

Agenda

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Licensing and Registration Sub Committee

(Meeting adjourned from 20th March 2012)

Date: **Tuesday 17 April 2012**

Time: **5.00 pm**

Place: **Council Chamber, Town Hall**

For any further information please contact:

Lois Stock, Democratic Services Officer

Telephone: 01865 252275

Email: lstock@oxford.gov.uk

Licensing and Registration Sub Committee

Membership

Chair

Vice-Chair

Councillor Clark Brundin

North;

Councillor Colin Cook

Jericho and Osney;

Councillor Michael Gotch

Wolvercote;

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AGENDA

Pages

1 APOLOGIES FOR ABSENCE

2 DECLARATIONS OF INTEREST

3 APPLICATION FOR A RENEWAL OF A STREET TRADING
LICENCE - MISS ARZU DE JESUS NEVES

1 - 16

Report of the Head of Environmental Development attached.

The Sub Committee is asked to determine an application to renew a street trading consent.

Please note that this application was adjourned from the meeting held on 20th March 2012.

4 MATTERS EXEMPT FROM PUBLICATION

If the Sub Committee wishes to exclude the press and the public from the meeting during consideration of any aspects of the preceding agenda items it will be necessary for the Sub Committee to pass a resolution in accordance with the provisions of Section 100A(4) of the Local Government Act 1972 specifying the grounds on which their presence could involve the likely disclosure of exempt information as described in specific paragraphs of Part 1 of Schedule 12A of the Act if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

DECLARING INTERESTS

What is a personal interest?

You have a personal interest in a matter if that matter affects the well-being or financial position of you, your relatives or people with whom you have a close personal association more than it would affect the majority of other people in the ward(s) to which the matter relates.

A personal interest can affect you, your relatives or people with whom you have a close personal association positively or negatively. If you or they would stand to lose by the decision, you should also declare it.

You also have a personal interest in a matter if it relates to any interests, which you must register.

What do I need to do if I have a personal interest?

You must declare it when you get to the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you. You may still speak and vote unless it is a prejudicial interest.

If a matter affects a body to which you have been appointed by the authority, or a body exercising functions of a public nature, you only need declare the interest if you are going to speak on the matter.

What is a prejudicial interest?

You have a prejudicial interest in a matter if;

- a) a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgment of the public interest; and
- b) the matter affects your financial interests or relates to a licensing or regulatory matter; and
- c) the interest does not fall within one of the exempt categories at paragraph 10(2)(c) of the Code of Conduct.

What do I need to do if I have a prejudicial interest?

If you have a prejudicial interest you must withdraw from the meeting. However, under paragraph 12(2) of the Code of Conduct, if members of the public are allowed to make representations, give evidence or answer questions about that matter, you may also make representations as if you were a member of the public. However, you must withdraw from the meeting once you have made your representations and before any debate starts.

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To: Licensing & Registration Sub Committee

Date: 20th March 2012 **Item No:**

Report of: Head of Environmental Development

Title of Report: Application for the renewal of a Street Trading Consent – Miss Arzu De Jesus Neves

Summary and Recommendations

Purpose of report: To seek determination of an application to renew a Street Trading Consent.

Report Approved by:

Finance: Paul Swaffield

Legal: Daniel Smith

Policy Framework: Street Trading Policy
A vibrant and sustainable economy

Recommendation(s):

Licensing & Registration Sub Committee is requested to determine the application for the renewal of the Street Trading Consent made by Miss De Jesus Neves for Street Trading Site 5 located at the junction of New Inn Hall Street and Queen Street; taking into account the details in this report and any representations made at this Sub Committee meeting.

The Application

1. An application has been submitted to renew the Street Trading Consent for the period 1st April 2012 to 31st March 2013 for street trading site 5 located at the junction with New Inn Hall Street and Queen Street, Oxford. The applicant is Miss De Jesus Neves (Appendix A).

2. Miss De Jesus Neves currently holds the Street Trading Consent under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 4 authorising the sale of hot food and drinks. The renewal is being referred to the Sub Committee in accordance with the Street Trading Policy as the consent holder has not traded during the last year.

Legislative Background/Legal Framework

3. In 1986 the Council resolved that Schedule 4 to the local Government (Miscellaneous Provisions) Act 1982 should apply to its area. Under Schedule 4 of the Act the Council can manage street trading by designating streets as “consents streets”, “licence streets” or “prohibited streets”. The street trading site in question is on a street designated as a "consent street". The Sub Committee may grant a consent if it “thinks fit”. A consent may be granted for a maximum of one year and may be revoked at any time. When exercising this general power Members should only take into account relevant considerations; must give applicants a fair hearing and should give reasons for their decision.
4. The Sub Committee may attach any conditions to a consent that it considers “reasonably necessary”.

Policy Considerations

5. The Street Trading Policy was adopted by Council in July 2010 and came into force on 1st January 2011 for existing traders. Paragraph 5.7 of the Policy states:

“5.7 Applicants should resubmit their application if they wish to continue to trade at least one month before the expiry of their current consent. At this renewal time, the Council may consult further to determine if the street trader is a cause for concern or has been the subject of complaints.”

6. The Council's Corporate Plan 2011-15 identifies the promotion of a *vibrant, sustainable economy* as a priority.

Reasons for Referral to Licensing & Registration Sub Committee

7. This application has been referred to Sub Committee in accordance with paragraph 5.7 of the policy due to Miss Neves failure to take up her street trading consent and trade from the site. The site is a prime location for street trading and we have received a number of enquires for it.
8. In June 2010 Environmental Health Officers carried out a food hygiene inspection of Miss Neves' kebab van and found it unsatisfactory – please see food hygiene inspection report at Appendix B. General condition 8 for annual street trading consents states:

“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 and the Food Safety Regulations 1995”

9. Shortly after that inspection the van was seriously damaged through an arson attack and is not fit for use for street trading. In February 2011 Miss Neves’ renewal application for a street trading consent was granted on the understanding that although she was going through personal difficulties the damaged van would be replaced in a reasonable amount of time – please see letter at Appendix C. A replacement van has not been purchased to date.

Financial Implications

10. The Council collects fees for the Street Trading function. Predicted income from licence fees are included in the Council’s budget.

Legal Implications

11. Street Traders cannot be said to enjoy security of tenure. There is no legitimate expectation in law that a consent will be indefinitely renewed and there is no requirement for the Council to give compensation for the loss of any consent (other than any refund of consent fees paid in advance). However, any decision to terminate a street trading consent or refuse an application may be subject to judicial review and if the decision were held to be unreasonable then compensation may result.
12. Any decision to revoke a consent or refuse a renewal application must be proportionate taking into account all relevant circumstances and the applicants, or consent holder’s, right to a fair hearing. An application should not be refused, or consent revoked, arbitrarily or without clear reasons.

Human Rights Act Considerations

13. Article 1 of the first Protocol of the European Convention on Human Rights provides that every person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law. However, a street trading consent is not considered a possession in law and the protection in Article 1 is therefore not directly engaged.
14. Nevertheless, with the advice of Law & Governance and in the interests of fairness, the Licensing Officer has taken the Human Rights Act 1998 into account and considers that the potential interference with the rights of the applicant would be proportionate, in the public interest and subject to the conditions provided for by law.

Name and contact details of author: Dawn Cox
Tel: 01865 252375
Email: dcox@oxford.gov.uk

Background papers: Appendix A – Application form
Appendix B – Food hygiene inspection report
Appendix C – Letter to Miss Neves

Version number: 1

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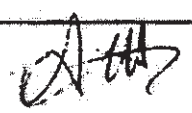


Application for the Renewal of a Street Trading Consent

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.

Title:		
Surname:	MISS	
Forenames:	DE JESUS NEVES	
Home Address:	AR2U	
Postcode:		
Telephone Numbers:	Home:	
Email address:	Mobile:	
National Insurance Number:		
Description of articles to be sold:	Hot food + drinks.	
Address where the vehicle/trailer will be stored when not in use:		

Current Street Trading Consent Reference Number:	
Proposed days and times of trading:	Days: 6.30 → 3am. Times:
Vehicle registration number, make and model: (if applicable)	
Will you be the sole operator of the vehicle or stall?	Yes or No
If no please state the number of employees: (Please complete an employee form for each employee. Employee forms can be found on our website www.oxford.gov.uk on the street trading page.)	
Declaration	
<p>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.</p> <p><i>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.</i></p> <p>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.</p>	
Name of Applicant:	
Signed: 	Date: 8.02.2012

Please return this form complete with the following supporting documents:

1. Copies of up to date Food Hygiene Training certificate of level 2 or higher for you and/or your staff
2. Public Liability Insurance
3. 2 x Proof of address
4. Proof of right to work in the UK
5. Employee forms (if applicable)
6. Licensed waste carrier agreement
7. Gas safety certificate

For further guidance, please see the attached checklist. Incomplete applications will be returned to the applicant.

Environmental Development
Direct Line: 252 376
Fax: 252 344
E-mail: rkuziara@oxford.gov.uk

Arzu Neves

17th June 2010

Dear Mrs Neves,

Re: Kebab Emporium, 35 Rymers Lane, Oxford, OX4 3JU

Further to our meetings and my three inspections of your catering van, on the 9th and 10th June 2010, I was concerned to find very poor standards of hygiene and safety. The matters on the attached schedules are in need of your urgent attention.

Schedule A relates to contraventions of the legislation specified. Please read these carefully and ensure the works required are completed by the 9th August 2010.

Please note that improvement notices made under the Food Hygiene (England) Regulations 2006 and the Health and Safety at Work etc. Act 1974 have been served which also require you to complete the works specified by the 9th August 2010. A failure to do so in the absence of an appeal being lodged is an offence which will be referred to the City Solicitors Department with a view to prosecution. Details of appeal and other provisions are given on the reverse of the notices and in the enclosed leaflets.

Please confirm in writing or by e-mail when these actions have been attended to.

Schedule B relates to items that although not classified as contraventions are considered to be good practice. I recommend that you incorporate these into your general operation.

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 Lesley Rennie on 01865 252 836.

Yours sincerely,

Richard Kuziara
Environmental Health Officer

cc. Andy Thomson, Street Trading Officer, Environmental Development, Ramsay House, 10 St. Ebbes Street, Oxford, OX1 1PT

Schedule A: Contraventions

Name & Address of Business: Kebab Emporium

Date of Inspection: 9th June 2010

Inspecting Officer: Richard Kuziara

Food Registration

- 1 **A food registration form must be completed for the business.** The enclosed 'Application Form for Registration of Food Premises' must be fully completed and returned to me at the above address. Should any significant changes occur in the business, such as a change of ownership or activity, this department must be notified. *Regulation (EC) No 852/2004 Article 6 Paragraphs 1 and 2.*

Food Safety Management

- 2 **The safe methods in the Safer Food Better Business pack were only partially completed and the diary was not being used. At the time of my inspection, you were unable to identify significant food safety hazards in the business or define what measures were in place to control them.** To provide a clear record of the practices and procedures necessary to ensure that food sold to your customers is safe the Safer Food Better Business pack must be fully completed. The pack must:
- (a) identify all the things in your food operation which might go wrong (hazards) and result in food poisoning or cause injury, (e.g. the transfer of bacteria from raw to cooked meat, or the presence of foreign material such as glass or plastic in food);
 - (b) decide the points in the food operation at which things can go wrong (e.g. places where cross-contamination between raw foods and ready-to-eat products may occur);
 - (c) decide which of these points are critical to making sure food is safe, and therefore must be properly controlled (e.g. the cooking of raw meat or the use of sanitised equipment);
 - (d) put in place procedures to stop things going wrong (controls), and make sure that you/your staff always carry them out (e.g. ensuring that equipment has been cleaned and sanitized at proper and regular intervals);
 - (e) from time to time, you must examine your food business to see if anything has changed which might need your control measures to change (e.g. new menu dishes may have new hazards and need new controls, or new equipment may require different thermostat settings).

Regulation (EC) 852/2004 Article 5 Paragraphs 1 and 2. Please refer to the attached improvement notice.

Food Hygiene Training

- 3** *You have not received any formal food hygiene training for at least five years and appear to have forgotten the majority of what you were taught. To ensure that you and your staff are aware of current food hygiene requirements and good practice you must receive hygiene training to Level 2 standard (formerly known as Basic/Foundation Level). Regulation (EC) No 852/2004 Annex II Chapter XII Paragraph 1. Please refer to the attached improvement notice. Please find enclosed a leaflet detailing food hygiene courses that this department organises.*

Fitness to Work

- 4** *You were unsure when a food handler could return to work after being ill with an infectious disease, such as food poisoning. To prevent the spread of infectious diseases you must ensure that all food handling staff are aware that they cannot return to work until they have been free of symptoms for 48 hours or medical clearance has been obtained. Regulation (EC) 852/2004 Annex II Chapter VIII Paragraph 2.*

Pest Control

- 5** *At the time of my initial inspection, left over food from the previous evening was still evident in the servery counter, on the griddle and in the bain-marie. So as not to attract pests any left over food must be disposed and the van must be thoroughly cleaned down at the end of each shift. Regulation (EC) No 852/2004 Annex II Chapter VI Paragraph 1.*
- 6** *Rodent burrows were evident beneath the dry goods storage shed and some of the other outbuildings in the back garden. To reduce the risk of rats getting into the dry goods storage shed the infestation must be treated by a competent person. Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 4.*
- 7** *Holes and gaps of sufficient size for rodents to pass through were evident in the dry goods storage shed in the back garden. To reduce the risk of rodents entering the shed any holes and gaps must be suitably pest proofed. Regulation (EC) No 852/2004 Annex II Chapter I Paragraph 2 (c).*

Food Storage

- 8** *At the time of my initial inspection, large amounts of high-risk ready to eat food had been left out in the van at ambient temperature and all of the food in the freezers had been allowed to defrost. To avoid the growth of food poisoning bacteria and the development of toxins high-risk foods, which require chilling must be stored at or below 8 °C. After thawing any food that has been defrosted must be kept at or below 8 °C and not be re-frozen. Food Hygiene (England) Regulations 2006 Schedule 4 Paragraph 2 (1) and Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 7. The recommended temperature for the storage of frozen foods is -18 °C.*

- 9 **At the time of my second inspection the dry goods storage shed was being used to store sacks of potatoes, cabbages and open containers of mayonnaise.** So as not to attract pests open food must not be stored in the shed. Any sacks of vegetables must be kept in pest proof containers, such as metal bins with tight fitting lids and any open containers of mayonnaise must be kept in a refrigerator. *Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 2.*
- 10 **At the time of each inspection, the lids to the sauce containers in the kebab van were either open or missing.** To avoid contamination and prevent access by pests the sauce container lids must be closed after use. Any sauce containers without lids must be disposed of. *Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 2.*

Cross Contamination

- 11 **At the time of initial inspection, no food safe sanitiser or disinfectant was available for use in the van.** To reduce the risk of cross contamination sanitiser or disinfectant must be provided for use on hand and food contact surfaces. *Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 3.*
- 12 **At the time of my initial inspection, several dirty wiping cloths were evident in the van.** To avoid cross contamination dirty wiping cloths must not be used. A clean supply of wiping cloths must be available at all times. *Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 3. I strongly recommend that colour coded or disposable wiping cloths are used.*
- 13 **At the time of my initial inspection, there was a general problem with dirty hand contact surfaces in the van. The worst affected areas were the outer surfaces to some of the food containers, the opening edges to some of the doors and the door handles to the fridges and freezers.** To avoid cross contamination any dirty hand contact surfaces must be thoroughly cleaned and the problem not be allowed to recur. *Regulation (EC) No 852/2004 Annex II Chapter I Paragraph 1.*
- 14 **At the time of my second inspection, you were unable to tell me why it was dangerous to use the same tongs for handling raw meat and high-risk ready-to-eat food without first sanitising them.** The same tongs must not be used to handle raw meat and high-risk ready to eat food because of the risk of bacterial cross contamination. *Regulation (EC) No 852/2004 Annex II Chapter IX Paragraph 3. To minimise the risk of cross contamination I strongly recommend that separate colour coded tongs are provided for raw and high-risk ready-to-eat foods.*

Temperature Control

- 15 **You were not sure what temperature perishable high-risk foods should be stored at.** To avoid the growth of food poisoning bacteria perishable high-risk foods must be stored at or below 8 °C. *Food Hygiene (England) Regulations 2006 Schedule 4 Paragraph 2 (1).*

- 16 **You were not sure what temperature high-risk foods should be cooked to.** To ensure that all food poisoning bacteria are destroyed high-risk food must be cooked to a core temperature of at least 75 °C. Regulation (EC) 852/2004 Article 5 Paragraph 2 (c)
- 17 **I understand that you are repeatedly re-heating homemade chilli con carne and chicken curry in the bain-marie to a core temperature of only 63 °C.** To avoid the growth of food poisoning bacteria and the development of toxins high-risk ready to eat food must not be re-heated more than once and always to a core temperature of at least 75 °C. Regulation (EC) 852/2004 Article 5 Paragraph 2 (c)

Temperature Monitoring

- 18 **No thermometer was available to check the temperature of high-risk foods, such as burgers.** To allow the temperature of high-risk foods to be accurately monitored a probe thermometer must be provided. Regulation (EC) 852/2004 Article 5 Paragraph 2.
- 19 **The temperatures of the refrigerated and frozen food deliveries were not being monitored.** To ensure that refrigerated foods are transported at or below 8 °C and frozen foods at or below -18 °C the vehicle delivery temperatures must be checked. If the food is not at the correct temperature the delivery must be rejected. Regulation (EC) 852/2004 Article 5 Paragraph 2.
- 20 **The temperatures of the fridges and freezers were not being monitored.** To ensure that the fridges are operating at or below 8 °C and the freezers at or below -18 °C the temperature of each appliance must be checked at least once a day. If the fridges and freezers are too warm appropriate corrective action must be taken e.g. transferring all high-risk food to a fridge or freezer that is working properly. Regulation (EC) 852/2004 Article 5 Paragraph 2.
- 21 **The temperatures of cooked and re-heated foods were not being monitored.** To ensure that high-risk ready to eat foods are being cooked and re-heated to 75 °C the core temperatures of a representative selection of foods must be taken on a daily basis. If the food is not hot enough appropriate correction action must be taken e.g. further cooking to ensure that core temperature reaches 75 °C. Regulation (EC) 852/2004 Article 5 Paragraph 2.

Cooling

- 22 **You were not sure how long high-risk cooked foods could be safely left to cool before being refrigerated.** To avoid the growth of food poisoning bacteria high-risk foods, such as cooked meat, must be cooled rapidly and refrigerated as soon as practicably possible. Regulation (EC) 852/2004 Annex II Chapter IX Paragraph 6. The recommended time period within which cooked food should be cooled and refrigerated is 90 minutes. To ensure that solid foods cool rapidly they should be placed on a cool surface and if necessary be cut into smaller sections. To ensure that granular foods and liquid foods cool rapidly they should be placed in shallow containers to provide a large surface area for any heat to dissipate. Alternatively such foods can be portioned out or stirred to achieve a similar effect.

Cleaning

- 23 **At the time of my initial inspection, the inside of the van was unacceptably dirty and greasy. Thick accumulations of dirt and food debris were evident beneath and around the cooking equipment. So as not to attract pests and maintain an adequate standard of hygiene the van must be kept clean. Regulation (EC) No 852/2004 Annex II Chapter I Paragraph 1. To prevent the problem recurring I strongly recommend that a cleaning schedule is drawn up.**

Waste Disposal

- 24 **At the time of my initial inspection no waste transfer notes were available to show that refuse and used cooking are being disposed of by an approved contractor. To prove that refuse and used cooking oil are being correctly disposed of waste transfer notes must be obtained for each collection and retained for at least two years. Section 34 of the Environmental Protection Act 1990.**

Slips and Trips

- 25 **At the time of each inspection, the floor covering within the van was unacceptably greasy. To reduce the risk of people slipping the floor must be thoroughly cleaned and the problem not be allowed to recur. Any oil that is dripped or spilled must be cleared up immediately. Where oil and water are regularly being dripped onto the floor you must assess the work activity and determine what measures can be taken to minimise the amount of contamination, such as by the use of pans with lipped edges. Consideration must be given to how the floors are cleaned, the cleaning agents, the cleaning equipment and the frequency of cleaning being employed. It may be the floor needs to be cleaned in a different manner, for example by using a degreasing agent to clean followed by dry mopping. Consideration must also be given to the type of footwear being used in the kitchen and food preparation areas. Regulation 12 Paragraph 3 of the Workplace (Health, Safety and Welfare) Regulations 1992 and Health and Safety at Work etc. Act 1974, Section 2.**

- 26 **At the time of my second inspection, the floor in the van was covered over with broken down cardboard boxes. To reduce the risk of people slipping and tripping cardboard boxes must not be used to cover the floor. Regulation 12 Paragraph 3 of the Workplace (Health, Safety and Welfare) Regulations 1992 and Health and Safety at Work etc. Act 1974, Section 2.**

LPG

- 27 **At the time of my second inspection five full 19kg propane cylinders and two empty 19kg cylinders were stored within one meter of your house and the neighbouring property. No cage or other precautions were provided to prevent tampering with the cylinders. Liquefied petroleum gas (LPG) must be stored in accordance with the L. P. Gas Association Code of Practice No. 7: 'Storage of Full and Empty LPG Cylinders and Cartridges' which states:**

- If the whole yard is accessible to the public then the LPG must be stored in a cage.

Cont...

This should be constructed of weld mesh 12 gauge 50 x 50mm or similar standard. Any walk-in cage should be at least 1.8 metres high. It should have two outward opening exits which are lockable, but which permit immediate escape from inside without the use of a key. One exit is acceptable if the maximum travel distance is less than 12 metres within the cage.

- The stack must be at least 1 metre from the boundary, 2 metres from a cellar opening, drain, gully, door or window and 3 metres from any combustibles unless they are behind a 30-minute fire resisting structure.
- Storage of LPG may be directly against a wall greater than 2 metres high on a boundary if it is of 30 minutes fire resistance and imperforate for a width of 2 metres on either side of the LPG and for a height of 9 metres before any window etc. above.
- No smoking or naked lights allowed within 1 metre of the stack nor any vehicles except those which are specifically delivering or collecting the LPG.
- Only electrical apparatus suitable for use in a "Zone 2" area (see BS EN 60079/10) are allowed in the storage area or in the separation distance. The separation distance for this quantity is 1.5 metre above the tallest cylinder and within 1 metre horizontally.
- The area must be kept weed and litter free, but do not use sodium chlorate weed killer.
- Floors must be concreted. Any slope should be away from the building or the stored materials.
- Notices such as, 'LPG Area', 'Flammable', 'No Smoking/ No Naked Lights' and 'Fire Procedure' should be prominently displayed. The signage provided must comply with the Safety Sign Regulations 1980.
- Flammable, combustible, corrosive, oxidising or toxic chemicals must not be kept in the separation distance.
- Procedures should be in place for checking, removing, storing (in open air) any damaged or leaking cylinders.
- Every container must be stored upright and kept closed and the protective caps in place on the valves.
- No stack should be higher than 2.5 metres nor contain more than 30kg worth of containers less than 6kg in size, 45kg worth of 6-15kg containers or more than 50kg of containers between 15-20kg.
- A non-combustible roof is acceptable provided at least 0.3 metres high clear ventilation space exists all round

Health and Safety at Work etc. Act 1974, Sections 2 (1) and 3 (1). Please refer to the attached improvement notice. Further guidance will also be available from your supplier

Schedule B: Advice

Name & Address of Business: Kebab Emporium

Date of Inspection: 9th June 2010

Inspecting Officer: Richard Kuziara

Scores on the Doors

- 1 *Your 'Scores on the Doors' rating has come out as zero stars (very poor) and will be uploaded onto the website within the next month. The rating is based on the hygiene standards found at the time of inspection. A right to reply exists on the website should you wish to make any comments. If the points in this letter are addressed you could achieve a three star rating (good) at the time of your next routine inspection. If standards are not improved you are at risk of prosecution and closure.*

Further details and guidance are available on the Scores on the Doors website at:
<http://www.scoresonthedoors.org.uk/>

Environmental Development
Direct Line: 01865 252558
Fax: 01865 252344
E-mail: street_trading@oxford.gov.uk
Our Ref: 11/00054/STREET

Ramsay House
10 St. Ebbe's Street
Oxford OX1 1PT

Central Number: 01865 248811



Arzu De Jesus Neves

Date: 18th February 2011
Our Ref: 11/00054/STREET
Your Ref:
Please ask for: Andrew Thomson
Direct Line: 01865 252558

Dear Arzu,

**Local Government (Miscellaneous Provisions) Act 1982
Application for a Street Trading Consent**

Thank you for your application to renew your Street Trading Consent for the period 2011 – 2012. You notified the Council during this last Consent period that your hot food van had been subject to Arson and the van was a total loss.

I understand this has presented you with considerable financial and personal difficulties. Despite there being no requirement to do so you have explained the personal family problems you have faced concerning your marriage and family life and the effect it has had on your business.

I made the important point that if you wished to continue trading you must keep up the payments for your Consent or you would be in breach of one of the conditions of the Consent and then you would risk having the Consent withdrawn.

Given your difficulties, it is to your credit that you have continued making payments for your Consent, despite not being able to trade. Under the circumstances it is reasonable that you are given sufficient time to arrange for the replacement of the van to enable you to resume trading. Under these unusual circumstances I wish to inform you that your application for a Street Trading Consent has been approved.

Please write to me and inform me when you expect to resume trading. Please understand that before you purchase a new van or trailer it must be approved by Oxford City Council. This is a requirement, under the new street trading policy and is intended to prevent you as the Consent holder suffering any unnecessary pecuniary loss purchasing an unsuitable vehicle. Any new unit has to meet certain standards of appearance and safety before it can be approved to trade in Oxford.

Please keep me informed. When you are ready to purchase a new van you must complete the application form enclosed and have it approved BEFORE you purchase a new unit.

May I take this opportunity to draw to your attention the new basic requirements concerning any people you may employ. Before any person is authorised by the City Council to work as a Street Trader on a hot food van he must produce evidence that he can work in the UK lawfully and holds the necessary qualification to handle food safely. These two basic requirements have been introduced to try and prevent illegal working and to ensure public safety by mitigating the risk of food poisoning.

Environmental Development
Direct Line: 01865 252558
Fax: 01865 252344
E-mail: street_trading@oxford.gov.uk

Our Ref: 11/00054/STREET

A Street Trading Consent is offered to you for the period and at the location named on the attached form. If you wish to accept this offer would you please sign and return the acceptance form by Friday 4th March 2011.

The Oxford City Council policy on Street Trading requires all Consent holders comply with all the conditions attached to holding a Street Trading Consent. Failure to do so may result in the Consent being withdrawn and may result in Prosecution.

Please read the conditions carefully and comply with them. In particular I would draw to your attention condition 24 which states payments for the Consent are required in quarterly instalments payable in advance. To ensure these dates are met please pay particular attention to the date highlighted in bold font.

The Street Trading policy was published 1st July 2010 and became fully effective on 1st January 2011. Your attention is drawn to the list of specific conditions that are attached to holding this Street Trading Consent. They too must be complied with. It is imperative your business maintains a high standard of appearance and that you cease trading in accordance with the times specified in condition one.

Payment can be made using the barcode invoice system at a Post Office or Paypoint. We also accept payment via debit or credit card (please note a 1.5% surcharge will apply if payment is made by credit card) either via the payment line 01865 25 2609 (option 5) or over the phone in the incomes section. Payment can also be made online via the Council's website. www.oxford.gov.uk/payments

Yours faithfully,



AT Andrew Thomson
Street Trading Officer

STACFM