

Provision of Food Safety Authority of Ireland Statutory Functions on behalf of Fingal County Council by South Dublin County Council.

(Proposed Agreement under Section 85 of the Local Government Act 2001) – FOR APPROVAL

[Section 85 of the Local Government Act, 2001](#) allows for an agreement to be put in place regarding the carrying out of functions by one local authority on behalf of another.

South Dublin County Council (SDCC) is designated a Competent Authority for the purpose of carrying out official controls to ensure verification of compliance with food law. This responsibility is discharged on behalf of [Food Safety Authority of Ireland \(FSAI\)](#) through a service contract.

SDCC is responsible for official controls not only within the functional area of the local authority but also in Fingal County Council (FCC), Dublin City Council (DCC) and Dun Laoghaire Rathdown County Council (DLRCC). Formal agreements made under Section 85 of the Local Government Act, 2001 are in place between SDCC and DCC and between SDCC and DLRCC.

It is now proposed to enter into a formal agreement with Fingal County Council with regard to the provision of food safety functions within the FCC administrative area.

The cost of providing any such service will be recouped by SDCC from the FSAI.

As the making of an agreement under Section 85 of the Local Government Act 2001 is a reserved function, it will be necessary for the following motion to be passed by this Council:

“That South Dublin County Council enters into an agreement under Section 85 of the Local Government Act 2001 with Fingal County Council to carry out statutory Food Safety Functions on behalf of Fingal County Council for their Administrative Area.”