

Appendix 4 – Consultation Responses from Responsible Authorities

Environmental Health (Food and Safety) received 19 April 2018

Dear Licensing,

Thank you for inviting me to comment on the attached application on behalf of the Food & Safety Team.

This is effectively a retrospective application as Mr Kebab has been trading in this location on Egerton Road for over 10 years. Given that this operator has been trading in this location for such a considerable period of time, I feel that the problems associated with Mr Kebab can be effectively controlled by application and implementation of appropriate conditions and the Council's new street trading policy. I will not therefore be objecting to this application in principle.

The Food and Safety Team have recorded six formal complaints in the past two years regarding discarded litter, refuse and food waste in hedges and verges in the vicinity of the Mr Kebab van located on Egerton Road, allegations of rats seen coming from beneath the van and in hedges, verges and in the vicinity of the kebab van.

We have also received two complaints about cleanliness and general food hygiene issues. The most recent unannounced food hygiene inspection of Mr Kebab was conducted on 17/01/18 at 18:30. Hygiene standards were generally satisfactory at the time of the visit with Mr Kebab scoring 3 out of 5 for food hygiene. However, the business does not have a sustained history of maintaining satisfactory standards of food hygiene, and has previously scored 1 out of 5 (Major Improvement Necessary) at the time of the previous unannounced inspection on 17/01/17 due to the absence of basic hygiene facilities such as lack of hot water to the wash hand basin, sanitiser, probe thermometer and implementation of a documented food safety management system at the time of the visit.

If you are minded to grant this application, the following conditions should be applied to the street trading consent:

1. The trader shall comply with all requirements of the Food Hygiene (England) Regulations 2013, Regulation (EC) N0 852/2004 on the hygiene of foodstuffs and any associated legislation.
2. The trader shall maintain a minimum food hygiene rating of score of 3 out of 5 (Generally Satisfactory).
3. The trader shall provide a suitable receptacle for rubbish, litter and food debris during the hours of trading.
4. The trader shall collect any litter, food waste or packaging originating from the business and discarded by customers on the verge and hedgerow of Egerton Road for a minimum distance of 250m from the location of the van in either direction.
5. The trader shall move his vehicle from Egerton Road at the end of each day's trading.

6. The trader should ensure that the area beneath where the van was parked is effectively cleaned, and any deposits of fat, grease or other waste are removed on a daily basis.

Thank you for your attention.

Best regards,

Chris

Chris Woodhatch

Team Leader (Food and Safety)

Health and Community Care Services

Parking Services received 6 April 2018

Hi Giulio

Thank you for your notification regarding the above.

In terms of Egerton Road, please find attached an extract of the traffic regulation order. This shows the extents of the parking controls. It also highlights the fact that the application directly conflicts with the hours that these restrictions operate. Therefore, Parking Services object to the present application.

Please note that even if the hours were to be amended so as not to conflict with the parking controls, we would still have concerns about the issuing of a licensing in this particular case, based on past experience. If a license is to be granted, it should only be for the period when the single yellow lines do not operate. However, past activities have shown a flagrant disregard for the parking controls, despite receiving numerous penalty charge notices. Therefore, should a license be granted for the uncontrolled period, it must also include a stipulation / condition stating that the vehicle has to be removed when not trading, and that if contraventions of the parking controls occur, the license will be revoked. Of course, pest control issues are not really a concern of Parking Services, although in this particular case, I am aware that they exist and have been ongoing for some time.

So, in summary, if you insist on issuing a license, a condition along the lines of the following must be used:

'The licensed Street Trader must comply with all parking restrictions / controls and remove their vehicle / stall at times when not trading. Failure to do so could result in the receipt of penalty charge notices and the revocation of the license.'

If you have any queries, please do not hesitate to contact me.

Regards

Andy Harkin
Parking Manager
Operational Services

Extract from Traffic Regulation Order for Egerton Road Provided by Parking:

