

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:

Licence Holder: Mr Mehdi Karrouchi and Mrs Wadeya Karrouchi

Consent Number: 12/01255/STREET

Consent Issued: 2nd April 2012

Valid From: 2nd April 2012

Valid To: 31st March 2013

Fee: £7315

Vehicle/Stall Details: RX05 OFU

Area/Site: Street Trading Site High Street North Side outside Scrivens Opticians

Permitted Trading Days and Hours: Sunday - Thursday trading between 18:30 to 03:00
Friday - Saturday trading between 18:30 to 04:00

Articles Sold: Hot Food and Soft Drinks

Special Conditions:

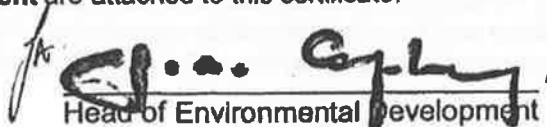
1. Any generator used by the Consent holder shall be a 'quiet' generator approved in writing by the Licensing Authority.
2. All materials shall be cleared away and the allocated space vacated no later than 30 minutes after the end of operational hours.
3. Clear signs shall be displayed at the point of sale reminding customers to remain quiet and respect local residents.

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



STCONS

John Copley
Head of Service

General Conditions for Annual Street Trading Consents

1. No trading to which the attached consent relates shall take place except between the dates of: 2nd April 2012 to 31st March 2013.
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 04:00 on Fridays
Between the hours of 18:30 and 04:00 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 High Street North Side outside Scrivens Opticians.
4. The street trading consent relates to the following vehicle/stall only: RX05 OFU
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.

Special Conditions

1. Any generator used by the Consent holder shall be a 'quiet' generator approved in writing by the Licensing Authority.
2. All materials shall be cleared away and the allocated space vacated no later than 30 minutes after the end of operational hours.
3. Clear signs shall be displayed at the point of sale reminding customers to remain quiet and respect local residents.

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.

Health Development
Direct Line: 01865 252734
Fax: 01865 252344
E-mail: LKey@oxford.gov.uk

Oxford Town Hall
St. Aldate's
Oxford OX1 1BX

Central Number: 01865 249811

www.oxford.gov.uk



Mr. and Mrs. Karrouchi

26th March 2012

Dear Sir and Madam,

**REGULATION (EC) 852/2004 FOOD HYGIENE (ENGLAND) REGULATIONS 2006
RE: ROUTINE FOOD HYGIENE INSPECTION AT MEHDI'S MOBILE FOOD VEHICLE, HIGH STREET, OXFORD**

Further to my inspection and revisit of the above premises on 15th February 2012 and 29th February 2012 respectively, the matters on the attached schedules are in need of your attention. I apologize for the delay in writing to you.

I was very disappointed not to find a documented food safety management system or any monitoring records at the premises at the time of my inspection. This has been raised on the last two inspections and has contributed to the disappointing Food Hygiene Rating Scheme as below. If I am not able to see this document at the time of my next revisit, a Hygiene Improvement Notice will be served to ensure the works are carried out.

Schedule A relates to contraventions of the legislation specified. Please read these carefully and ensure the works required are 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 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.

Food Hygiene Rating Scheme

Please note, as from the 1st April we will be operating 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 1 – Major Improvement Necessary.** Further information on the scheme can be found at www.food.gov.uk/hygieneratings and www.oxford.gov.uk.

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 252836.

Yours faithfully,



Lyndsey Key
Environmental Health Officer

Schedule A: Contraventions

Name & Address of Business: Mehdi's, mobile business trading from High Street, Oxford

Date of Inspection and Revisit: 15th and 29th February 2012

Inspecting Officer: Lyndsey Key

CONFIDENCE IN MANAGEMENT

1. Written Food Safety Management System

It is a legal requirement that food businesses have a written food safety management system based upon the principles of HACCP and suitable to the size of the business. There was no documented food safety system at the premises on either of my visits. Neither were there any other associated monitoring records, e.g. cleaning schedule or temperature records. The easiest way to comply with this element is to obtain and complete the Safer Food Better Business (SFBB) Caterers pack. You can order the SFBB pack free of charge from the Food Standards Agency by ringing 0845 606 0667. When you receive the pack you must complete all blank boxes that apply to your business and train the staff on the parts of the pack relevant to their role. *Regulation (EC) 852/2004 Article 5 para 1*

You must also ensure that you make all the relevant checks alongside the SFBB and I strongly suggest that some of these are recorded, e.g. written temperature checks of:

- fridge temperatures twice a day
- hot holding temperature checks twice daily
- two cooked/reheated food temperature checks a day

Written temperature checks provide due diligence, allow managers to monitor staff and enable you to quickly act on any problems.

2. Food Business Registration

- a) At the time of my visit you had curry on the menu, which I was advised is made at Mr. Hussain's home. If you are to continue catering at home, the home address must be registered as a separate food business and be included on our programme of inspections. You can register the food business by completing the food business registration form online at http://www.oxford.gov.uk/PageRender/decER/Food_Safety_for_Businesses_occw.htm or by contacting the Food Team for a paper copy of the registration form. *Regulation (EC) No 852/2004 Article 6 Paras 1 and 2*
- b) Could you also clarify what the registered address of the business is? I have several addresses on my records following the inspection and I would like to ensure we have the correct information on our database.

3. Fridges and Freezers at Home

Mr. Hussain advised me that there are further fridges and freezers at his home, which are used to store food when it is not on the mobile. Regular checks should be made to ensure that fridges are keeping high risk foods below 8°C and that freezers are keeping food solidly frozen. I strongly recommend that you make a note of these checks when you have made them. Records should be kept together with those of appliances on the mobile. *Regulation (EC) No 852/2004 Article 6 Paras 1 and 2*

HYGIENE AND SAFETY

4. Hot Holding

You must make ongoing checks that food which has been cooked or reheated and is intended to be sold hot, is held at or above 63°C. You had no way of checking the temperature of cooked foods or hot held foods as you did not have a probe thermometer on either of my visits to the premises. I understand that you often have a quick turnover of food. However, you must have a system to manage the potential food safety risks. Hot food can be kept for service, or on display for sale, for a single period of up to 2 hours at a temperature below 63°C. After 2 hours food must be restored to a suitable temperature (below 8°C or above 63°C) and then kept at that temperature until it can be used safely or thrown away. *Food Hygiene (England) Regulations 2006 Schedule 4 para 2 and 7*

5. Disinfecting Water Containers

You advised me that the water containers used for drinking water are not disinfected. Water containers must be cleaned and disinfected on an ongoing basis to reduce levels of bacteria, e.g. by Milton's solution or similar. *Regulation (EC) No 852/2004 Annex II Chapter V Para 1(a)*

6. Hot Water Supply

At the time of my revisit on 29th February there was no hot water at the mobile. You advised me that you had opened 20 minutes previously. You had already started preparing food. When I asked about the hot water you switched on the Burco boiler and shortly after there was hot water. You must ensure that you have your hot water supply in place prior to preparing any food in the business. Food handlers could not have hygienically washed their hands prior to handling food. *Regulation (EC) No 852/2004 Annex II Chapter III Para.2(e)*

7. Washing vegetables

At the time of the inspections I saw salads being prepared without first being washed. Unless otherwise stated on the packet, salad must be washed prior to eating to help remove debris and bacteria off. *Regulation (EC) 852/2004 Article 5 para 1*

8. Overclothing

On my visits I noted that employees had not put on their overclothing prior to handling food. You must ensure that all persons working in food handling areas wear suitable, clean, and where appropriate, protective clothing. *Regulation (EC) No 852/2004 Annex II Chapter VIII Para. 1*

9. Hand Washing

There was no hand wash soap provided at the wash hand basin at the time of my revisit. Regular hand washing is important in ensuring good personal hygiene. All staff should be reminded of the need for this prior to starting or returning to work, and specifically after using the toilet, after handling rubbish, after smoking, after taking a break and after handling raw food. Wash hand basins must be provided with warm water, suitable soap and a means of hygienic hand drying. *Regulation (EC) No 852/2004 Annex II Chapter VIII Para. 1*

In addition, I strongly recommend that:

- The wall mounted hot water unit is repaired or replaced to provide hot water to the wash hand basin and equipment sink and
- That cold water is pumped directly to the sinks without having to pour water from a container. Having to mix water to a comfortable temperature at the moment is likely to discourage food handlers from washing hands and cleaning adequately. Repetitive lifting of heavy water containers may also put strains on employee's backs etc.

Schedule B: Advice

Name & Address of Business: Mehdi's, mobile business trading from High Street, Oxford

Date of Inspection and Revisit: 15th and 29th February 2012

Inspecting Officer: Lyndsey Key

1. Food Business Registration

I understand that Mr. Istikhar Hussain is mainly involved in the day to day running of the business. If the arrangement is that the business is purely leased from Mr. and Mrs. Karrouchi and Mr. Hussain is the 'food business operator', a new food business registration form will need to be completed and submitted. The food business registration form can be found and completed online at

<http://www.oxford.gov.uk/PageRender/decER/OpeningaNewFoodBusinessWhatyouneedtodo.htm>.

2. Food Hygiene Training Certificates

At the time of the inspection I wasn't able to see any food hygiene certificates for Mr. Hussain or other members of staff. I recommend that you keep a copy of food hygiene certificates at the premises.

3. Hot Food Temperature Checks

I recommend that a probe thermometer is used to check the core temperature of hot food and food you reheat. A temperature of 75°C for 30 seconds will indicate that food is heated to a high enough temperature to kill bacteria.

4. Fitness to Work

For your information, staff should be 'fit for work' at all times. This means that they must not be suffering from, or carrying, an illness or disease that could cause a problem with food safety. People who are not 'fit for work' could spread harmful bacteria to food. Any member of staff who has diarrhoea and/or vomiting should report it to their manager immediately and either stay at home or go home straight away. People suffering from these symptoms often carry harmful bacteria on their hands and can spread them to food or equipment they touch. Staff should not return to work until they have had no symptoms for 48 hours.

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

CLEANING AND STRUCTURE

10. Chopping Boards

One of the white chopping boards used in the business was deeply scored and stained. Stained and deeply scored boards can harbour bacteria and should be replaced. *Regulation (EC) No 852/2004 Annex II Chapter III Para.2(b)*

11. Waste

There were bags of waste in the van at the time of my revisit alongside food. Some bags smelled strongly. I was advised that the waste was from last night. I understand that through your Council refuse disposal service, waste can be left on the street at the end of the night and that there would be no need for you to store waste in the van. Waste must not be stored directly next to food, as the food could become contaminated. Ideally, waste should not be stored in food areas at all. It should be disposed of as soon as possible to maintain hygiene and to reduce the possibility of pest activity. *Regulation (EC) No 852/2004 Annex II Chapter III Para.2(f)*

Health Development

Direct Line: 01865 252734
Fax: 01865 252344
E-mail: LKey@oxford.gov.uk

Oxford Town Hall

St. Aldate's
Oxford OX1 1BX

Central Number: 01865 249811

Appendix C

www.oxford.gov.uk



Mr. Mehdi Karrouchi

13th June 2012

Dear Sir,

**REGULATION (EC) 852/2004 FOOD HYGIENE (ENGLAND) REGULATIONS 2006
RE: FOOD SAFETY REVISIT OF MEHDI'S, NORTH SIDE OF HIGH STREET, OXFORD AND
SERVICE OF HYGIENE IMPROVEMENT NOTICE 131/LK/2012**

Following my revisit of the above premises on 8th June 2012, I was extremely disappointed to note that the majority of food safety contraventions stated in my letter of 26th March 2012 remain unaddressed. The matters in the attached schedule are in need of your immediate attention. Please also be aware that failure to comply with food safety legislation may also have serious implications in relation your Street Trading Licensing consent.

Although it has been raised on several subsequent food hygiene inspections there was still no documented food safety management system or any monitoring records at the premises. Therefore please find attached Hygiene Improvement Notice 131/LK/2012. It is an offence not to comply with the Notice. Therefore you should read the Notice and attached information carefully. If you do not understand the Notice, you should obtain legal advice.

Schedule A relates to contraventions of the legislation specified. Please read these carefully and ensure the works required are completed by the timescales specified. Please confirm in writing or by e-mail when these actions have been attended to. Failure to address these points may lead to further formal action.

If you have any queries 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 252836.

Yours faithfully,

Lyndsey Key
Environmental Health Officer

Schedule A: Contraventions

Name & Address of Business: Mehdi's Hot Food Van, Trading at North Side of High Street, Oxford

Date of Revisit: 8th June 2012

Inspecting Officer: Lyndsey Key

CONFIDENCE IN MANAGEMENT

1. Written Food Safety Management System – see Hygiene Improvement Notice 131/LK/2012

It is a legal requirement that food businesses have a written food safety management system based upon the principles of HACCP and suitable to the size of the business. There was no documented food safety system at the premises on any of my visits. Neither were there any other associated monitoring records, e.g. cleaning schedule or temperature records.

The easiest way to comply with this element is to obtain, complete and maintain the Safer Food Better Business (SFBB) Caterers pack. You can order the SFBB pack free of charge from the Food Standards Agency by ringing 0845 606 0667.

When you receive the pack **you must:**

- Fully complete all blank boxes that apply to your business in the 4 C's section and Management section
- Suitably train the staff on the parts of the pack relevant to their role. You can record this information in the staff training section

You must also ensure that you make important ongoing food safety checks at the premises, including:

- The daily opening and closing checks stated in the SFBB pack and recorded in the diary
- Fridge temperatures should be checked on an ongoing basis to ensure they can keep high risk food at less than 8°C. You should record two of these checks each day.
- You must check that hot held food is being kept above 63°C, if kept for longer than 2 hours. You should record one/two of these checks each day.
- The core temperature of products you cook for the first time or reheat must be sufficient to kill bacteria, i.e. above 75°C. I strongly suggest that you check that high risk food is adequately cooked with a probe thermometer where appropriate (visual checks are OK for some foods). One/two hot food temperature checks should be recorded daily.

The diary section of the SFBB can be used to record the above monitoring points or you can make your own monitoring sheets. Written records provide due diligence, allow managers to monitor staff and enable you to quickly act on any problems. As the mobile is managed by Mr. Cacan, it is important that monitoring records are made so that you can check the business is being run in compliance with the law. As the food business operator, you are legally responsible for ensuring food safety at the business. *Regulation (EC) 852/2004 Article 5 para 1*

Timescale – see Hygiene Improvement Notice 131/LK/2012

2. Food Stored Elsewhere

I understand that some of the food for the business is stored at Bodrum Fish Bar. In addition to the food safety hazards on the mobile, you must also ensure that the food safety hazards are controlled at delivery and storage, including the above temperature checks of appliances etc..

When you have permanent address to store food for the business, please inform me. *Regulation (EC) 852/2004 Article 5 para 1*

Timescale – immediately and ongoing

3. Staff Training

Despite having food hygiene training certificates to display, the food hygiene knowledge of the food handlers at the time of my visit was poor in areas, e.g. knowledge of the importance of disinfection. You must review your staff training needs and retrain where necessary. *Regulation (EC) No 852/2004 Annex II Chapter XII para 1*

Timescale – 2 months

HYGIENE AND SAFETY

4. Temperature Control

There was no means of checking temperatures at the time of my visit, as there were no thermometers on the mobile. Obtain thermometers to check fridge temperatures and temperature of hot food. *Regulation (EC) 852/2004 Article 5 para 1*

Timescale – 1 week

5. Cross Contamination

There were raw defrosting burgers in the fridge next to bread and above drinks cans. Raw food must never be stored above or next to ready to eat food, as the ready to eat food could become contaminated and make people ill. *Regulation (EC) No 852/2004 Annex II Chapter IX para 3*

Timescale – immediately and ongoing

6. Hot Holding

You must make ongoing checks that food which has been cooked or reheated and is intended to be sold hot, is held at or above 63°C. You had no way of checking the temperature of cooked foods or hot held foods as you did not have a probe thermometer. I understand that you often have a quick turnover of food. However, you must have a system to manage the potential food safety risks. Hot food can be kept for service, or on display for sale, for a single period of up to 2 hours at a temperature below 63°C. After 2 hours food must be restored to a suitable temperature (below 8°C or above 63°C) and then kept at that temperature until it can be used safely or thrown away. *Food Hygiene (England) Regulations 2006 Schedule 4 para 2 and 7*

Timescale – immediately and ongoing

7. Disinfecting Water Containers

You advised me that the water containers used for drinking water are not disinfected and the outside of the containers were dirty. Water containers must be cleaned and disinfected on an ongoing basis to reduce levels of bacteria, e.g. by Milton's solution or similar fortnightly. *Regulation (EC) No 852/2004 Annex II Chapter V Para 1(a)*

Timescale – immediately and ongoing

8. Overclothing

Food handlers did not have any hygienic overclothing. You must ensure that all food handlers wear suitable, clean, and where appropriate, protective clothing, e.g. apron. *Regulation (EC) No 852/2004 Annex II Chapter VIII Para. 1*

Timescale – immediately and ongoing

9. Hand Washing

Staff could not wash their hands effectively at the time of my visit because there was equipment in the wash hand basin and there was no safe and effective means of mixing warm water. Mr. Cacan suggested that he would wash his hands under the tap of the Burco boiler. This poses a serious scald risk and must not be done.

Regular hand washing is essential in ensuring food safety. At the least, you must provide a plug to the wash hand basin in order to mix warm water to wash hands in. If you continue to use the Burco boiler for hot water provision, then a suitable container must be used to transfer the water to the basin, e.g. metal jug. I strongly recommend that water is pumped directly to the sinks and that the mounted water heater is repaired or replaced to provide hot water to the wash hand basin and equipment sink. This will encourage positive hand washing practices and will make cleaning easier.

All staff should be reminded of the need to wash hands prior to starting or returning to work, and specifically after using the toilet, after handling rubbish, after smoking, after taking a break and after handling raw food. Wash hand basins must be provided with warm water, suitable soap and a means of hygienic hand drying, e.g. paper towels. *Regulation (EC) No 852/2004 Annex II Chapter VIII Para. 1*

Timescale – immediately and ongoing

10. Disinfection

There was no disinfectant or sanitiser, e.g. antibacterial spray, available at the time of my visit. All surfaces/equipment which comes into contact with high risk foods and hand contact points (including taps, appliances and handles) must be disinfected on an ongoing basis with a suitable food safe disinfectant/sanitiser. Soap alone will not kill bacteria. *Regulation (EC) No 852/2004 Annex II Chapter V Para 1(a)*.

Timescale – immediately and ongoing

CLEANING AND STRUCTURE

11. Waste Water

Mr. Cacan advised me that he puts waste water down the street drains. You must not do this. Waste water must be put into the foul sewer system, e.g. at home. *Regulation (EC) No 852/2004 Annex II Chapter VI, para.1*

Timescale - immediately and ongoing

12. Light Fitting

The light fitting above the deep fat fryer was hanging loose and was dirty. Repair/replace/remove the light fitting to ensure easy cleaning and maintain in a clean condition. *Regulation (EC) No 852/2004 Annex II Chapter I Para 1*

Timescale – 2 months

**The Food Hygiene (England) Regulations 2006
Regulation 6**

HYGIENE IMPROVEMENT NOTICE

Reference Number: 131/LK/2012

1. To: Mr. Mehdi Karrouchi
At:

2. I have reasonable grounds for believing that you are failing to comply with Regulation (EC) 852/2004, Article 5, Paras 1, 2 and 4 because;

You have failed to put in place, implement and maintain a permanent procedure or procedures based on Hazard Analysis and Critical Control Point (HACCP) principles;

(This is commonly known as a food safety management system.)

in connection with your business at;

Mehdi's Hot Food Van, Trading at North Side of High Street, Oxford

3. In my opinion, the following measures are needed for you to comply with the Hygiene Regulations: **Please refer to the attached schedule.**

4. The measure or measures that will achieve the same effect must be taken by: 20th July 2012

5. *It is an offence not to comply with this hygiene improvement notice by the date stated.*

Signed:

Date: 13th June 2012

Name: Lyndsey Elizabeth Key

Address: St. Aldate's Chambers
109 St Aldate's
Oxford
OX1 1DS
E-mail:

Tel: 01865 252734
Fax: 01865 252344
lkey@oxford.gov.uk

Please read the notes overleaf carefully. If you are not sure of your rights or the implications of this notice, you may want to seek legal advice.

NOTES

1. In the opinion of the authorised officer you are not complying with the Hygiene Regulations as described in paragraph 2 of the notice. The work needed in the officer's opinion to put matters right is described and it must be finished by the date set.
2. You are responsible for ensuring that the work is carried out within the period specified, which must be at least 14 days from the date of the notice.
3. You have a right to carry out work that will achieve the same effect as that described in the notice. If you think that there is another equally effective way of complying with the law, you should first discuss it with the officer.

YOUR RIGHT OF APPEAL

4. In accordance with Regulation 20 of the Food Hygiene (England) Regulations 2006, if you disagree with all or part of this notice, you can appeal to the Magistrates' Court. You must appeal within one calendar month of the date of the notice or the period ending with the date stated in paragraph 4 of the notice, whichever ends earlier.
5. If you decide to appeal, the time set out in the notice is suspended and you do not have to carry out the work described until the appeal is heard. However, if you are not complying with the Regulations mentioned in the notice, you may still be prosecuted for failure to comply with those Regulations.
6. When the appeal is heard, the Magistrates' Court may confirm, cancel or vary the notice.

WARNING

FAILURE TO COMPLY WITH THIS NOTICE IS AN OFFENCE
Offenders are liable to be fined and/or imprisoned for up to 2 years.

Health Development

Direct Line: 01865 252734

Fax: 01865 252344

E-mail: LKey@oxford.gov.uk

Oxford Town Hall

St. Aldate's

Oxford OX1 1BX

Central Number: 01865 249811

www.oxford.gov.uk



Mrs. Wadeya Karrouchi

13th June 2012

Dear Madam,

**REGULATION (EC) 852/2004 FOOD HYGIENE (ENGLAND) REGULATIONS 2006
RE: FOOD SAFETY REVISIT OF MEHDI'S, NORTH SIDE OF HIGH STREET, OXFORD AND
SERVICE OF HYGIENE IMPROVEMENT NOTICE 132/LK/2012**

Following my revisit of the above premises on 8th June 2012, I was extremely disappointed to note that the majority of food safety contraventions stated in my letter of 26th March 2012 remain unaddressed. The matters in the attached schedule are in need of your immediate attention. Please also be aware that failure to comply with food safety legislation may also have serious implications in relation your Street Trading Licensing consent.

Although it has been raised on several subsequent food hygiene inspections there was still no documented food safety management system or any monitoring records at the premises. Therefore please find attached Hygiene Improvement Notice 132/LK/2012. It is an offence not to comply with the Notice. Therefore you should read the Notice and attached information carefully. If you do not understand the Notice, you should obtain legal advice.

Schedule A relates to contraventions of the legislation specified. Please read these carefully and ensure the works required are completed by the timescales specified. Please confirm in writing or by e-mail when these actions have been attended to. Failure to address these points may lead to further formal action.

If you have any queries 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 252836.

Yours faithfully,

Lyndsey Key
Environmental Health Officer

Cc. Mr. Huseyin Cacan,

Schedule A: Contraventions

Name & Address of Business: Mehdi's Hot Food Van, Trading at North Side of High Street, Oxford

Date of Revisit: 8th June 2012

Inspecting Officer: Lyndsey Key

CONFIDENCE IN MANAGEMENT

1. Written Food Safety Management System – see Hygiene Improvement Notice 132/LK/2012

It is a legal requirement that food businesses have a written food safety management system based upon the principles of HACCP and suitable to the size of the business. There was no documented food safety system at the premises on any of my visits. Neither were there any other associated monitoring records, e.g. cleaning schedule or temperature records.

The easiest way to comply with this element is to obtain, complete and maintain the Safer Food Better Business (SFBB) Caterers pack. You can order the SFBB pack free of charge from the Food Standards Agency by ringing 0845 606 0667.

When you receive the pack you must:

- Fully complete all blank boxes that apply to your business in the 4 C's section and Management section
- Suitably train the staff on the parts of the pack relevant to their role. You can record this information in the staff training section

You must also ensure that you make important ongoing food safety checks at the premises, including:

- The daily opening and closing checks stated in the SFBB pack and recorded in the diary
- Fridge temperatures should be checked on an ongoing basis to ensure they can keep high risk food at less than 8°C. You should record two of these checks each day.
- You must check that hot held food is being kept above 63°C, if kept for longer than 2 hours. You should record one/two of these checks each day.
- The core temperature of products you cook for the first time or reheat must be sufficient to kill bacteria, i.e. above 75°C. I strongly suggest that you check that high risk food is adequately cooked with a probe thermometer where appropriate (visual checks are OK for some foods). One/two hot food temperature checks should be recorded daily.

The diary section of the SFBB can be used to record the above monitoring points or you can make your own monitoring sheets. Written records provide due diligence, allow managers to monitor staff and enable you to quickly act on any problems. As the mobile is managed by Mr. Cacan, it is important that monitoring records are made so that you can check the business is being run in compliance with the law. As the food business operator, you are legally responsible for ensuring food safety at the business. *Regulation (EC) 852/2004 Article 5 para 1*

Timescale – see Hygiene Improvement Notice 132/LK/2012

2. Food Stored Elsewhere

I understand that some of the food for the business is stored at Bodrum Fish Bar. In addition to the food safety hazards on the mobile, you must also ensure that the food safety hazards are controlled at delivery and storage, including the above temperature checks of appliances etc..

When you have permanent address to store food for the business, please inform me. *Regulation (EC) 852/2004 Article 5 para 1*

Timescale – immediately and ongoing

3. Staff Training

Despite having food hygiene training certificates to display, the food hygiene knowledge of the food handlers at the time of my visit was poor in areas, e.g. knowledge of the importance of disinfection. You must review your staff training needs and retrain where necessary. *Regulation (EC) No 852/2004 Annex II Chapter XII para 1*

Timescale – 2 months

HYGIENE AND SAFETY

4. Temperature Control

There was no means of checking temperatures at the time of my visit, as there were no thermometers on the mobile. Obtain thermometers to check fridge temperatures and temperature of hot food. *Regulation (EC) 852/2004 Article 5 para 1*

Timescale – 1 week

5. Cross Contamination

There were raw defrosting burgers in the fridge next to bread and above drinks cans. Raw food must never be stored above or next to ready to eat food, as the ready to eat food could become contaminated and make people ill. *Regulation (EC) No 852/2004 Annex II Chapter IX para 3*

Timescale – immediately and ongoing

6. Hot Holding

You must make ongoing checks that food which has been cooked or reheated and is intended to be sold hot, is held at or above 63°C. You had no way of checking the temperature of cooked foods or hot held foods as you did not have a probe thermometer. I understand that you often have a quick turnover of food. However, you must have a system to manage the potential food safety risks. Hot food can be kept for service, or on display for sale, for a single period of up to 2 hours at a temperature below 63°C. After 2 hours food must be restored to a suitable temperature (below 8°C or above 63°C) and then kept at that temperature until it can be used safely or thrown away. *Food Hygiene (England) Regulations 2006 Schedule 4 para 2 and 7*

Timescale – immediately and ongoing

7. Disinfecting Water Containers

You advised me that the water containers used for drinking water are not disinfected and the outside of the containers were dirty. Water containers must be cleaned and disinfected on an ongoing basis to reduce levels of bacteria, e.g. by Milton's solution or similar fortnightly. *Regulation (EC) No 852/2004 Annex II Chapter V Para 1(a)*

Timescale – immediately and ongoing

8. Overclothing

Food handlers did not have any hygienic overclothing. You must ensure that all food handlers wear suitable, clean, and where appropriate, protective clothing, e.g. apron. *Regulation (EC) No 852/2004 Annex II Chapter VIII Para. 1*

Timescale – immediately and ongoing

9. Hand Washing

Staff could not wash their hands effectively at the time of my visit because there was equipment in the wash hand basin and there was no safe and effective means of mixing warm water. Mr. Cacan suggested that he would wash his hands under the tap of the Burco boiler. This poses a serious scald risk and must not be done.

Regular hand washing is essential in ensuring food safety. At the least, you must provide a plug to the wash hand basin in order to mix warm water to wash hands in. If you continue to use the Burco boiler for hot water provision, then a suitable container must be used to transfer the water to the basin, e.g. metal jug. I strongly recommend that water is pumped directly to the sinks and that the mounted water heater is repaired or replaced to provide hot water to the wash hand basin and equipment sink. This will encourage positive hand washing practices and will make cleaning easier.

All staff should be reminded of the need to wash hands prior to starting or returning to work, and specifically after using the toilet, after handling rubbish, after smoking, after taking a break and after handling raw food. Wash hand basins must be provided with warm water, suitable soap and a means of hygienic hand drying, e.g. paper towels. *Regulation (EC) No 852/2004 Annex II Chapter VIII Para. 1*

Timescale – immediately and ongoing

10. Disinfection

There was no disinfectant or sanitiser, e.g. antibacterial spray, available at the time of my visit. All surfaces/equipment which comes into contact with high risk foods and hand contact points (including taps, appliances and handles) must be disinfected on an ongoing basis with a suitable food safe disinfectant/sanitiser. Soap alone will not kill bacteria. *Regulation (EC) No 852/2004 Annex II Chapter V Para 1(a)*.

Timescale – immediately and ongoing

CLEANING AND STRUCTURE

11. Waste Water

Mr. Cacan advised me that he puts waste water down the street drains. You must not do this. Waste water must be put into the foul sewer system, e.g. at home. *Regulation (EC) No 852/2004 Annex II Chapter VI, para. 1*

Timescale - immediately and ongoing

12. Light Fitting

The light fitting above the deep fat fryer was hanging loose and was dirty. Repair/replace/remove the light fitting to ensure easy cleaning and maintain in a clean condition. *Regulation (EC) No 852/2004 Annex II Chapter I Para 1*

Timescale – 2 months

**The Food Hygiene (England) Regulations 2006
Regulation 6**

HYGIENE IMPROVEMENT NOTICE

Reference Number: 132/LK/2012

1. To: Mrs. Wadeya Karrouchi

2. I have reasonable grounds for believing that you are failing to comply with Regulation (EC) 852/2004, Article 5, Paras 1, 2 and 4 because;

You have failed to put in place, implement and maintain a permanent procedure or procedures based on Hazard Analysis and Critical Control Point (HACCP) principles;

(This is commonly known as a food safety management system.)

in connection with your business at;

Mehdi's Hot Food Van, Trading at North Side of High Street, Oxford

3. In my opinion, the following measures are needed for you to comply with the Hygiene Regulations: **Please refer to the attached schedule.**

4. The measure or measures that will achieve the same effect must be taken by: 20th July 2012

5. *It is an offence not to comply with this hygiene improvement notice by the date stated.*

Signed:

Date: 13th June 2012

Name: Lyndsey Elizabeth Key

Address: St. Aldate's Chambers
109 St Aldate's
Oxford
OX1 1DS
E-mail:

Tel: 01865 252734
Fax: 01865 252344
lkey@oxford.gov.uk

Please read the notes overleaf carefully. If you are not sure of your rights or the implications of this notice, you may want to seek legal advice.

NOTES

1. In the opinion of the authorised officer you are not complying with the Hygiene Regulations as described in paragraph 2 of the notice. The work needed in the officer's opinion to put matters right is described and it must be finished by the date set.
2. You are responsible for ensuring that the work is carried out within the period specified, which must be at least 14 days from the date of the notice.
3. You have a right to carry out work that will achieve the same effect as that described in the notice. If you think that there is another equally effective way of complying with the law, you should first discuss it with the officer.

YOUR RIGHT OF APPEAL

4. In accordance with Regulation 20 of the Food Hygiene (England) Regulations 2006, if you disagree with all or part of this notice, you can appeal to the Magistrates' Court. You must appeal within one calendar month of the date of the notice or the period ending with the date stated in paragraph 4 of the notice, whichever ends earlier.
5. If you decide to appeal, the time set out in the notice is suspended and you do not have to carry out the work described until the appeal is heard. However, if you are not complying with the Regulations mentioned in the notice, you may still be prosecuted for failure to comply with those Regulations.
6. When the appeal is heard, the Magistrates' Court may confirm, cancel or vary the notice.

WARNING

FAILURE TO COMPLY WITH THIS NOTICE IS AN OFFENCE
Offenders are liable to be fined and/or imprisoned for up to 2 years.

Schedule to Hygiene Improvement Notice Reference: 131/LK/2012

**The Food Hygiene (England) Regulations 2006
Regulation 6**

HYGIENE IMPROVEMENT NOTICE

Business Name: Mehdi's Hot Food Van

Business Address: Trading at North Side of High Street, Oxford

Complete and implement a documented food safety management system based on HACCP principles. It must incorporate effective monitoring and controls at critical points in your food operation to ensure food is safe to eat. Your food safety management system must be written out, or recorded in readable electronic form.

The full and accurate completion of the Safer Food Better Business Caterer's pack, in conjunction with temperature records would enable you to comply with this requirement.

Signed.....

Date: 13th June 2012

NOTES

1. In the opinion of the authorised officer you are not complying with the Hygiene Regulations as described in paragraph 2 of the notice. The work needed in the officer's opinion to put matters right is described and it must be finished by the date set.
2. You are responsible for ensuring that the work is carried out within the period specified, which must be at least 14 days from the date of the notice.
3. You have a right to carry out work that will achieve the same effect as that described in the notice. If you think that there is another equally effective way of complying with the law, you should first discuss it with the officer.

YOUR RIGHT OF APPEAL

4. In accordance with Regulation 20 of the Food Hygiene (England) Regulations 2006, if you disagree with all or part of this notice, you can appeal to the Magistrates' Court. You must appeal within one calendar month of the date of the notice or the period ending with the date stated in paragraph 4 of the notice, whichever ends earlier.
5. If you decide to appeal, the time set out in the notice is suspended and you do not have to carry out the work described until the appeal is heard. However, if you are not complying with the Regulations mentioned in the notice, you may still be prosecuted for failure to comply with those Regulations.
6. When the appeal is heard, the Magistrates' Court may confirm, cancel or vary the notice.

WARNING

FAILURE TO COMPLY WITH THIS NOTICE IS AN OFFENCE
Offenders are liable to be fined and/or imprisoned for up to 2 years.



Minutes of Licensing and Registration Sub Committee 20th March 2012

The Head of Environmental Development submitted a report (previously circulated, now appended). Samantha Howell (Licensing Officer) presented the report to the Sub Committee.

Mr Karrouchi (Applicant) accompanied by Mr Hussain, attended the meeting and presented their case. Mr Bird and Mr Fletcher (Interested Parties, Oriol College) also attended and outlined their concerns and objections to the Sub Committee.

The Sub Committee resolved that its deliberations on this case should be taken in private, on the grounds that the discussions would focus on the financial and business dealings of the applicants.

Licensing Officers and Mr Hussain and Mr Karrouchi withdrew whilst the Sub Committee considered the case.

Having taken all evidence into account, both written and oral, the Sub Committee were satisfied that the evidence showed there had been a number of breaches of the conditions attached to consent no. 11/00026/STREET during the last year, specifically:

- Condition 11 - not positioned in allocated space.
- Condition 18 - unauthorised staff.
- Condition 7 - noise nuisance.
- Condition 8 - waste disposal.

The breaches of condition were also contrary to objective (c) *The Avoidance of Public Nuisance* and (h) *No Highway obstruction* of the Council's Street Trading Policy.

Whilst the Applicant appeared to have taken steps to remedy the breaches regarding unauthorised staff and waste disposal the problems of noise nuisance and the vehicle not always being positioned in its allocated space continued to result in complaints.

The Sub Committee understood the Applicant's explanation that occasionally the allocated space was occupied by unauthorised vehicles. However, the Sub Committee has no control over unauthorised parking and whilst it was no doubt frustrating to the Applicant it was not a defence to trading outside his allocated space. Any trading which took place outside that space would not be covered by the Consent and would therefore be unlawful and could be subject to enforcement action.

The Sub Committee found that the primary causes of the Objector's complaints were noise nuisance from the Applicant's generator and the continuance of noise after the end of authorised trading hours.

In order to address the cause of the nuisance the Sub Committee found it necessary to attach the following further conditions to the renewed consent:

1. Any generator used by the Consent holder shall be a 'quiet' generator approved in writing by the Licensing Authority.
2. All materials shall be cleared away and the allocated space vacated no later than 30 minutes after the end of operational hours.
3. Clear signs shall be displayed at the point of sale reminding customers to remain quiet and respect local residents.

The Sub Committee wished to remind the Applicant that even once renewed the Consent could be referred back to the Sub Committee at any time if conditions continued to be breached with the possibility of revocation of the Consent.

Decision:

The Application for renewal of street trading consent is **granted for a period of 12 months**. The consent is granted subject to the Oxford City Council general conditions applicable to street trading consents and the additional 47 conditions set out above.

This page is intentionally left blank