



MANCHESTER
CITY COUNCIL

Starting a food business in Manchester

Advice for new businesses

1. Planning permission

You should always make sure that you have been granted the correct planning permissions for your food business. Even if you're only taking over from an existing business you should still check that the appropriate planning consent has been given.

It is possible that you may have to submit a planning application, so if you have any questions about the planning process, visit our Planning and Building Control Department at www.manchester.gov.uk/planning, email: planning@manchester.gov.uk or call 0161 234 4516.

2. Registration

It is a legal requirement for anyone intending to operate a food business to inform the local authority at least 28 days before opening for business. The quickest and easiest way to do this is online at https://secure.manchester.gov.uk/forms/form/695/food_premises_registration. Registration is free.

If you want to sell alcohol or serve hot food between 11pm and 5am, you will need a Premise Licence. This is a separate requirement to your registration as a food business – contact our Licensing Unit for help with this, by email to: premises.licensing@manchester.gov.uk

3. Visiting your business

We may need to visit your business to:

- undertake a routine inspection
- investigate complaints of poor hygiene conditions or contaminated food and alleged food poisoning
- take samples of food items from your business.

We may also make a visit as part of a project on a specific or targeted piece of work.

Please don't worry about an official visit: we always aim to be polite and courteous during our visits and we ask for the same from you and your staff. If you do not provide reasonable assistance for one of our officers, this may be classed as obstruction.

Environmental Health Officers do have certain legal powers, eg. they have power of entry at reasonable times, they can take records and – in extreme cases – can even enforce the temporary closure of the premises, or stop you using a piece of equipment and/or a specific process.

Sometimes, an officer will need to take emergency action and close a food premises, but this only applies when the officer considers that a risk to public health has been identified. This only happens in extreme circumstances, so if you find this happening to you, remember that there is nothing personal about this and the officer is only doing their job. Also, if you prevent an officer from taking the action they have decided is necessary, you may be guilty of obstruction.

Our officers will give you advice and guidance about any issues at your food premises so that you can make alterations to ensure that your business complies with the legal requirements.

4. Requirements for a food premises

We are often asked about structural or equipment requirements for food businesses, eg. how many sinks do I need? Do I have to use stainless steel on the walls? How many fridges should I have? It's difficult to include answers to all the questions you might have, but the basics are that your premises must:

- be in a sound condition
- be easy to clean
- be easy to keep clean and maintain
- have enough provision (including drainage) for washing food, washing equipment and washing hands
- have enough storage and preparation facilities
- be well lit and ventilated
- have suitable prevention of pest access.

The Food Standards Agency has produced a helpful leaflet 'Starting up: your first steps to running a catering business', which we recommend you read. It gives an overview of things to consider if you are thinking of opening a new food business or taking over an existing business. The leaflet can be downloaded for free from: <http://www.food.gov.uk/multimedia/pdfs/publication/starting-up-booklet.pdf>

5. Operating a business from home

i) Food preparation

Sometimes, people don't class themselves as a food business because they mistakenly believe it only applies to restaurants, takeaways or supermarkets etc. The rule here is that if you prepare food in your home or another domestic premises and are intending to supply that food to the public (either directly or indirectly), you need to register as a food premises. Also, if you prepare food at home to sell at a commercial business you own, you have to register both your home address and your food business address.

ii) Child minders

Child minders who provide food for children in their care are classified as a food business, however as of 1 January 2014 there is no need to register separately as a food business with Environmental Health, as this will be done automatically when you register with Ofsted. This is part of the government's commitment to reduce the burden on business.

Please don't be concerned about one of our Officers visiting you at home; we will treat you with courtesy and respect for your home privacy.

6. Street trading and mobile vans

If you want to trade on the highway, you may need to be licensed, so please contact our Licensing Team for advice on street trading requirements by email to: premises.licensing@manchester.gov.uk

Should you wish to trade on private land, you should seek permission from the landowner and you may also require planning permission for such activity. You can contact the Planning Department by email to: planning@manchester.gov.uk or 0161 234 4516.

If you operate a mobile food business such as an ice cream or burger van, you need to register as in Part 2, including details of where the vehicle/unit is kept overnight.

The requirements for mobile food units are similar

to those for a fixed premises, although there are some subtle differences. Please get in touch if you'd like to discuss.

7. Food Safety Management – SFBB

It is a legal requirement that food business operators have formal documented policies and procedures in place to show how they make sure that the food they sell is safe. This is typically referred to as a Food Safety Management System or HACCP (pronounced 'HASS-IP'). HACCP is an acronym for Hazard Analysis and Critical Control points. It is basically a risk assessment for food.



The Food Standards Agency has produced a 'Safer food, better business' (SFBB) booklet, which is made up of safe method sheets and a diary. The safe method sheets highlight things that are important to produce food safely, and are designed so that each business can tick boxes or make brief notes to show how their system works.

The diary is designed to help businesses operate effectively: every day the diary is signed by the person in charge of food safety to verify that the safe methods have been followed that day and, if necessary, a note is made of anything different that happens, or anything that goes wrong and what action was taken.

Specific versions of SFBB are also available for restaurants providing Chinese, Indian, Pakistani, Bangladeshi and Sri Lankan foods. There is also a supplement for small care homes to use with the pack for caterers.

It's important to keep your Food Safety Management documentation in place and up to date. If an officer visits, and your documentation is present and up to date, your business's Food Hygiene Rating Score is likely to be higher (if all other areas inspected are satisfactory).

8. Food Hygiene Rating Scheme

We have signed up to the national Food Hygiene Rating Scheme (FHRS) and, following an inspection where we assess that your business has complied with food hygiene legislation, you will be scored on how well (or not) you comply with the law: this score is then converted into a hygiene rating.

Scores are calculated on three specific areas:

1. Compliance with Food Hygiene and Safety procedures: this includes issues such as how hygienically the food is handled, how it is prepared, cooked, reheated, cooled and stored, and temperature control.
2. Compliance with structural requirements: this includes the cleanliness, layout, ventilation, hot water provision, location, and the provision of food-wash and hand-wash sinks or basins.
3. Confidence in management/control procedures: how your business manages and records what it does to make sure that food is safe, ie. your documentation. Active participation by the owner of the business, where possible, is an important factor: it is not enough to say "staff should know" because officers will assess what has actually been put in place by the management/owner to enable staff to do their job effectively.

For further information or guidance about Food Hygiene Rating visit http://www.manchester.gov.uk/info/200045/food_hygiene_and_safety/5046/food_hygiene_rating_scheme



9. Labelling of foods and allergen marking

The name used to describe your food – verbal or written – must not mislead anyone as to the nature, substance or quality of it. You must not describe it falsely. It is essential to check the labelling of your ingredients and make sure that you are not giving a description that could mislead a consumer.

Descriptions on menus and notices should give an accurate indication of the true nature of the food, so be careful about using words such as 'traditional', 'fresh', 'local', 'seasonal', 'pure', 'natural' or 'home-made', whether the description is written on a menu, chalkboard or other advertising material, or whether it is spoken – perhaps in answer to a customer's question.

It is important that care is taken when referring to the origin of a product, and if any special claims are made in relation to food, these must be justified, eg. 'suitable for vegetarians'.

In addition, it's absolutely vital that you and your staff understand the dangers of incorrect descriptions of allergy information, eg. nut-free, and that you follow the guidelines correctly. Please also make sure that your staff are aware of why some people ask about nuts and other allergens, and the implications of getting it wrong. Please see 'Allergies/allergens' opposite.

There are fewer labelling requirements for food sold in restaurants and takeaways than there are for packaged food; however, any information you provide must be accurate and not misleading (as above). This applies to all information whether it's provided in writing (such as on a menu or chalkboard) or verbally (in response to a customer's question).

For prepacked food you must include certain information on a label applied to the product:

- the name of the food
- a 'best before' or 'use by' date (or where to find it)
- quantity/weight or amount
- any necessary warnings.

Allergies/allergens

For a person with a food allergy, dishes containing the food they react to can be highly dangerous, and about ten people actually die in the UK each year as a direct result of an allergic reaction to food. Many more have to spend time in hospital to recover, and in most cases the food that causes the reaction was bought from a restaurant or takeaway.

A small number of people suffer from an acute allergy to nuts, and even the slightest trace can have rapid and fatal effects unless medical aid is administered in minutes. As well as nuts, however, there is a list of 14 specific food allergens, including eggs, fish and milk.

Always check the ingredients of anything you buy, check the complete recipes of all products and make sure to always store foods separately in closed containers, especially peanuts, other nuts, seeds, milk powder and flour. You should also train staff to check with the kitchen every time someone asks for a meal that doesn't contain a certain ingredient. If in doubt – do not guess.

Caterers should display a notice to inform customers that they can ask staff for advice about the ingredients a dish contains and, from December 2014, it will be a legal requirement to provide allergen information in catering establishments.

For further information and guidance on allergens in foods, including an online interactive training programme, visit the Food Standards Agency website at: www.food.gov.uk/policy-advice/allergyintol/

10. Manufacturers and approved premises

Any food premises that produce, prepare or handle food products of animal origin, ie. meat products, meat preparations, milk and dairy products, fish and fish products, and egg products, with a view to supplying them to other food businesses to sell on must be approved unless they are exempted. Your food business may be exempt if you supply such food directly to the final consumer, ie. the person who actually eats the food product.

What does being approved require me to do?

Premises that are approved under the regulations must meet additional requirements, over and above the general requirements that apply to ordinary food businesses. This is because they usually involve higher risk operations.

What happens when my business is approved?

Once your business has been approved, we will give you a unique approval number, which makes up part of the standard identification mark and must be applied to your products and documentation in the form of an oval (as shown). This mark will ensure that products can be traced back to your company. You will also be added to the Food Standard Agency's list of approved establishments in the UK.



11. Traceability

Traceability is defined in law as 'The ability to trace and follow a food, feed, food-producing animal or substance... through all stages of production, processing and distribution.'

Traceability is an important part of the food chain because it enables the Food Standards Agency and local authorities to find out where food has originated from and where it has been supplied to. If a problem arises, this information means that the problem can be fully investigated quickly and efficiently.

What the law requires

Food businesses are required to:

- identify suppliers of their food, food-producing animals and any other ingredient intended or expected to be incorporated into food
- identify the businesses they have supplied products to
- produce this information to an officer if asked for it.

The guidance refers to a 'One step forward – one step back' approach, ie. you must be able to demonstrate where your ingredients were sourced from and the businesses you have supplied foods to. This does not mean that restaurants must be aware of all the individual customers who eat their food. However, they must be able to demonstrate where they have purchased their ingredients from.

12. Refuse/waste disposal

You must have suitable arrangements in place for the disposal of the waste that is generated by your business operation, including food waste, food packaging and waste oil. You are advised to have your waste collected regularly because a build-up of this type of waste may attract pests.

If you store your waste before it is collected, then you must store it in a suitable way. Ideally, waste stores will not be located within your premises – they will also be in a location external to the dining area, and must be easy to clean and disinfect. Waste must not be allowed to accumulate in the food preparation area.

In addition to this, there are certain restrictions within the city centre regarding the times you can put your waste out on the street for collection.

Waste oil must not be poured down drains (internal or external), sinks, toilets etc. You must collect any waste oil in a drum or other suitable container and store it in a suitable place until it can be removed.

Your waste must be collected by a Licensed Waste Contractor, who must provide you with a receipt or commercial invoice for the waste they collect at your premises.

There are many licensed waste disposal companies operating in Manchester: search online to find one that's right for you.

13. Pest control

Firstly, it is not a legal requirement to have a pest control contract in place, although the law does require food business-owners to keep their premises free from pests.

While you may undertake your own treatment, it is strongly advised that you seek advice from an expert, whose professional knowledge of pests and the control methods needed mean they are in a good position to act quickly and effectively.

Things you can do to avoid the presence of pests in your food business:

- 1. Maintain premises in good repair** (prevent pest access) – Ensure that there are no entry points for pests to gain entry. You can achieve this by blocking up/filling in any holes that may allow pests to gain entry to your premises, eg. repairing broken/loose-fitting doors, windows, drainage systems etc. Use bristle strips where necessary on external doors.
- 2. Good housekeeping** – Should pests gain entry into your premises, do not have any food available for them to eat. Pests will be more likely to remain in your premises and cause more problems if you do not clean properly. Keep your premises clean and free from refuse accumulation. It is important to concentrate on areas under and behind equipment, shelving and work benches. Operate a 'clean as you go' policy. Keep foodstuffs in pest-proof containers.
- 3. Use of chemicals** – The use of pesticides to kill any pests that may have gained entry or to treat infestations. If steps 1 and 2 above have failed and you have an infestation, you probably need access to more intensive control methods using poisons. This should be undertaken by a pest control company trained to use such products in the most effective way and that understands the use of such products in food premises.

14. Training

There is no legal requirement to attend a training course; the law only requires that staff are adequately supervised, trained and/or instructed in hygiene matters based on the work they do. However, attending a food hygiene training course is a good way of showing what training has been undertaken.

There is a training record card within the Safer Food Better Business pack, which you can use to show that you have provided training on the 4 Cs (Cross contamination, Cleaning, Chilling and Cooking) and how they apply to your business.

It is recommended that you attend one of the accredited courses in food hygiene, eg. Chartered Institute of Environmental Health or the Royal Society for Public Health. There are different options available depending on your needs, such as half-day, one-day or three- to five-day courses.

There are advantages and disadvantages to all these courses: choose one that is right for you. Some of them require refresher training every three years, whereas others do not.

We do not run food-safety training courses, but details of relevant training can be found by searching online – there are many providers of these courses.

15. Imported food controls

There are strict controls of certain foods and goods that may come into contact with foods entering the UK from outside the EU, and they must enter the UK via a designated point. These foods are classed as either Products of Animal Origin (POAO) or Products Not of Animal Origin (PNOAO).

If you want to import any POAO from outside the EU into the UK and sell it on, it must originate in a country approved to export that particular type of food. It must also be produced in an approved establishment and be accompanied by certain required documents such as a health certificate. The packaging must also display an identification number if it is classed as a POAO.

Other goods which have special conditions of import placed upon them include kitchenware products from China which are intended to come into contact with foods. If the item is subject to special controls depends on whether it contains a particular component when manufactured, e.g. Polyamide and Melamine.

Any enquiries specifically on Imported foods and goods should be directed to our Customer Contact Centre on 0161 234 5004 or by email to: envh.airport@manchester.gov.uk

A final word...

We hope you have found this leaflet useful and that it has answered any questions you may have been asking. We also hope it has made you think about some matters you weren't sure about but were afraid to ask.

Having provided you with this information we hope your business operates in accordance with the law. However, if there are circumstances found that demonstrate a lack of compliance, formal action will be considered to punish those businesses that show a neglect for compliance.

Case studies

Case study 1:

The scenario: An officer visits a takeaway to make a routine inspection and finds there is no hot water supply to the premises. The takeaway's menu includes burgers, kebabs, chips and pizzas with both raw and ready-to-eat foods (eg. salads) being handled.

Officer action: As there is no hot water available for cleaning and disinfection of the premises, the business presents a risk to public health from the potential spread of harmful bacteria that can cause illness, and the officer has no option but to serve a Hygiene Emergency Prohibition Notice, closing the food business. Hot water is necessary for cleaning food-preparation surfaces and equipment, and also for staff to disinfect their hands between handling raw and ready-to-eat foods.

Case study 2:

The scenario: Following a complaint to the department from a customer who claims to have seen a cockroach near their table in a restaurant, an officer visits the premises to check if there is a problem with pests.

Officer action: The officer initially inspects the area in which the complainant noted having seen the cockroach and finds several live insects there. Moving on to inspect the kitchen, it quickly becomes clear that there is a cockroach problem.

Being satisfied that there is a risk to public health, the officer informs the food business operator that he intends to close the premises. He issues a Prohibition Notice directing that the premises pose a risk to public health should the preparation of food continue. A notice is applied to the entrance of the restaurant stating why the premises have been shut.

The food business operator is taken to court within three days. The magistrate grants a prohibition order on the premises and agrees with the officer that the premises must remain closed until the cockroach problem is dealt with and the officer has issued a certificate to say the premises can reopen.

Case study 3:

The scenario: Mr A owns a sandwich shop and has recently been approached by local businessman Mr B to see if he'll supply sandwiches to three of Mr B's five shops. He would like to know if he can do this, and what – if any – law applies to him.

Mr A is advised that he can supply sandwiches to these shops as long as certain considerations are upheld. He is given full details and advice about what he needs to do in order to comply with the law, eg. traceability of ingredients, and 'use by' dates and detailed labelling being given.

Officer action: Following the advice and assistance from officers and external food safety consultants, Mr A is now supplying Mr B's shops and sales are going well.

Case Study 4:

The scenario: A complaint is received from a member of the public who is coeliac (i.e. a person with an intolerance to gluten). The complainant was very ill, and had been vomiting, having eaten a pizza in a restaurant late the previous evening. The complainant notes that she specifically ordered a gluten free pizza which was on the menu.

Officer action: A visit is undertaken to the restaurant and the complaint is discussed. The Officer notes on the menu that a gluten free base is available as a menu choice. The Officer audits the process of preparing a gluten free pizza, and it is discovered that when the dough is rolled, normal flour containing gluten is used, and that this is likely to have been the cause of the customer's illness.

As a result of the Officer's advice, the restaurant put processes in place to avoid the problem arising again.

