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Application for the Renewal of a Street Trading Consent

Oxford City Council Local Government (Miscellaneous Provisions) Act 1982

All data contained in this form will be handled in accordance with the Data Protection Act 1998. Information about how Oxford City Council will handle this data can be found at www.ico.gov.uk and also on www.oxford.gov.uk.

Note: Please refer to the checklist attached before you send in your application form.

Full Name	Haroon Khan
Home Address	
Postcode	
Telephone Numbers	Home: Mobile:
Email address	
National Insurance Number	
Description of articles to be sold	Hot food. Soft Drinks

If you intend to sell food & drink what is the address where the vehicle/trailer will be stored when not in use	
Street Trading Consent Reference Number (on your current 2014/2015 consent)	
Proposed days and times of trading	Days: Mon-Tue-Wed-Thur-Fri-Sat-Sun Times: 18:30 - 04:00
Vehicle registration number, make and model - if applicable	
Will you be the sole operator of the vehicle or stall? If the answer is No please complete an employee form for each member of staff (see attached)	Yes or <input checked="" type="radio"/> No

DECLARATION

Our Street Trading Policy contains measures intended to combat illegal working, money laundering, fraud, tax evasion, food poisoning and other crime. The data you provide will assist in preventing crime and ensuring public safety. When you sign this application you are consenting to the sharing of this data with other Government Agencies in their efforts to combat crime. For further information, see <http://www.oxford.gov.uk/websitetools/privacy.cfm>.

I am aware that if any person knowingly or recklessly makes a false statement or omits any material, particular in giving information on this form, that person shall be guilty of an offence.

This means that if you as the applicant or anyone else gives false information or leaves out any information to help you get a Street Trading Consent, you and/or they can be prosecuted in court.

Signed H. Khan (The declaration must be signed by the applicant)

Environmental Development

St. Aldate's Chambers, 109 St Aldate's, Oxford OX1 1DS

Switchboard: 01865 249811

Fax: 01865 252344

www.oxford.gov.uk



LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 CERTIFICATE OF STREET TRADING CONSENT

Oxford City Council grant a Street Trading Consent to:

Consent Holder: Mr Haroon Khan

Consent Number: 14/00729/STREET

Consent Issued: 4th April 2014

Valid From: 4th April 2014

Valid To: 31st March 2015

Fee:

Vehicle/Stall Details:

Area/Site: Street Trading Site 7 opposite County Hall Car Park, New Road Oxford

Permitted Trading Days and Hours:

Trading between the hours of 18:30 and 03:00 Monday - Sunday

Articles Sold: Hot Food and Soft Drinks

This certificate of Street Trading Consent is issued subject to the standard street trading conditions and any other additional conditions attached to this certificate.

Possession of this document does not guarantee that the consent is in force. Its validity may be established by referring to the Councils Licensing Department.

Conditions of Consent are attached to this certificate.

Authorised Officer


Head of Environmental Development



INVESTORS
IN PEOPLE

General Conditions for Annual Street Trading Consents

1. No trading to which the attached consent relates shall take place except between the dates of 4th April 2014 to 31st March 2015.
2. The operational hours shall be:
Between the hours of 18:30 and 03:00 on Mondays
Between the hours of 18:30 and 03:00 on Tuesdays
Between the hours of 18:30 and 03:00 on Wednesdays
Between the hours of 18:30 and 03:00 on Thursdays
Between the hours of 18:30 and 03:00 on Fridays
Between the hours of 18:30 and 03:00 on Saturdays
Between the hours of 18:30 and 03:00 on Sundays
3. The street trading consent relates to the following area/site only: Street Trading Site 7 Opposite County Hall Car Park, New Road Oxford
4. The street trading consent relates to the following vehicle/stall only:
5. Street trading can only be carried out from the stall or vehicle authorised under the conditions of the consent. Any changes to or replacement of the stall or vehicle must be approved by the Head of Environmental Development.
6. The Consent Holder shall comply with all statutes, statutory instruments and byelaws currently in force. Consent Holders must pay particular attention to the requirements of the Health & Safety at Work Act, 1974, the Food Safety (General Food Hygiene) Regulations 1995. Advice on these requirements is available from the Environmental Health Department. The Consent Holder shall not drive or park a vehicle on any part of a footway. (It is an offence to drive other than on a road)
7. The Consent Holder shall not be the cause of any nuisance or annoyance to any other user of the highway, the occupier of any land or building or the Oxford City Council. Consent Holders shall have special regard to and must take positive action to prevent excessive noise.
8. The Environmental Protection Act 1990 places a duty of care on businesses to dispose of waste originating from their trade in a certain manner. The Consent Holder shall ensure refuse originating from their trade is disposed of by a licensed waste carrier and shall leave the site clear of refuse at the completion of trading. No water or waste material shall be discharged on to the highway or any adjacent property. The Consent Holder shall ensure that the area in the vicinity of the stall/vehicle is kept clear of all refuse at all times.
9. Consent Holder's vehicle/stall shall be kept in a clean, safe and well maintained condition and be of a presentable appearance. The Street Trading Consent bearing the name of the consent Holder shall be

displayed conspicuously on the stall/vehicle so that members of the public can clearly see it during hours of business.

10. The Consent Holder's vehicle shall be maintained in a roadworthy condition, taxed, insured and with a current MOT Certificate.
11. The Consent Holder shall ensure that the stall/vehicle is positioned only in the allocated space (which may be marked on the ground) in the Consent Street for which the Street Trading Consent is issued. All goods shall be displayed on the stall and no freestanding racks or displays are permitted. If a Consent Holder or operator/assistant is requested to move the vehicle/stall by an authorised Council Officer or Police Officer they shall immediately comply with that request.
12. The Consent Holder's stall shall not exceed 2.3 metres in height nor occupy an area greater than 2 metres x 1 metre.
13. The Consent Holder must take adequate precautions to prevent the risk of fire at the stall or vehicle. All hot food vans/trailers are required to comply with current legislation on fire safety. Where gas cylinders are used an annual gas safety certificate is required to ensure the safety of all gas cooking and heating equipment. A serviceable fire blanket and a foam fire extinguisher shall be provided in all vehicles selling hot food.
14. All hot food vans/trailers are required to carry a basic first aid kit. The Consent Holder and others operators should know how to give first aid to treat victims of burns and cuts. All hot food vans should have access to a minimum of one mobile phone that must be serviceable at all times.
15. All staff involved in the preparation of food shall hold a current Level 2 food safety certificate that is accredited by the Chartered Institute of Environmental Health, or the Royal Society of Health, or the Royal Institute of Public Health and Hygiene.
16. A Street Trading Consent cannot be transferred or sold to another person except that the Consent may be transferred to a member of the Consent Holder's immediate family in the event of the Consent Holder's death or incapacity on payment of a fee. The sub letting of a pitch is prohibited.
17. The Consent Holder must be the principal operator and have day to day control of the stall/vehicle. The Consent Holder may employ any other person to assist in operating the stall/vehicle and shall notify the Head of Environmental Development of the name and address of that person. An administration fee will be payable.
18. Anyone who operates a stall/vehicle other than the Consent Holder must be authorised by the Head of Environmental Development.
19. A Consent Holder may terminate a Street Trading Consent by written notice to the Head of Environmental Development. A refund of the portion of the fee equal to the remaining full months will be payable, less £50 which the Council will retain to cover administrative costs.
20. Consent Holders shall ensure that disabled people and wheelchair users can be adequately served. This may involve serving persons from outside the vehicle.

21. A copy of the Consent shall be carried by the operator when trading and must be produced on demand to a Council Officer or Police Officer.
22. Consent Holders shall have and maintain a proper insurance policy against public liability and third party risks. The minimum insurance cover shall be £10,000,000 and shall cover the operator's vehicle, or stall and any additional equipment under their control. If food is sold the insurance shall specifically include cover against food poisoning to the same amount. The insurance certificate or cover note shall be produced to the City Environmental Health Officer before the Street Trading Consent is issued. Proof of cover must be produced to an officer of Oxford City Council as required.
23. These general conditions, which apply to all Street Trading in Oxford, may be varied, having regard to a particular location. They are termed Special Conditions and listed on the Consent Certificate. These Special Conditions must also be complied with.
24. Instalments are required quarterly, in advance. On or before the following dates: 1st April, 1st July, 1st October and 2nd January. Annual fees may be paid in advance.

Failure to comply with these conditions

If a Consent Holder fails to comply with any of the conditions attached to a Street Trading Consent, the Consent may be suspended for an indefinite period or revoked. The Consent Holder may also be prosecuted.

FOOD SAFETY REPORT OF INSPECTION

Report of food hygiene visit carried out under the Food Hygiene (England) Regulations 2006 & EC Regulation 852/2004



Business details

Trading name	Harry's Grill
Business address	Trading on New Road n.r. entrance to Castle Complex, Oxford.
Full name of business operator/Ltd Co/Plc (and registered office address)	
Email/Business Tel No	
Name(s) of person(s) seen and position	

Intervention details

Date and time of visit	31/08/13 2320			
Purpose of visit	Inspection	Revisit	Sampling	Other
Areas inspected (note limitations)	Van			
Records examined	WCASS Food Safety Risk Assessment and temperature records.			
Summary of ACTION	Inspection report only/Letter/Hygiene Improvement Notice/Voluntary Closure/Emergency Closure Report + possible hygiene improvement notices and revisit.			

Local authority and inspecting officer details

Signed	Name in capitals
Designation of officer	Environmental Health Officer
Business Regulation Team, St Aldate's Chambers, 109 St Aldate's, Oxford OX1 1DS	Tel: 01865 252____ Email: _____@oxford.gov.uk
Signed by Food Business Operator/Representative I undertake to complete all works within the stated compliance period or pass this information on to FBO as soon as possible	Name in capitals

FOOD SAFETY REPORT OF INSPECTION

Notes for information

This report only covers the matters discussed and/or the areas inspected at the time of the visit. It does not indicate compliance with any provision of the food legislation or of any other legislation.

This is not a legal Notice; however you must comply with all mandatory items listed overleaf within the stated compliance period. If such Notices are required this will be indicated in the 'Summary of Action' section.

If you are unclear about what is required, or find that you are unable to carry out any of the works, please contact the Officer named on the front page at the address or telephone number shown.

In the case of dispute or if you disagree with the actions taken please contact Mrs Lesley Rennie – Business Regulation Team: Tel. 01865 252836 or lrennie@oxford.gov.uk

Food safety management

It is now a legal requirement for all food businesses to put in place food safety management procedures- based on the principles of HACCP (hazard analysis and critical control points). If you run a food business you must keep records relating to these procedures.

To help small businesses meet these requirements the Food Standards Agency has developed a pack called Safer Food Better Business. Detailed practical information, including packs and diary refills can be found on the Food Standards Agency web-site www.food.gov.uk as well as advice leaflets and guidance relating to other food safety legislation requirements.

Further food safety information for businesses can be found on the Council's web-site www.oxford.gov.uk/foodsafety.

Food hygiene training

Food Business Operators must ensure that food handlers in the food business are supervised, instructed and trained in food hygiene matters which correspond with their work activities. Staff preparing open high risk foods should have the equivalent of the CIEH Level 2 Award in Food Safety in Catering.

Details of food hygiene courses run by Oxford City Council can be found on the Council's web-site www.oxford.gov.uk/foodsafety.

Health and safety made simple – the basics for your business

Advice and guidance on how to comply with the law and manage health and safety can be found at www.hse.gov.uk/simple-health-safety

The Health and Safety Executive (HSE) offers information and guidance on a full range of health and safety issues, including access to free publications which they produce. Visit: <http://www.hse.gov.uk/>

Reporting accidents

The Incident Contact Centre (ICC) www.riddor.gov.uk provides information about all RIDDOR reportable incidents and allows you to report accidents, diseases and dangerous occurrences.

The Royal Society for the Prevention of Accidents is involved in the prevention of accidents through publicity, advice, information and training. Visit: <http://www.rosipa.com/>

Food Hygiene Rating Score

Your Food Hygiene Rating Score is calculated using risk scores for compliance with food hygiene and safety procedures, compliance with structural requirements and confidence in management and control procedures in the following way:

Total Score	0 to 15	20	25 to 30	35 to 40	45 to 50	Above 50
Maximum in any section	Up to 5	Up to 10	Up to 10	Up to 15	Up to 20	
Rating Score	5	4	3	2	1	0
Standard Achieved	VERY GOOD	GOOD	GENERALLY SATISFACTORY	IMPROVEMENT NECESSARY	MAJOR IMPROVEMENT NECESSARY	URGENT IMPROVEMENT NECESSARY

FOOD SAFETY REPORT OF INSPECTION

Notes: H = hygiene & safety
S = structure & cleaning
CIM = confidence in management

L = legal requirement
R = recommendation

H/S CIM	ACTIONS / IMPROVEMENTS REQUIRED	L/R
H/S	<p>There was no hot water provided when I arrived. I was told that both the wall mounted heater and the Barco boiler were broken. I was told that the Barco had broken yesterday. When I revisited there was a kettle being used for a temporary hot water supply. There must always be a hot water supply for hygienic hand washing & cleaning. This must be organised before any food preparation takes place at the van. You advised me that you would use the hot water from the basin wastes for cleaning at the end of the night. This is not adequate as a hot water supply and employees could seriously scald themselves if they did use this as a hot water source. Repair or replace the water heater to provide a reliable hot water supply.</p>	L

Timescales: In the meantime, ensure there is an adequate temporary supply in place. Work must be completed by 2 months, when a revisit may be carried out. Please email me to confirm that the works have been completed within the agreed timescale.

Food hygiene rating

Compliance	Risk score	Description
Food hygiene and safety procedures (H)	20	25 - Urgent improvement necessary 20 - Major improvement necessary 15 - Improvement necessary 10 - Satisfactory 5 - Good 0 - Very good
Structural requirements (S)	10	25 - Urgent improvement necessary 20 - Major improvement necessary 15 - Improvement necessary 10 - Satisfactory 5 - Good 0 - Very good
Confidence in management (CIM)	20	30 - Poor 20 - Improvement necessary 10 - Satisfactory 5 - Good 0 - Very good
Overall food hygiene rating	①	5 - Very good 4 - Good 3 - Generally satisfactory 2 - Improvement necessary 1 - Major improvement necessary 0 - Urgent improvement necessary

Food Hygiene Rating

Your food hygiene rating will be published at food.gov.uk/ratings, if no appeal is lodged within 14 days of the notification of your rating. If you appeal, your food hygiene rating will be shown as 'awaiting publication'. Your certificate will be sent to you within 14 days. When certificates and stickers are issued, they remain the property of Oxford City Council and all rights are reserved.

Only the most recent rating must be displayed at any point in time. If a certificate or sticker is used to mislead the public or misrepresent the food business in any way, including by defacing and tampering, this may constitute an offence under trading standards legislation for example an offence under the Consumer Protection from Unfair Trading Regulations 2008, which impose a general prohibition on unfair business practices.

Right to appeal the Food Hygiene Rating

- As the food business operator of the establishment you have a right to appeal the food hygiene rating given following your inspection if you do not agree that the rating reflects the hygiene standards and management controls found at the time of the inspection.
- The food business operator has **14 days (including weekends and bank holidays) from the date of receipt of the notification to lodge an appeal.**
- In the first instance the food business operator should discuss the matter with the inspecting officer to resolve any dispute about the food hygiene rating in an informal manner. The officer should be able to further clarify and explain how it was derived.
- If the dispute is not resolved informally you should complete a Food Hygiene Rating Scheme Appeal form and return it to the Business Regulation Team Manager – contact details are provided on page 2 of this report.
- The Business Regulation Team Manager will review your rating and notify you of the outcome of your appeal within seven days.

Food Hygiene Rating Scheme 'Right to reply'

- As the food business operator of the establishment you have a 'right to reply' in respect of the food hygiene rating given following your inspection.
- The purpose is to enable you to explain subsequent actions that have been taken to make the required improvements as detailed in the inspection report, or to explain the circumstances at the time of the inspection. It is not for making complaints or for criticising the scheme or the officer who carried out the inspection.
- If you wish to use this 'right to reply' please complete a Right to Reply form and return it to the Business Regulation Team Manager – contact details are provided on page 2 of this report.
- Your comments will be reviewed and may be edited in order to remove offensive or defamatory remarks before being published online and displayed together with your food hygiene rating at food.gov.uk/ratings.
- There will be a statement at food.gov.uk/ratings that will highlight the fact that the accuracy of your comments has not been verified by local authority officers.

Food Hygiene Rating Scheme Request for a Re-visit

- As the food business operator of the establishment you have a right to request a re-visit for the purposes of re-rating if you have taken action to rectify the non-compliances identified at the time of inspection.
- You can make one request for a re-visit per each planned statutory inspection by the council and you can make this at any time after the inspection provided that you have made the required improvements.
- You must provide details of the improvements made with your request, including supporting evidence where appropriate.
- If the Business Regulation Team Manager considers that you have provided sufficient evidence that the required improvements have been made, and provided that a three-month 'stand still' period has passed since the statutory inspection, an officer will make an unannounced visit. This will take place within three months of the end of the three-month 'stand still' period or within three months of the request if this is made after the 'stand still' period (if you were only required to make permanent structural improvements or repairs or to upgrade equipment, the council can choose to carry out the requested re-visit sooner than this).
- **The officer will give you a 'new' food hygiene rating based on the level of compliance that is found at the time of the re-visit. You should be aware that your rating could go up, down or remain the same.**
- To make a request for a re-visit, please use a Request for a Re-visit form and return it to the Business Regulation Team Manager – contact details are provided on page 2 of this report.

Forms

If you would like to find out more about the scheme, visit our website at www.oxford.gov.uk/foodsafety and the Food Standards Agency website at <http://ratings.food.gov.uk> where forms for lodging an appeal, for requesting a re-visit and for submitting a 'right to reply' are available. Hard copies of the forms can be obtained from the council by contacting 01865 249811.

L = legal requirement
R = recommendation

Page 23 of 6

FOOD SAFETY REPORT OF INSPECTION

(Continuation Sheet)

Notes: H = hygiene & safety
S = structure & cleaning
CIM = confidence in management

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H/S CIM	ACTIONS / IMPROVEMENTS REQUIRED	L/R
H/ CIM	Staff said that the fridges should run at 18/19°C. Fridges must run below 8°C and staff must know what to do if the temperatures rise above 8°C.	L
CIM	have no food hygiene training and practices seen at the time of the visit suggest very weak knowledge. Supervisors must as a minimum sit the Level 2 in Food Safety or Catering qualification. All of the other food handlers must be trained on the essentials of food hygiene relevant to their role.	L
CIM	— I strongly recommend that all food handlers sit the Level 2 qualification.	L
CIM	I will leave a food business registration form today. This must be completed and returned by the Food Business Operator.	L
CIM	The Food Safety Management System - NCASS Food Safety Risk was poor in areas. I strongly recommend that you obtain and complete the Safer Food Better Business pack for Caterers. This can be printed from the Food Standards Agency free of charge. All relevant sections should be completed. Otherwise, review and amend the NCASS Food Safety Risk Assessment.	L

FOOD SAFETY REPORT OF INSPECTION

(Continuation Sheet)

Notes: H = hygiene & safety
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H/S CIM	ACTIONS / IMPROVEMENTS REQUIRED	L/R
H	The same tongs were being used to handle raw and cooked meat on the grill. Contamination from the raw meat could be passed to the cooked meat if you do this. Ensure that separate tongs are used to handle raw and cooked food or that you clean and disinfect utensils adequately between uses.	L
H	There was bread close to the buckets of raw chicken beneath the grill. Ensure that raw meat and ready to eat foods are stored away from each other to avoid the risk of cross contamination.	L
CIM	The last recorded temperature checks were on Friday 9th August (No date year). Ensure that the temperature records start again.	L
H	On my arrival, employees could not find a food safe disinfectant. When I arrived he found some sanitiser. However, the chemical inside did not match the bottle. You did not know the contact time of the chemical. Food contact surfaces and hard contact surfaces must be sanitised / disinfected by a suitable food safe chemical on an ongoing basis. Ensure that staff know the manufacturer's instructions.	L

FOOD SAFETY REPORT OF INSPECTION

(Continuation Sheet)

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H/S CIM	ACTIONS / IMPROVEMENTS REQUIRED	L/R
H	Ensure all staff have hygienic overclothing.	L
S	Remove the cardboard from the floor. It is not hygienic.	L
S	Dispose of any damaged and frayed fabric cloths. - I strongly recommend that you use the paper towels for cleaning.	L (R)
H/ CIM	Staff suffering from sickness and diarrhoea should not return to work until they have been clear of symptoms for 48 hours for your information.	L/ R
H	Store food containers - polystyrene food containers - off the floor.	L
S	The water supply had run out on my arrival. Ensure that there is adequate water to last the night.	L

FOOD SAFETY REPORT OF INSPECTION

Report of food hygiene visit carried out under the Food Hygiene (England) Regulations 2006 & EC Regulation 852/2004



Business details

Trading name	Harry's Grill
Business address	New Road, Oxford.
Full name of business operator/Ltd Co/Plc (and registered office address)	
Email/Business Tel No	
Name(s) of person(s) seen and position	

Intervention details

Date and time of visit	23/11/13 0140.			
Purpose of visit	Inspection	<u>Revisit</u>	Sampling	Other
Areas inspected (note limitations)	Van			
Records examined	Temperature records.			
Summary of ACTION	<u>Inspection report only</u> / Letter / Hygiene Improvement Notice / Voluntary Closure / Emergency Closure			

Local authority and inspecting officer details

Signed	Name in capitals
Designation of officer	Environmental Health Officer
Business Regulation Team, St Aldate's Chambers, 109 St Aldate's, Oxford OX1 1DS	Tel: 01865 Email: _____@oxford.gov.uk
Signed by Food Business Operator/Representative I undertake to complete all works within the stated compliance period or pass this information on to FBO as soon as possible	Name in capitals

FOOD SAFETY REPORT OF INSPECTION

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FOOD SAFETY REPORT OF INSPECTION

(Continuation Sheet)

Notes: H = hygiene & safety
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H/S CIM	ACTIONS / IMPROVEMENTS REQUIRED	L/R
H	The hand dryer is now working. However, the water was tepid when I arrived. Ensure that hot water is always available.	L
H	Ensure that you can wash your hands with warm water eg. by using a plug in the wash hand basin. You were using cold water from a bottle to wash hands.	L
H	Ensure has an apron.	L
S	Dispose of frayed cloths.	L
CIM	Ensure staff are adequately trained eg to Level 2 in food safety in catering standard. This must happen as soon as possible.	L
Timescale: Immediately and ongoing.		

Environmental Development

Direct Line: 01865

Fax: 01865 252344

E-mail:

Oxford Town Hall

St. Aldate's

Oxford OX1 1BX

Central Number: 01865 249811

Appendix E

www.oxford.gov

17th March 2015

Dear Sir,

REGULATION (EC) 852/2004**FOOD SAFETY AND HYGIENE (ENGLAND) REGULATIONS 2013****RE: ROUTINE FOOD HYGIENE INSPECTION AT HARRY'S GRILL, MOBILE FOOD BUSINESS TRADING ON NEW ROAD (ADJACENT TO THE MALMAISON ENTRANCE TO THE CASTLE COMPLEX), OXFORD**

Further to my inspection of the above premises on 14th March 2015 the matters on the attached schedules are in need of your attention. I was very disappointed to see similar poor standards at the premises as my last inspection, especially following the free coaching the business received from a Food Standard Agency representative on 4th October 2014. At the time of my visit you voluntarily agreed to close until food safety conditions had improved.

Schedule A relates to contraventions of the legislation specified. Please read these carefully. Ensure that points 1-4 are completed before you trade again. Contact me to let me know when the hot water is fixed, as I will need to be satisfied this in place before you next trade. The remaining works must be completed within 1 month of the date of this letter unless otherwise stated. Please confirm in writing or by e-mail when these actions have been attended to.

Schedule B contains a basic checklist of the works required in Schedule A for quick reference.

Food Hygiene Rating Scheme

Please note that we operate the Food Hygiene Rating Scheme. The scheme is a Food Standards Agency initiative to provide consumers with at-a-glance information about hygiene standards in food businesses found during planned inspections. The aim is to help them to make informed choices about where they eat out or shop for food. **You will be awarded a rating of 0 – Urgent Improvement Necessary.** Further information on the scheme and details regarding Food Hygiene Scheme Appeals and Revisits can be found at www.food.gov.uk/hygieneratings and www.oxford.gov.uk.

P.T.O.

If you would like to discuss any issues arising from the inspection or this letter please do not hesitate to contact me.

If you consider any of the work required in this letter is unreasonable please contact my Team Manager on 01865

Yours faithfully,

Environmental Health Officer

Cc.

Schedule A: Contraventions

Name & Address of Business: Harry's Grill, Trading at New Road (adjacent to Castle complex Malmaison entrance), Oxford

Date of Inspection: 14th March 2015

Inspecting Officer:

HYGIENE AND SAFETY

1. Hot Water, Hand Washing and Equipment Washing

When I arrived at the mobile there was no hot water available for hand washing or washing equipment and the mobile was already actively trading. The wall mounted water heater was broken - I was told it had broken last week. Staff advised me that when they had filled the Burco boiler and the water had heated, they would wash their hands directly beneath the Burco boiler tap. This would present an unacceptable risk of scalding. The tap on the Burco boiler did not align with either sink meaning water would not hygienically drain and the tap was faulty. There was no means of transferring hot or cold water to the basin easily and safely and there was no plug available at the wash hand basin to mix water to a comfortable temperature for hand washing. In addition, there was no hand wash soap. I saw no evidence of any hand washing taking place on the vehicle. Neither could hygienic hand washing take place.

Availability of hot water for equipment and hand washing and good hand hygiene are two prerequisites for food safety and there seemed to be little appreciation of this. If the water heater had broken a week ago as indicated, there would have been sufficient time to have the water heater fixed before the next working night or come up with another suitable alternative.

You must ensure that:

- There is always a suitable and sufficient hot water supply to the mobile.
- The hot water supply is made available before any food handling.
- There are adequate facilities for hygienic hand washing and equipment washing, including soap for hand washing
- I suggest the simplest and most hygienic way of ensuring adequate hand washing and equipment facilities is to repair the broken wall mounted heater and to ensure that warm water is directly plumbed to the sinks. The water must not be too hot that it could scald people or discourage people from using.
- If you need to use hot water from the burco boiler for hand washing and equipment washing, there must be a safe way of transferring hot and cold water to the wash hand basin and mixing it to a comfortable temperature, e.g. by using a plug.

Regulation (EC) No 852/2004 Annex II Chapter III paras 1 and 2

2. Cross Contamination

- a) There was a bucket of raw meat on the floor next to bread.
- b) There was grated cheese next to raw defrosting burgers under the display fridges

If raw and ready to eat foods are stored and handled close to each other, there is a much higher risk of cross contamination from the raw meat to the ready to eat food. As little as one drop of blood can contain enough bacteria to cause someone to be ill. Raw and ready to eat foods must be kept as separate as possible. Keep the cheese in the fridge and raw meat away from bread.

Regulation (EC) No 852/2004 Annex II Chapter III paras 1 and 2, Regulation (EC) 852/2004 Article 5 para 1, Regulation (EC) No 852/2004 Annex II Chapter IX para 3

3. Disinfection

- a) The outside of the potable water containers were dirty and I was told the water containers are never cleaned or disinfected. Bacteria will grow inside water containers that aren't cleaned and disinfected. Therefore, water containers must be cleaned and disinfected on an ongoing basis, e.g. with Milton's sterilizing solution or similar once a week.
- b) The main surface cleaner in use was not food safe and could chemically contaminate food. I was shown a bottle of spray and was told that this was sanitiser spray that had been filled at a couple of weeks ago. The outside of the sanitiser bottle was filthy with encrusted dirt and hair. There were no instructions on contact time etc. on the product. A suitable food safe disinfectant or sanitiser spray must always be available on the mobile to disinfect hand contact surfaces and food contact surfaces. The manufacturer's instructions must always be followed.
- c) I was told disinfectant probe wipes are usually used on the probe thermometer, but you could not find these. The probe was used to demonstrate taking hot hold temperatures without being cleaned or disinfected. Probe thermometers must be disinfected before use, e.g. with a food safe disinfectant probe wipe to ensure they don't contaminate food.

Regulation (EC) No 852/2004 Annex II Chapter V Para 1

4. Temperature control

a) Fridge temperatures

- i. The temperature of cheese in the tall fridge was 8.6°C
- ii. The air temperature of the display fridge closest to the burco boiler was taken at 14°C and the temperature of cooked chicken was measured at 10.4°C
- iii. Grated cheese was being stored under the display fridge out of temperature control. I was advised that this was because it was easier to store. The cheese was moved into the fridge during the visit.

High risk, chilled food must legally be kept below 8°C. Staff thought the legal maximum fridge temperature was 11°C.

I was told that staff read the temperature of the display fridge from the digital dial. I strongly recommend that a probe thermometer is used to check fridge temperatures rather than the dial, as temperature displays are more likely to become faulty and display fridges are more prone to developing warm spots and cold spots.

Food Safety and Hygiene (England) Regulations 2013 Schedule 4 para 2 (1)

b) Hot Holding

The air temperature of the bain marie was taken at 46°C and food was probed at 59.5°C. I was told that food would rarely be kept long in the bain marie. I was told that temperature checks were made of the hot held food and that hot held food should be kept above 70°C. Your written hot holding temperatures had stopped in September. The old temperature records recorded temperatures below 70°C.

Hot held food must be kept above 63°C unless you have a system to ensure hot held food is never kept longer than 2 hours. Checks must be in place to ensure safe hot holding temperatures.

Food Safety and Hygiene (England) Regulations 2013 Schedule 4 para 6

Regulation (EC) No 852/2004 Annex II Chapter III para 2

CONFIDENCE IN MANAGEMENT

5. Food Safety Management System (FSMS) and Training

I was shown the NCASS folder on the mobile. The monitoring pages in the NCASS book had been used until September, but when the pages had run out you had started recording fridge and freezer temperature in a notebook three times a day. The first temperature of the day was read at 18:30 when the van isn't trading. When I asked when and where this temperature was taken I was advised after some confusion that this was the temperature taken back at the shop. The 18:30 check had not been recorded for the day of the inspection. No hot food, reheating or hot holding temperatures had been recorded since September. I am not confident that temperature checks are being made and recorded accurately for this mobile. The purpose of temperature checks is that any problems that could impact on food safety are identified quickly and appropriately acted upon.

Based on the other failures in this letter and on the basis that many of the same food safety failings from my last inspection were again found and remain unaddressed, my confidence in the management of this business is very poor.

You must ensure there is a satisfactory documented food safety management system at the premises based on the principles of HACCP. This system must be followed in practice on the mobile and to do that staff must be trained on the system relevant to their role. Adequate food safety checks must be put in place, to manage potential food safety risks.

I suggest the easiest way of doing this is as follows:

- Obtain and complete the Safer Food Better Business (SFBB) Caterers pack. All relevant white boxes need to be completed in the '4 C's' and 'Management' sections. You can collect a free copy of the SFBB pack from the Council if you contact me. The SFBB splits information into easy bitesize pieces by topic.
- Train all staff on the procedures in the SFBB, to ensure they are following good hygiene practice
- Alongside the SFBB, you must also keep satisfactory food safety monitoring records. I suggest you record:
 - One cooked food temperature check per night
 - One hot holding temperature check per night
 - One fridge temperature check from each appliance per night.

All the staff need to know what to do if the temperature check shows there is a problem, e.g. move food to a different fridge, cook food for longer etc.

If you wish to comply in another way, please contact me to discuss.

Regulation (EC) 852/2004 Article 5 para 1

If this is not complied with, a Hygiene Improvement Notice will be served.

6. Staff Training

The knowledge demonstrated by _____ and _____ in answers to my questions and practices found on the mobile at the time of my inspection was poor.

_____ and _____ and any others with poor food safety knowledge must sit the Level 2 in Food Safety in Catering qualification or equivalent to be able to demonstrate understanding of the following areas:

- Food poisoning – micro-organisms types and sources
- Simple microbiology, toxins, spores, growth and death
- Premises and equipment

- Common food hazards – physical, chemical and microbiological
- Personal hygiene – basic rules and responsibilities
- Preventing food contamination
- Food poisoning – symptoms and causes
- Cleaning and disinfection
- Legal obligations
- Pest control
- Effective temperature control of food, for example storage, thawing, reheating and cooking.

Regulation (EC) No 852/2004 Annex II Chapter XII para 1

If this is not complied with, a Hygiene Improvement Notice will be served.

I suggest that you will gain most use from classroom based training rather than e-training. Staff must be able to retain food safety knowledge and be able to put this into practice on the mobile. Please forward copies of the training certificates to me after completion.

7. Food Business Registration and Supervision

I saw no evidence on my recent inspection or my previous inspection that _____ is involved in running or supervising any element of this business. The food is delivered to, stored and prepared at _____ and the staff are connected to this business.

All food business operators must ensure that local authorities have up to date and accurate information on food businesses. Whether or not _____ is the food business operator, you must submit a new food business registration form for this business, as we do not hold one. It can be completed free of charge and quickly at this link – www.oxford.gov.uk/foodsafety *Regulation (EC) No 852/2004 Article 6 Paras 1 and 2*

If _____ is the food business operator, then he must be aware that he is responsible for complying with food safety regulations and would be the person any formal legal action would be taken against. If _____ is the food business operator, then supervision and management must be vastly improved on the mobile.

Regulation (EC) 852/2004 Article 5 para 1

STRUCTURE AND CLEANING

8. Broken Fridge

When I opened the door to the tall fridge, the door fell towards me hanging on one hinge. The door must be repaired. *Regulation (EC) 852/2004 Article 5 para 1*

9. Cleaning

Hand contact surfaces on the mobile such as the fridge handle were dirty. Food contact surfaces and hand contact surfaces, must be cleaned and disinfected on an ongoing basis. *Regulation (EC) No 852/2004 Annex II Chapter V Para 1*

Schedule B: Basic checklist of suggested works that will allow you to comply with Schedule A

Name & Address of Business: Harry's Grill, Trading at New Road (adjacent to Castle complex Malmaison entrance), Oxford

Date of Inspection: 14th March 2015

Inspecting Officer:

Please refer to Schedule A for a full list of legal requirements, but the below will provide you with a quick reference checklist.

	Action	
1	Fix hot water unit to provide hot water to the sinks	
2	Ensure there is hand wash soap at the wash hand basin	
3	Ensure staff switch on the hot water before handling food	
4	Ensure staff are washing their hands regularly	
5	If the Burco has to be used to heat water for hand washing and equipment washing, then provide a plug for the wash hand basin and a container to transfer hot and cold water safely to the wash hand basin	
6	Ensure that you have a food safe surface disinfectant/sanitiser spray, to use regularly on food contact surfaces and hand contact surfaces. Staff must know the contact time. Keep cleaning materials clean.	
7	Keep water containers clean and clean and disinfect the inside of water containers once a week	
8	Ensure there is enough water on the vehicle for the whole evening	
9	Cold, high risk food must be kept below 8°C. Adequate temperature checks must be in place to make ensure this is the case	
10	Hot held food must be kept above 63°C. Adequate temperature checks must be in place to ensure this.	
11	Foods cooked for the first time or reheated must reach a core temperature of 75°C or equivalent	
12	Good practices must be put in place on the mobile to ensure that there is no cross contamination. Raw food must never be stored above or next to ready to eat food. Equipment must not be used for both raw and ready to eat food unless you can clean and disinfect in between uses. People must maintain good personal hygiene to ensure they don't spread bacteria.	
13	Obtain and complete the Safer Food Better Business (SFBB) Caterer's pack. Contact me to collect a copy.	
14	Use your probe thermometer to make food temperature checks on the mobile. Record one hot food temperature check per night (food cooked for the first time), one hot holding temperature per night and one temperature check of each of the fridges per night.	
15	Ensure that all food handlers have food hygiene knowledge equivalent to the Level 2 in Food Safety in Catering.	
16	Ensure that there is adequate supervision of food safety on the mobile.	
17	The food business operator must complete a new food business registration form	
18	Repair the broken fridge door	

FOOD SAFETY REPORT OF INSPECTION

Report of food hygiene visit carried out under the Food Hygiene (England) Regulations 2006 & EC Regulation 852/2004



Business details

Trading name	Harry's Grill
Business address	Trading on New Road, Oxford
Full name of business operator/Ltd Co/Plc (and registered office address)	
Email/Business Tel No	
Name(s) of person(s) seen and position	

Intervention details

Date and time of visit	14/03/2015 2300			
Purpose of visit	Inspection	Revisit	Sampling	Other
Areas inspected (note limitations)	Van			
Records examined	WCASS folder, old records, fridge temperature log.			
Summary of ACTION	Inspection report only/Letter/Hygiene Improvement Notice/Voluntary Closure/Emergency Closure Letter and probably legal notices to follow.			

Local authority and inspecting officer details

Signed	Name in capitals
Designation of officer	Environmental Health Officer
Business Regulation Team, St Aldate's Chambers, 109 St Aldate's, Oxford OX1 1DS	Tel: 01865 252____ Email: _____@oxford.gov.uk
Signed by Food Business Operator/Representative I undertake to complete all works within the stated compliance period or pass this information on to FBO as soon as possible	Name in capitals

FOOD SAFETY REPORT OF INSPECTION

Notes for information

This report only covers the matters discussed and/or the areas inspected at the time of the visit. It does not indicate compliance with any provision of the food legislation or of any other legislation.

This is not a legal Notice; however you must comply with all mandatory items listed overleaf within the stated compliance period. If such Notices are required this will be indicated in the 'Summary of Action' section.

If you are unclear about what is required, or find that you are unable to carry out any of the works, please contact the Officer named on the front page at the address or telephone number shown.

In the case of dispute or if you disagree with the actions taken please contact Mrs Lesley Rennie – Business Regulation Team: Tel. 01865 252836 or lrennie@oxford.gov.uk

Food safety management

It is now a legal requirement for all food businesses to put in place food safety management procedures- based on the principles of HACCP (hazard analysis and critical control points). If you run a food business you must keep records relating to these procedures.

To help small businesses meet these requirements the Food Standards Agency has developed a pack called Safer Food Better Business. Detailed practical information, including packs and diary refills can be found on the Food Standards Agency web-site www.food.gov.uk as well as advice leaflets and guidance relating to other food safety legislation requirements.

Further food safety information for businesses can be found on the Council's web-site www.oxford.gov.uk/foodsafety.

Food hygiene training

Food Business Operators must ensure that food handlers in the food business are supervised, instructed and trained in food hygiene matters which correspond with their work activities. Staff preparing open high risk foods should have the equivalent of the CIEH Level 2 Award in Food Safety in Catering.

Details of food hygiene courses run by Oxford City Council can be found on the Council's web-site www.oxford.gov.uk/foodsafety.

Health and safety made simple – the basics for your business

Advice and guidance on how to comply with the law and manage health and safety can be found at www.hse.gov.uk/simple-health-safety

The Health and Safety Executive (HSE) offers information and guidance on a full range of health and safety issues, including access to free publications which they produce. Visit: <http://www.hse.gov.uk/>

Reporting accidents

The Incident Contact Centre (ICC) www.riddor.gov.uk provides information about all RIDDOR reportable incidents and allows you to report accidents, diseases and dangerous occurrences.

The Royal Society for the Prevention of Accidents is involved in the prevention of accidents through publicity, advice, information and training. Visit: <http://www.rosopa.com/>

Food Hygiene Rating Score

Your Food Hygiene Rating Score is calculated using risk scores for compliance with food hygiene and safety procedures, compliance with structural requirements and confidence in management and control procedures in the following way:

Total Score	0 to 15	20	25 to 30	35 to 40	45 to 50	Above 50
Maximum in any section	Up to 5	Up to 10	Up to 10	Up to 15	Up to 20	
Rating Score	5	4	3	2	1	0
Standard Achieved	VERY GOOD	GOOD	GENERALLY SATISFACTORY	IMPROVEMENT NECESSARY	MAJOR IMPROVEMENT NECESSARY	URGENT IMPROVEMENT NECESSARY

FOOD SAFETY REPORT OF INSPECTION

Notes: H = hygiene & safety
S = structure & cleaning
CIM = confidence in management

L = legal requirement
R = recommendation

H/S CIM	ACTIONS / IMPROVEMENTS REQUIRED	L/R
	<p>For the second inspection in a row there was no hot water in the van while the van was trading. In addition, there was evidence of poor food safety knowledge including lack of knowledge around safe food temperatures and a lack of appreciation of cross contamination. The management of food safety on this mobile is inadequate. Further correspondence will follow on this matter.</p> <p>You have agreed to close voluntarily tonight until improvements have been made. The most important first step is to repair the hot water supply to the van.</p>	

Timescales: I will be in contact next week.

Work must be completed by _____, when a revisit may be carried out.

Please email me to confirm that the works have been completed within the agreed timescale.

Food hygiene rating

Compliance	Risk score	Description
Food hygiene and safety procedures (H)	25 - Urgent improvement necessary 20 - Major improvement necessary 15 - Improvement necessary	10 - Satisfactory 5 - Good 0 - Very good
Structural requirements (S)	25 - Urgent improvement necessary 20 - Major improvement necessary 15 - Improvement necessary	10 - Satisfactory 5 - Good 0 - Very good
Confidence in management (CIM)	30 - Poor 20 - Improvement necessary 10 - Satisfactory	5 - Good 0 - Very good
Overall food hygiene rating	5 - Very good 4 - Good 3 - Generally satisfactory	2 - Improvement necessary 1 - Major improvement necessary 0 - Urgent improvement necessary

Food Hygiene Rating

Your food hygiene rating will be published at food.gov.uk/ratings, if no appeal is lodged within 14 days of the notification of your rating. If you appeal, your food hygiene rating will be shown as 'awaiting publication'. Your certificate will be sent to you within 14 days. When certificates and stickers are issued, they remain the property of Oxford City Council and all rights are reserved.

Only the most recent rating must be displayed at any point in time. If a certificate or sticker is used to mislead the public or misrepresent the food business in any way, including by defacing and tampering, this may constitute an offence under trading standards legislation for example an offence under the Consumer Protection from Unfair Trading Regulations 2008, which impose a general prohibition on unfair business practices.

Right to appeal the Food Hygiene Rating

- As the food business operator of the establishment you have a right to appeal the food hygiene rating given following your inspection if you do not agree that the rating reflects the hygiene standards and management controls found at the time of the inspection.
- The food business operator has **14 days (including weekends and bank holidays) from the date of receipt of the notification to lodge an appeal.**
- In the first instance the food business operator should discuss the matter with the inspecting officer to resolve any dispute about the food hygiene rating in an informal manner. The officer should be able to further clarify and explain how it was derived.
- If the dispute is not resolved informally you should complete a Food Hygiene Rating Scheme Appeal form and return it to the Business Regulation Team Manager – contact details are provided on page 2 of this report.
- The Business Regulation Team Manager will review your rating and notify you of the outcome of your appeal within seven days.

Food Hygiene Rating Scheme 'Right to reply'

- As the food business operator of the establishment you have a 'right to reply' in respect of the food hygiene rating given following your inspection.
- The purpose is to enable you to explain subsequent actions that have been taken to make the required improvements as detailed in the inspection report, or to explain the circumstances at the time of the inspection. It is not for making complaints or for criticising the scheme or the officer who carried out the inspection.
- If you wish to use this 'right to reply' please complete a Right to Reply form and return it to the Business Regulation Team Manager – contact details are provided on page 2 of this report.
- Your comments will be reviewed and may be edited in order to remove offensive or defamatory remarks before being published online and displayed together with your food hygiene rating at food.gov.uk/ratings.
- There will be a statement at food.gov.uk/ratings that will highlight the fact that the accuracy of your comments has not been verified by local authority officers.

Food Hygiene Rating Scheme Request for a Re-visit

- As the food business operator of the establishment you have a right to request a re-visit for the purposes of re-rating if you have taken action to rectify the non-compliances identified at the time of inspection.
- You can make one request for a re-visit per each planned statutory inspection by the council and you can make this at any time after the inspection provided that you have made the required improvements.
- You must provide details of the improvements made with your request, including supporting evidence where appropriate.
- If the Business Regulation Team Manager considers that you have provided sufficient evidence that the required improvements have been made, and provided that a three-month 'stand still' period has passed since the statutory inspection, an officer will make an unannounced visit. This will take place within three months of the end of the three-month 'stand still' period or within three months of the request if this is made after the 'stand still' period (if you were only required to make permanent structural improvements or repairs or to upgrade equipment, the council can choose to carry out the requested re-visit sooner than this).
- **The officer will give you a 'new' food hygiene rating based on the level of compliance that is found at the time of the re-visit. You should be aware that your rating could go up, down or remain the same.**
- To make a request for a re-visit, please use a Request for a Re-visit form and return it to the Business Regulation Team Manager – contact details are provided on page 2 of this report.

Forms

If you would like to find out more about the scheme, visit our website at www.oxford.gov.uk/foodsafety and the Food Standards Agency website at <http://ratings.food.gov.uk> where forms for lodging an appeal, for requesting a re-visit and for submitting a 'right to reply' are available. Hard copies of the forms can be obtained from the council by contacting 01865 249811.