



New Business Information Pack

Retailers And Caterers

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Planning Conditions

Selecting a Suitable Premises

When looking for premises ensure you consider food safety requirements in relation to the layout and design.

The requirements may vary depending on the nature of the food business, therefore, it is important to have a clear idea of your business proposal when selecting a premises. However, key issues to consider are:

- adequate space to allow the safe storage of food, including refrigerated storage where required
- adequate workspace to allow the safe handling and preparation of food
- facilities for cleaning food equipment and hands
- waste storage and disposal facilities
- staff facilities e.g. for storage of clothes
- ventilation
- drainage

If you are considering making alterations or improvements to a premises or if you have a development proposal, you should check whether you need planning permission from the Council before you begin.

Full Planning and Building control information can be found here:

www.glasgow.gov.uk/index.aspx?articleid=15897

Ventilation and Class 3 use of a premises

You should note that Environmental Health's policy surrounding class 3 use for a food business is that only high level discharge shall be considered.



Food Business Registration

What is registration?

Registration of a food business establishment (including market stalls, delivery vehicles and other moveable structures) is required by law. Registration will allow local authorities to keep an up-to date list of all those businesses in their area so they can visit them when they need to. The frequency of the visits will depend on the type of business.

Who needs to register?

Anyone starting a new food business must register with the local authority at least 28 days before doing so.

How do I register?

Prior to opening complete the Food Registration Form using our online form at: www.glasgow.gov.uk/index.aspx?articleid=17581 or

Complete the form and post to the address at the end of this guidance or

E-mail as an attachment to: LESfoodsafety@glasgow.gov.uk

If you use premises in more than one Local Authority area, you must register with each authority separately.

Registration cannot be refused and there is no charge.

Any Changes

Once you have registered with the Local Authority you only need notify them of a change of proprietor, if the nature of the business changes, or if there is a change of address at which moveable premises are kept. The new proprietor will have to complete an application form.

If the Local Authority wishes to change the entry in the Register because of information which it receives from someone else you will be given 28 days notice and an opportunity to comment on the proposed change.



Food Law Requirements

Glasgow City Council is the Food Authority responsible for enforcing legislation to ensure that food produced, stored, used or offered for sale within the city is safe to eat, wholesome and authentic.

As a food business, your premises will be inspected to make sure you are following food law. Authorised officers will usually arrive without making an appointment. They have the right to enter and inspect your premises at any reasonable time.

Food premises are inspected on a risk basis to ensure compliance with legislation concerned with both **food hygiene** (general food safety practices and procedures) and **food standards** (traceability, quality, date coding, claims, labelling, food descriptions, recipes, food packaging materials etc.).

Food Hygiene

Structural requirements

The structure and layout of food premises is important. It is important that the following are in place:

- It can be kept clean and well maintained
- Adequate space is provided to allow all food operations to be carried out
- Offers protection against pest ingress (insects, rodents etc.)
- Access to hot and cold running water
- Hand washing facilities designated for this purpose only
- Adequate facilities for cleaning equipment
- Adequate ventilation
- Sufficient lighting
- Good drainage
- Staff changing and toilet facilities (N.B) toilets must not open directly into a food room



Personal hygiene

High standards of personal hygiene should be maintained by all staff engaged in food preparation, including frequent and effective hand washing, wearing clean protective clothing and good food handling practices. Staff require to be trained in food hygiene matters commensurate with their work activities. A list of training providers can be found at [Food hygiene training centres Scotland](#)

Temperature Control

There should be sufficient temperature controlled storage, operating at correct temperatures, for foods which require to be refrigerated or frozen.

Cross contamination guidance

It is very important that food is protected against the risk of cross contamination. For more detailed information on this please see the Food Standards Agency's Guidance Document '[E. coli O157: Control of Cross Contamination](#)' which requires Food Business Operators to ensure that, where necessary, they are using appropriate disinfectants that meet the requirements of British Standards **BS EN 1276** or **BS EN 13697** to disinfect food contact surfaces and equipment.

Food Safety Management Systems

All food businesses require to have in place a documented food safety management systems based on the principles of HACCP. The implementation of an effective food safety management system will ensure that procedures are in place to prevent the microbiological, chemical and physical contamination of food. Risk based food safety management systems are critical to effectively control food related risks and to minimise the potential of food borne illness outbreaks.

The HACCP system will vary depending on the nature of the food business. The examples below are given as a guide and a business may choose to develop their own system, however, if you are uncertain what would be required for your business it is recommended you contact us to discuss this further.

Low Risk Retailers (Handling only prepacked food or a limited amount of low risk food e.g. general stores selling loose bread rolls). Your system may be one that the business has devised (e.g. a set of basic house rules) or you may have chosen to use the [Retailsafe](#) system developed by Food Standards Scotland.



Retailers. The appropriate system will depend on the nature of the business, for example [Butchersafe](#) is designed specifically for butcher shops and [Retailsafe](#) is available for retailers handling unwrapped, high risk foods. Where there are more complex processes [Cooksafe](#) may be more appropriate.

Caterers. The [Cooksafe](#) system is appropriate for most caterers. However, if you carry out processes not covered by this you may require to adapt it for your business.

Food Standards

Food Information

Prepacked foods will be checked to ensure that all food is labelled in English and no food is being offered for sale beyond the durability date. **It is an offence to sell food which has passed the use by date, and considered bad practice to sell food which is past its' best before date.**

Menu claims and descriptions will be checked during inspection and checked to verify that the statements are substantiated (e.g. gluten free, 28 day aged beef etc). Recipes may also be discussed and additives considered. These checks are made to ensure that the information presented to the consumer are correct and not in any way misleading. This will include accuracy of allergen information as detailed below.

Allergens

There are currently 14 listed allergens and their presence in foods/menu items must be available for the consumer so that they may make an informed decision about whether that food is safe for them to eat. For prepacked food, this information should already be presented on the label by the manufacturer. If you sell open/loose foods (e.g. bakery products), this information may be provided on a menu, chalkboard, shelf label or verbally. The following links will provide useful guidance on how to comply with this requirement.

[Think Allergy Poster](#)

[Allergy & Intolerance sign](#)

[Food allergen information prepacked and loose foods](#)

[Allergen Matrix](#)

There is an online Allergen training course available (aimed at food business managers/supervisors). [FSA Food allergy online training package](#)

Inspection outcomes

Where non-compliance is found, officers use a variety of enforcement tools, including the issue of formal notices, to ensure that matters are addressed and public health and consumer interests are protected.

When determining the type of enforcement action to take, the Officers consider the nature of the breach in legislation and the history of compliance and will use one of the following;

1. **Informal report.** This approach is used in the majority of cases and involves the service of an itemised report indicating work that requires to be done.
2. **Hygiene Improvement Notice.** Where, for example, an informal approach has not been successful, a Hygiene Improvement Notice giving a statutory time period in which to comply, may be issued.
3. **Remedial Action Notice.** A Remedial Action Notice (RAN) may be served in circumstances where urgent action is required but where there is not necessarily imminent risk to health. A RAN may prohibit or restrict an activity.
4. **Hygiene Emergency Prohibition Notice/order.** HEPNs are issued where there is imminent risk of injury to health such as an infestation of pests in a food area. The service of such will close the business until the risk to health has been removed.
5. **Prosecution** is considered where there is a failure to comply with the requirements of a Notice, where there is a flagrant breach of the law or where deemed in proportion with the risk to public health.

All food businesses are risk-rated after inspection. The rating applied to each business will determine the period of time until the next inspection is conducted.

On completion of inspections, food businesses are also rated in accordance with Food Standards Scotland's Food Hygiene Information Scheme (FHIS). This identifies each business as having the status of either 'Pass' or 'Improvement Required' – relating to hygiene matters only. The Food Hygiene Information Scheme is a voluntary scheme and businesses are provided with a certificate and/or sticker to display on their door or window to help consumers make informed choices about where they purchase their food. Whether a business passed the inspection or needs to take steps to improve, it's easy for potential customers to see how the business performed in their most recent food hygiene inspection. Some businesses may choose not to display their rating on their website or premises, but the status is publicly available to consumers on the Food Standards Scotland website where ALL inspection outcomes can be searched - [Check the FHIS rating.](#)

Other food enforcement activities

In addition to the routine inspection of premises, officers also:

- Carry out sampling of foods for analysis and examination;
- Investigate allegations of food poisoning, food complaints and unhygienic practices and premises
- Investigate complaints about food and food premises.
- Provide advice on compliance and good practice to food business operators
- Look out for evidence of food crime and take necessary action
- Provide health certification for foods exported out with the EU (where applicable).

Diet and Nutrition

In Scotland, eating habits are the second major cause (after smoking) of poor health. The national diet contributes to a range of serious illnesses which include coronary heart disease, certain cancers, strokes, osteoporosis and diabetes. There is an ongoing commitment in Scotland to positively influence the choices consumers make to include healthier food in their diet thus improving the health of the general population. Food retailers and caterers are particularly well placed to influence the choices consumers make and improve the nutritional quality of what their customers eat. For more information, see the link below.

<http://www.healthylivingaward.co.uk/about-us/about-the-healthyliving-award>

Commercial waste

Businesses have a responsibility under the Environmental Protection Act 1990 to ensure the proper disposal of their waste using an approved waste contractor. Commercial Waste Enforcement staff from this service have the power to request details of waste disposal documentation to check that commercial waste has been disposed of properly.

All businesses must segregate their recyclable waste from general waste and present it for separate collection.



Alcohol Licencing Requirements

In Scotland the sale of alcohol is regulated by Licensing Boards under the Licensing (Scotland) Act 2005 (the 2005 Act).

A Premises Licence is required to sell alcohol from a premises on a day to day basis.

Information on how to apply for an Alcohol Licence and further guidance can be found here: <https://www.glasgow.gov.uk/index.aspx?articleid=17579>

Licensing Standards

The post of Licensing Standards Officer (LSO) was introduced as a key response to the requirements of the Licensing (Scotland) Act 2005.

LSOs aim to ensure that all relevant parties are aware of the Licensing Policy statement of the City of Glasgow Licensing Board and that the all premises comply with the requirements and recommendations contained therein. The Licensing Board state that it will work with all of the relevant agencies to assist in the delivery of the following key outcomes over the next decade:

- Reducing the rate of alcohol-related hospital admissions per 100,000 population;
- Reducing the proportion of residents exceeding the recommended weekly alcohol limit;
- Reducing alcohol related crime, violence and disorder.

An LSO has a right to enter and inspect licensed premises and may issue a notice to the holder of a premises licence or occasional licence requiring action to be taken to remedy any breach of a licence condition. If a premises licence holder does not comply with the notice, the LSO may make a premises licence review application.

LSOs carry out a range of routine planned and reactive work. This includes

- Provision of reports to the Licensing Board, as statutory nominees
- Provision of advice on general premises' management issues, proposed alcohol promotions and the application of specific conditions attached to premises' licences.
- Investigations into allegations of poor premises' management, failure to comply with licence conditions, the inappropriate use of external areas, noise from patrons/amplified music and irresponsible alcohol promotions.



Health and Safety

You must work in a way that protects the health and safety of your employees and other people who might be affected by what you do.

You are required to have a health and safety policy, which describes your health and safety arrangements and to carry out a risk assessment of your activities. If you have five or more employees these must be written down and recorded.

For more information, see the Health and Safety Executive website www.hse.gov.uk

You must also carry out a fire risk assessment at your premises and take fire safety precautions to help protect you, your staff and customers. The type of precautions you must have will depend on a number of things, such as the size of your premises. For advice, contact your local fire authority.

Smoke free Enforcement

On 26 March 2006 Scotland became the first country in the United Kingdom to introduce a ban on smoking in enclosed public places. The move was taken to reduce unwanted exposure to other peoples' tobacco smoke and improve working conditions for employees.

The Smoking, Health and Social Care (Scotland) Act 2005 applies to premises including restaurants, bars, shops, cinemas, offices, hospitals, work vehicles and sports centres. Those premises are no-smoking premises if they are wholly or substantially enclosed. The law also applies to public transport including buses and bus stops, taxis and private hire vehicles.

Glasgow City Council Environmental Health routinely inspect no-smoking premises for compliance with the legal requirements and have powers to serve fixed-penalty notices for non-compliance.

Premises covered by the law are required to display prominent notices stating that they are no-smoking premises. The name of a responsible person should also be displayed as someone to whom complaints about smoking can be made.

Further information including guidance for premises managers and copies of notices and signs which can be downloaded and printed off for use please visit:

<https://www.glasgow.gov.uk/index.aspx?articleid=21591>



Additional Resources

Food Standards Scotland

<https://www.foodstandards.gov.scot/business-and-industry/advice-for-new-businesses>

Contact us:

Environmental Health

Neighbourhoods & Sustainability

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