekly” although the risk assessment still permits reduced sampling.</p> <p>(8) Change of regulation from Regulation EC No 466/2001 to Regulation (EC) No 1881/2006.</p>

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Regulation 854/2004 Annex II Chapter II Part C Para 1	Closing production area where results of sampling show the health standards are exceed or that there may be risk to health. The CA can reclassify an area as Class B or C if it meets the requirements in Part A	62	<p>Significant Change – Flexibility</p> <p>When the results of microbiological monitoring show that the health standards (In Article 53, Requirement for Class A areas) are not met, the CA may, only on a temporary and non-recurring basis, on the basis of a risk assessment, permit the continued harvesting without closure or reclassification subject to</p> <ul style="list-style-type: none">a) The classified production area and all approved establishments receiving LBM are under official control of the same CA.b) The LBM are subjected to appropriate restrictive measures i.e. purification, relaying or processing. <p>3The accompanying registration document, as referred to in Chapter I of Section VII of Annex III to Regulation (EC) No 853/2004, shall include all the information concerning the application of paragraph 2.</p> <p>4. The competent authorities shall establish the conditions under which paragraph 2 can be availed of in order to ensure, for the production area concerned, maintenance of the compliance with the criteria established in Article 53.</p>
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Regulation 854/2004 Annex II Chapter II Part C Para 2	Re-opening of production areas after closure due to presence of plankton or excessive levels of toxins in molluscs.	63	Minor amendment – where there was a previous generic requirement to comply with Community legislation, the specific EU Regulations have been stated in paragraph <ol style="list-style-type: none"> Chapter V of Section VII of Annex III to Regulation (EC) No 853/2004 and present no other risk to human health. point 2 of Chapter V of Section VII of Annex III to Regulation (EC) No 853/2004, point 2 of Chapter V of Section VII of Annex III to Regulation (EC) No 853/2004
Regulation 854/2004 Annex II, Chapter 2 part D Para 1 and 2	Setting up a control system of laboratory tests to verify FBOs compliance with requirements for the end product.	64	No significant change
854/2004 Annex II, Chapter 2 part E Para (c) and Part F	act promptly where the controls prescribed in this Annex indicate that a production area must be closed or reclassified or can be re-opened. Taking into account FBO's own checks	65	Minor change – Article 65 (1) adds flexibility where live bivalve molluscs are subject to the application of measures as referred to in Article 62(2).
Regulation 854/2004 Annex II, Chapter 2, Part E, Para (a), (b)	Establish an up to date list of approved production areas and relaying areas and their classification	66	Minor change – change of wording from 'approved production area' to 'classified production area'
Regulation 854/2004 Annex III Chapter 1, para 1	List of official controls on the production and placing on the market of fishery products	67	Minor change – change of wording to include verification of compliance with the requirements set out in Section VIII of Annex III to Regulation (EC) No 853/2004,
Regulation (EC) 854/2004 Annex III Chapter 1 Para 2	Site of official controls	68	Minor Change – (1) change from 'may carry out' to 'shall carry out'. This does not alter the frequency of official controls on

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			vessels and can continue on a risk basis (2) Wording has been simplified but content is the same.
Regulation (EC) 854/2004 Annex III, Chapter I, paragraph 3	Inspection of a factory or freezer vessel flying the flag of a Member State carried out with a view to the approval of the vessel, inspection of the vessel while it is at sea or when it is in a port in another Member State or in a third country. Approval of another member state to carry out inspection.	69	Minor change – Inclusion of reefer vessels. Reefer vessels have been defined in 2019/625 as 'reefer vessel' means a vessel equipped to store and transport palletized or loose cargo (bulk) goods in temperature controlled holds or chambers; They have been listed as a vessel requiring approval in the "Technical specifications in relation to the master list and the lists of EU approved food establishments and certain other specified food establishments" since at least the 2014 revision under Section 0: General activity establishments. Therefore there has been an existing requirement for them to be approved. To note, the longer approval time limits in R2017/625 - Article 148(4) apply only to factory and freezer vessels.
Regulation (EC) 854/2004 Annex III, Chapter II	Official Control of Fishery Products – official controls are to include at least the following elements organoleptic examinations, freshness indicators, histamine, residues and contaminants, microbiological checks, parasites and poisonous fishery products checks	70	Minor changes – where there was a previous generic requirement to comply with Community legislation, the specific EU Regulations have been stated in Annex VI, Chapter of 2019/627 A - Council Regulation (EC) No 2406/96 B – In accordance with Annex VI, Chapter 2 C - Regulation (EC) No 2073/2005.

			<p>D</p> <p>Monitoring arrangements shall be established in accordance with Directive 96/23/EC and Decision 97/747/EC to control compliance with the EU legislation on: — maximum residue limits for pharmacologically active substances, in accordance with Regulations (EU) No 37/2010 and (EU) No 2018/470; — prohibited and non-authorised substances, in accordance with Regulation (EU) No 37/2010, Directive 96/22/EC and Decision 2005/34/EC; — contaminants, in accordance with Regulation (EC) No 1881/2006 setting maximum levels for certain contaminants in food; and — pesticide residues, in accordance with Regulation (EC) No 396/2005.</p> <p>E - Regulation (EC) No 2073/2005.</p> <p>F – Part D of Chapter III of Section VIII of Annex III to Regulation (EC) No 853/2004 and Section I of Annex II to Regulation (EC) No 2074/2005.</p>
<p>Regulation (EC) 854/2004 Annex III, Chapter III</p>	<p>Decisions after controls</p> <p>Declaring fishery products unfit for human consumption if organoleptic, chemical, physical or microbiological checks or checks for parasites have shown that they are not in compliance with the relevant Community legislation;</p>	<p>71</p>	<p>Minor changes - where there was a previous generic requirement to comply with Community legislation, the specific EU Regulations have been stated</p> <p>(a) Section VII of Annex III of Regulation (EC) No 853/2004 and/or Regulation (EC) No 2073/2005;</p> <p>(EU) No 37/2010, (EC) No 396/2005, (EC) No 1881/2006, or residues of</p>

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			substances that are prohibited or unauthorised in accordance with Regulation (EU) No 37/2010 or Directive 96/22/EC, or are not in compliance with any other relevant Union legislation on pharmacologically active substances;
Regulation (EC) 2074/2004 Article 6c	Requirements concerning the official controls on fishery products caught by vessels flying the flag of Member States entering the Union after being transferred in third countries with or without storage	72	<p>Minor Changes – 2074/2005 has been amended and 854/2004 has been repealed by 2017/625 therefore references to model health certificates and provisions for lists of third countries and establishments in third countries are no longer listed in 854</p> <p>(1) third countries listed as provided for in Article 126(2)(a) of Regulation (EU) 2017/625 & in accordance with the model health certificate set out in Chapter B of Part II to Annex III to Implementing Regulation (EU) 2019/628.</p> <p>(2) shall appear in a list as provided for in Article 5 of Delegated Regulation (EU) 2019/625</p> <p>(3) third country shall be listed as provided for in Article 3 of Delegated Regulation (EU) 2019/625 and the vessel shall appear in a list as provided for in Article 5 of Delegated Regulation (EU) 2019/625.</p>
882/2004 - Article 12(1)	CA required to designate OLs to carry out the analysis of official control samples.	2017/625 Article 37(1) - designation of official laboratories	Possibilities for designation extended to include a laboratory in a different member state

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882/2004 – Article 12	CAs may designate OLs that are accredited to specific European standards to carry out the analysis of official control samples.	2017/625 Article 37(2) on the designation of OLs located in another MS or third country	More restrictive - rules specified for nominating a laboratory in a different MS, sub-contracting of analyses to other MS labs must be only to an official laboratory that is officially recognised in the receiving MS.
		2017/625 Article 37(3)	Designation of an official laboratory shall be in writing and include specified detailed descriptions
882/2004 - Article 12(2)	CA may only designate laboratories that are accredited in accordance with listed specific European Standards	2017/625 Article 37(4)	Designation conditions move beyond European standards to include principles in a list of expected criteria to be met. All OLs must be accredited in accordance with ISO Standard 17025.
882/2004 - Article 12(3)	The accreditation and assessment of testing laboratories may relate to individual tests or groups of tests.	2017/625 Article 37(5)	Inclusions for the scope of the accreditation of an official laboratory are specifically listed and more prescriptive.
		2017/625 Article 37(6)	In cases where there is a new or particularly uncommon test (and no designated OLs have capacity to perform it), CA can request laboratories which don't meet required criteria to perform the tests.
		2017/625 Article 38(1) - Obligations of official laboratories	New requirements for laboratories to immediately notify the competent authorities in case of identification of a risk, unless there a specific arrangement in place for this not to be done immediately.
		2017/625 Article 38(2)	Official laboratories to take part in inter-laboratory comparative tests and proficiency tests when requested by EU-RL or NRLs.

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		2017/625 Article 38(3)	At the request of CAs, OLs shall make publicly available the names of the methods used for analyses, tests or diagnoses performed in the context of official activities.
		2017/625 Article 38(4)	At the request of CAs, OLs shall indicate, together with the results, the method used for each analysis performed in the context of official activities.
882/2004 - Article 12(4)	CA may cancel an OL designation when the required conditions are no longer fulfilled.	2017/625 Article 39- Audits of official laboratories	CAs will be expected to take a more proactive role in audits of OLs and organise audits of the OLs on a regular basis and as necessary. Audits can be carried out by other bodies, such as in agreement with UKAS.
		2017/625 Article 40 (1)	Introduces new derogations from the mandatory accreditation for certain official laboratories whose sole activity is the detection of <i>Trichinella</i> in meat; or laboratories which carry out analyses in the context of other official activities, with specific listed provisions.
		2017/625 Article 40(2)	Clarifies that results performed by laboratories subject to a derogation from mandatory accreditation must be confirmed by a lab that has full mandatory accreditation.
		2017/625 Article 40(3)	Clarifies that no designation in other MS is possible for laboratories subject to a derogation from mandatory accreditation.
		2017/625 Article 41	Delegated act concerning when derogations from mandatory accreditation will be permitted

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			providing labs have met specified conditions.
		2017/625 Article 42	CA has flexibility to temporarily designate existing OLS located in same MS for use of a method they are not accredited for, subject to certain conditions in instances where a new method is required or in an emergency situation. The designation may only last one year and only be renewed once.
Regulation (EC) No 882/2004	Art 30(1)(c) - Without prejudice to requirements concerning official certification adopted for animal health or animal welfare purposes, requirements may be adopted, in accordance with the procedure referred to in Article 62(3), concerning: (c) qualifications of the certifying staff;	Art 88(2)	Schedule 4 of OFFC 2009 Regulations to be updated.
Regulation (EC) No 882/2004	Art 30(2)(a),(b)	Art 89(1)	Need to check position re: dual language
Regulation (EC) No 882/2004	Art 54(1)	Art 138(1)	Update Schedule 4 of OFFC 2009 Regulations.
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Part 1 introductory – Interpretation and scope – 2(4)(c) provides a definition of feed		We are reviewing with the VMD the definition to check the accuracy. A definition is also in the VMD 2013 Regulations, and 2015 Animal Feed (Hygiene, Sampling etc, Enforcement) Regulations and OFFC 2009 Regulations. Discussions with the VMD is on-going.
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Procedure relating to samples for analysis – 15	36	For on-line (Internet) selling and in order to provide national enforcers with the necessary tools, the OCR provides that:

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			<ul style="list-style-type: none"> • a sample ordered on-line by the CAs without identifying themselves can be validly used for the purposes of an official control • once the CA gets the sample, they would need to inform the operator that such a sample has been taken and, where appropriate, is being analysed in the context of an official control. <p>Amend Regulation 15 of the Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015 – also update feed code of practice. also need to check Sections 75 and 78 of the Agriculture Act 1970 – in case amendments required there.</p>
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Secondary analysis by the Government Chemist - 16	Art 35	<p>Provisions relating to the second expert opinion are better specified (i.e. operators, at their own expenses, have the right to request a documentary review of the sampling, analysis or diagnosis by another recognised and appropriately qualified expert, and, where relevant and technically possible, another analysis or diagnosis of the sample). Amend after Regulation 16 of the Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015 – also need to check Sections 75 and 78 of the</p>

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			Agriculture Act 1970 – in case amendments required there.
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	<p>Powers of entry and inspection - Article 15 of Regulation (EU) No. 2017/625 sets out requirements for the obligations of operators – in that in the performance of official controls operators shall, where required by the competent authorities give staff of the competent authorities' access to:</p> <ul style="list-style-type: none"> • Equipment, means of transport, premises and other places under their control and their surroundings; • Their computerised information management systems; • Animals and goods under their control; • Their documents and other relevant information. 	Art 15	<p>The OCR better specifies that operators, during official controls, are required to assist and cooperate with the staff of the CA. More specifically, to the extent necessary to perform official controls, operators would need to give CAs access to their:</p> <ul style="list-style-type: none"> • equipment, • means of transport, • premises, • computers, • documents and any other relevant information • animals and goods under their controls <p>Amend Regulation 30 of The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015</p>
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Liability for expenditure -33(1) - makes a Reference to Article 54(5) of Regulation 882/2004.	Art 138(4)	
The Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015	Liability for expenditure -33(2) - states that 'this Regulation does not apply in relation to Art 54(2)(g), (measures referred to in Art 19 on consignments from third countries), of Regulation 882/2004. The corresponding reference in Regulation (EU) No. 2017/625 appears to be Art 138(2). Additionally, Art 67 says that goods entering the Union from third countries	Art 138 (2) Art 67	Amend Reg 33 of the Animal Feed (Hygiene, Sampling etc and Enforcement) (England) Regulations 2015.

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	presenting a risk – the measures referred to in the Article shall be applied at the expense of the operator responsible for the consignment.		
The Animal Feed (Composition, Marketing and Use) (England) Regulation 2015	Part 9 Amendment and Revocation – 20 (2)	-	<p>Need to update the legislation to make reference to the following:</p> <ul style="list-style-type: none">• Animal Feed (Composition, Marketing and Use) (England)(Amendment) Regulations 2019; and• Animal Feed (Basic Safety Standards) (England) Regulations 2019
Official Feed and Food Controls (England) Regulations 2009	<p>Regulation 3.—(1) provides that Schedule 4 outlines the delegated authority and operational criteria between the FSA and local authorities</p> <p>Art 4 (1) – Regulation 882/2004 <i>1. Member States shall designate the competent authorities responsible for the purposes and official controls set out in this Regulation.</i></p> <p>Art 4 (3) – Regulation 882/2004 <i>3. When a Member State confers the competence to carry out official controls on an authority or authorities other than a central competent authority, in particular those at regional or local level, efficient and effective coordination shall be ensured between all the competent authorities involved, including where appropriate in the</i></p>	Art 4	Schedule 4 of OFFC 2009 Regulations to be updated.

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	<i>field of environmental and health protection.</i>		
Official Feed and Food Controls (England) Regulations 2009	Regulation 12 – provides details of right of appeal. This covered by Article 19(4) of Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules 2004	Article 7	References to Regulation 882/2004 need to be amended to state Regulation 2017/625
Official Feed and Food Controls (England) Regulations 2009	Regulation 22 - 22 provides a definition of 'feed'.		Reviewing with the VMD the definition to check the accuracy. A definition is also in the VMD 2013 Regulations, and 2015 Animal Feed (Hygiene, Sampling etc, Enforcement) Regulations and OFFC 2009 Regulations. Discussions with the VMD is on-going.
Official Feed and Food Controls (England) Regulations 2009	Regulation 22 provides explanation of 'product' making reference to Article 15 of Regulation 882/2004.	Article 44	This reference should be amended to read 'Article 44 of Regulation (EU) No. 2017/6258(2)'
Official Feed and Food Controls (England) Regulations 2009	Regulation 25 makes reference to Art 24 of Regulation and Art 10 of Regulation 669/2009 in terms of the functions of the Commissioners.	Art 75(1), Art 57, Art 46 and Art 76	In terms of Art 75(1) and 46 it is proposed that Schedule 4 of the OFFC Regulations 2009 are amended and that guidance on local authority controls and the feed code of practice are updated.
Official Feed and Food Controls (England) Regulations 2009	Regulation 29(1) (2) and (3) outlines the checks on feed and food of non – animal origin that need to be undertaken under Art 16 of Regulation 882/2004.	Art 45(1), 44(2), 45(2) and Art 34(5)	No action is required.
-	No equivalent in Regulation 882/2004	Art 38 – obligations of official laboratories	Need to be designated as competent authority. Updated Schedule 4 and Regulation 3 of OFFC 2009 Regulations. Need to liaise with SERD and Imports.

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-	No equivalent in Regulation 882/2004	Art 75	Amend Schedule 4 of OFFC 2009 Regulations.
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Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	Peace IV Local Action Plan
Reporting Officer (Including Job Title):	Janine Hillen, Assistant Director: Community Engagement
Contact Officer (Including Job Title):	Justyna McCabe, Head of Programmes

<table><tr><td>For decision</td><td></td><td>For noting only</td><td><input checked="" type="checkbox"/></td></tr></table>		For decision		For noting only	<input checked="" type="checkbox"/>
For decision		For noting only	<input checked="" type="checkbox"/>		
1.0	Purpose and Background				
1.1	Purpose To note the report.				
1.2	Background The Peace IV Partnership met on 5 September 2019 and there were no recommendations arising from this meeting. Report is for noting only.				
2.0	Key issues				
2.1	<ul style="list-style-type: none">A new Chair (Cllr M. Ruane) and Vice Chair (Paul Yam – Social Partner) were elected at the meeting on 5 September 2019.				
3.0	Recommendations				
3.1	That the Committee note the report and minutes.				
4.0	Resource implications				
4.1	No cost to Council. Project 85% funded by the EU and 15% by the two Governments.				
5.0	Equality and good relations implications				
5.1	The Council will have due regard to the need to promote equality of opportunity between the nine equality categories. Council will also seek to promote Good Relations between people of different Religious Belief, Political opinion and Ethnic Origin.				
6.0	Rural Proofing implications				
6.1	Due regard to rural needs has been considered.				

7.0	Appendices
	Minutes of PEACE IV Partnership (June 2019).
8.0	Background Documents
	<i>None</i>

Peace IV Partnership Meeting
Council Chambers, Newry,
Thursday 20th June 2019

Present:

Declan Murphy (Social Partner)
 Cllr Michael Ruane (Newry, Mourne and Down District Council)
 Cllr Terry Andrews (Newry, Mourne and Down District Council)
 Cllr William Walker (Newry, Mourne and Down District Council)
 Helen Honeyman (Social Partner)
 Seamus Camplisson (Social Partner)
 Judith Poucher (Social Partner)
 Paul Yam (Social Partner)
 Ruth Allen (SHSCT)
 Owen McDonnell (NIHE)
 Allison Slater (SPACE)

Officers Present:

Henry Reilly (NMDDC)
 Justyna McCabe (Programmes Manager)
 Claire Loughran (Peace Officer)
 Theresa McLaverty (Peace Officer)

Apologies noted from:

Donna Weir
 Breige Jennings
 Martina Flynn

In attendance:

Siobhan Strong

1. Welcome

Declan Murphy chaired the PEACE IV Partnership meeting.
 The chair welcomed PEACE Officer Theresa McLaverty and PEACE Administrator Siobhan Strong to the PEACE IV Partnership

2. Conflict of Interest

Judith Poucher, Clanrye and Helen Honeyman and Seamus Camplisson , Glebe House declared a conflict of interest.

3. Presentation from SPACE: Older People Good Relations Programme

Terry Andrews thanked Allison Slater from SPACE for her presentation and said it was very interesting and informative. It was a great account of memories and history to be passed on.

4. Minutes from Previous Meeting (19 March 2019)

The minutes were approved:
Proposed: Cllr Terry Andrews
Seconded: Cllr William Walker

5. Management Report

Justyna McCabe presented the management report update. She reminded members that a new Chair and Vice Chair need to be elected for the meeting on 5th September and that they shall be alternated between Elected members and Social Partners.

The PEACE IV Programme Extension which was requested from SEUPB following the March meeting has been verbally agreed until August 2021 and is awaiting written confirmation.

PEACE IV projects – members were advised to review the reports (included in the papers) and come back with any questions, also to refer to the memo outlining the principles for implementing PEACE IV projects.

6. Partner Delivery Agent Reports

Partner Delivery Agent reports were circulated to the PEACE Partnership Members.

Children and Young People

Claire Loughran presented the Children and Young People report. Helen Honeyman gave an update on her project. No Delegated Authority requested.

Shared Spaces and Services

Claire Loughran presented the Shared Spaces and Services report. No Delegated Authority requested.

Building Positive Relations.

Theresa McLaverty presented the Building Positive Relations report. No Delegated Authority requested.

PCSP

Apologies received from PCSP. No Delegated Authority requested.

7. Date of Next Meeting:

A site visit is to be organised in place of the next meeting on 8th August, possibly Saintfield or Downpatrick Dig (daytime).

Report to:	Active and Healthy Communities Committee
Date of Meeting:	16 September 2019
Subject:	Air Quality Updating and Screening Assessment for Newry Mourne and Down District Council
Reporting Officer (Including Job Title):	Eoin Devlin (Assistant Director Health and Wellbeing)
Contact Officer (Including Job Title):	James Campbell (Head of Environmental Health-Residential)

<table><tr><td>For decision</td><td></td><td>For noting only</td><td>X</td></tr></table>		For decision		For noting only	X
For decision		For noting only	X		
1.0	Purpose and Background				
1.1	Purpose To note the Air Quality assessment report for Newry Mourne and Down District Council which has been accepted by DAERA NI.				
1.2	Background This Air Quality Updating and Screening Assessment report fulfils the requirements of the Local Air Quality Management (LAQM) process as set out in the Environment (Northern Ireland) Order 2002, the Air Quality Strategy for England, Scotland, Wales and Northern Ireland 2007 and the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether the air quality objectives are likely to be achieved. Where exceedances are considered likely, the local authority must then declare an Air Quality Management Area (AQMA).				
2.0	Key issues				
2.1	<ul style="list-style-type: none">• This Updating and Screening Assessment for Newry Mourne and Down District Council provides a review and assessment of all new or existing potential sources of air quality pollutants and a summary of air quality monitoring results for the calendar year 2017.• Newry Mourne and Down District Council has measured concentrations of NO₂ above the annual mean objective at Market Street Downpatrick. A detailed assessment for Market Street, Downpatrick will be carried out.• Five of the 27 Nitrogen Dioxide (NO₂) diffusion tubes located within Newry City Centre exceeded the annual mean objective for nitrogen dioxide (NO₂)• The Particulate Matter (PM₁₀) daily mean objective was not exceeded within Canal Street, Newry. This location is within an existing Air Quality Management Area.				

3.0	Recommendations
3.1	That Committee note the Air Quality assessment report for Newry Mourne and Down District Council which has been accepted by DAERA NI.
	Resource implications
4.1	Within existing estimates.
5.0	Equality and good relations implications
5.1	No equality impact assessment is required at this time;
6.0	Rural Proofing implications
6.1	Officers confirm due regard to rural needs has been considered;
7.0	Appendices
	Appendix 1: https://www.airqualityni.co.uk/assets/documents/dc-reports/2018%20Updating%20and%20Screening%20Assessment%20for%20Newry,%20Mourne%20and%20Down%20District%20Council.PDF
8.0	Background Documents
	None