



Derby City Council

██████████  
Curry Nights  
91 Brackens Lane  
Alvaston  
Derby  
DE24 0AN

Your ref  
Our ref 230512 Letter/VB/JD  
Contact ██████████  
email ██████████@derby.gov.uk  
Tel ██████████  
Fax 01332 643299  
Minicom 01332 640666  
Date 12 May 2023

Dear ██████████

**Food Safety and Hygiene (England) Regulations 2013, Retained EC Regulation 852/2004 and Retained EC Regulation 178/2002**

**Curry Nights, 91 Brackens Lane, Alvaston, Derby, DE24 0AN**

I refer to my visit of the above premises on Tuesday 25 April 2023 and my discussions with yourself. The purpose of my visit was to carry out a food hygiene inspection.

I based my food hygiene inspection upon potential food poisoning hazards, contamination risks and control measures.

The following areas were inspected at the time of my visit:

- **Front Area**
- **Kitchen**
- **Outside Store Room**
- **Staff Toilet**
- **Store Room**

**Inspection Report**

I found the standards of food hygiene to be very poor and there are numerous items which need your attention. I have enclosed a copy of your inspection report. Schedule A lists legal requirements, which must be completed. Schedule B lists recommendations of good practice, intended to improve working practices. This inspection report contains only those issues identified at the time of the inspection.

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It is your responsibility to ensure that your business complies with all relevant legal requirements on an ongoing basis.

## Food Hygiene Rating

Derby City Council operates the national Food Hygiene Rating Scheme.

Your rating has been calculated as follows, based on the standards found at the time of inspection:

Compliance with food hygiene and safety procedures	15
Compliance with structural requirements	10
Confidence in management/control procedures	10
Total score	35
Food hygiene rating	<b>2 – Improvement Necessary</b>

Details of how your rating was calculated are contained on our website, [www.derby.gov.uk/food-safeguards](http://www.derby.gov.uk/food-safeguards) . Paper copies can be provided on request.

A sticker showing your rating is enclosed. Please destroy the sticker showing your previous rating as only the most recent rating should be displayed. To continue to display a previous rating may constitute an offence under the Consumer Protection from Unfair Trading Regulations 2008.

Your rating will also be published on the Food Standards Agency's website at [www.ratings.food.gov.uk](http://www.ratings.food.gov.uk) approximately five weeks from receiving this letter.

You may request that the rating is published before this time. A form to make the request is available on the Council's website, [www.derby.gov.uk/food-safeguards](http://www.derby.gov.uk/food-safeguards).

Derby City Council is a public body for the purposes of the Freedom of Information Act 2000 and information may be disclosed in accordance with the provisions of that Act or its statutory Publication Scheme. Please note that regular requests are made to this Department for copies of the inspection letters relating to food premises that have been rated as a 0, 1 and 2 under the scheme.

## Safeguards

Forms and further information is available on the Council's website, [www.derby.gov.uk/food-safeguards](http://www.derby.gov.uk/food-safeguards) . Paper copies of forms can be provided on request.

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## Appeal

If you feel that the rating is unjust you have 21 days to appeal. An appeal may be lodged by submitting a completed Business Appeal form.

I recommend that you contact me first so that I may explain your rating scores .

## Re-score

If you make improvements you can request a re-visit to generate a new food hygiene rating. There is a charge of £197 for each re-score visit. Payment must be made on line at [www.derby.gov.uk/food-pay](http://www.derby.gov.uk/food-pay) and the Business Revisit Request form submitted.

## Right to Reply

Your comments can be published online, alongside your rating, to explain unusual circumstances or action taken since the inspection. You must complete and return the 'Business Right to Reply' form.

You must implement the work relating to a change in working practices and cleaning immediately and all other items by **5 June 2023**. I will revisit the premises after this time to check compliance.

Please contact me If you have any questions or concerns about your inspection report or about your food hygiene rating.

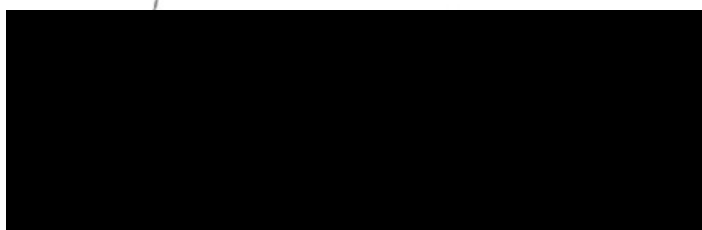
My manager, [REDACTED] [REDACTED] would welcome any feedback about the inspection, please email [REDACTED]@derby.gov.uk. Any information will be treated in confidence and used solely for performance monitoring and improving our services.

## Data Protection

The Food and Safety Team is committed to protecting and respecting your privacy when you use our services. Please visit <https://www.derby.gov.uk/privacy-notice/> for further information, printed copies are available on request.

If you chose to release your letter to others, please ensure that the name and contact details of the inspecting officer(s) is not disclosed to third parties without prior authorisation from the Council.

Yours sincerely



Environmental Health Officer

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**Encls:** Inspection Report - Schedules A and B  
Premises' Sticker  
Derby City Council E coli Checksheet  
FSA 'Allergen Information for Loose Foods' Booklet  
SFBB Allergen Safe Method

**Curry Nights, 91 Brackens Lane, Alvaston, Derby, DE24 0AN**

**Date of Inspection: 25 April 2023**

## **SCHEDULE A (LEGAL REQUIREMENTS)**

### **Food Hygiene and Safety Procedures**

1. At the time of the inspection the following items had been out for service since 17:00 and were out of temperature when the temperature was taken at 19:00:-

- 23.8°C cooked chicken pieces.
- 25.9°C cooked chicken tikka.

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 either be thrown away or restored to a suitable temperature (below 8°C or above 63°C) and then kept at that temperature until it can be used safely.

*Schedule 4, Paragraph 7(2), The Food Safety and Hygiene (England) Regulations 2013*

2. At the time of my visit a large quantity of cooked rice was found in the kitchen which was 45.5°C. Rice is a high-risk food and will support the growth of food poisoning bacteria. In order to prevent bacteria multiplying to dangerous levels, you must either keep the rice hot (above 63°C) or cool it as quickly as possible and store it in the refrigerator at or below 8°C prior to being reheated for sale.

*Schedule 4, Paragraphs 2(1) & 6, The Food Safety and Hygiene (England) Regulations 2013*

3. Food handlers were wearing gloves; however, you must ensure that gloves are not used as a substitute for hand washing. Food handlers must ensure they wash their hands thoroughly before putting on gloves and taking them off. Gloves should also be changed before handling ready-to-eat food if they have come into contact with any surface or objects not designated as clean, or when gloves become damaged.

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter VIII, Paragraph 1*

4. The cloth covering the naan shaper was frayed. Using the cover in this condition may lead to the physical contamination of food. You must ensure that you replace the cover to the naan shaper whenever it shows signs of wear.

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter IX, Paragraph 3*

5. Clothing worn by a food handler working in the kitchen was dirty. You must ensure that all persons working in food handling areas wear suitable, clean and appropriate protective clothing.

*Retained Regulation (EC) No. 852/2004, Annex II, Chapter VIII, Paragraph 1*

Continued

6. There were no hygienic hand drying facilities at the staff toilet washbasin. Washbasins must be provided with soap and hygienic hand drying facilities.  
*Retained Regulation (EC) No. 852/2004, Annex II, Chapter I, Paragraph 4*

### **Structural Requirements**

7. The wall under the sink in the kitchen was dirty, the bottom inside the Morphy Richards microwave in the kitchen was dirty and the tub for soap powder in the kitchen sink was dirty. Also there were old mouse droppings in the cupboard off the rear room. These areas must be thoroughly cleaned and maintained in a clean condition.  
*Retained Regulation (EC) No. 852/2004, Annex II, Chapter I, Paragraph 1*
8. You must not use cardboard to line the shelves of the wooden unit in the corridor as it cannot be kept clean and will shed particles.  
*Retained Regulation (EC) No. 852/2004, Annex II, Chapter I, Paragraph 2(b)*

### **Confidence in Management/Control Procedures**

9. Although you had a completed SFBB pack the issues found above under the subheadings Food Hygiene and Safety Procedures and Structural Requirements suggest that this was not being fully implemented. In addition to addressing the issues raised in items 1-8 above, you must read through and review this pack and ensure that that you are fully implementing the controls detailed within it.  
*Retained Regulation (EC) No. 852/2004, Article 5*

### **Allergens**

10. Allergen labelling rules require food businesses that provide non-pre-packed foods or loose foods to identify any allergenic ingredients.

There are 14 listed allergens that need to be considered and you will have to supply information for every item on your menu that contains any of these 14 allergenic ingredients.

*Regulation 5, The Food Information Regulations 2014*

This item is outstanding from my previous inspection letter and requires urgent attention to ensure compliance.

I have forwarded your business details to the Council's Trading Standards Team as they are responsible for enforcing this legislation.

Contact Trading Standards for guidance on 01332 640780. Further guidance for businesses on meeting this legal requirement can be found at:

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<http://www.food.gov.uk/business-industry/allergy-guide>

<https://www.tradingstandards.uk/practitioners/food-allergen-resource>

11. In addition to the item above, if you are to serve food to customers with allergens then you must also look in detail at handling practices and procedures to ensure that you cannot accidentally cross contaminate allergen free foods with allergenic ingredients.

Cross-contamination of foods with allergens (i.e. the unintended inclusion of an allergen in food) could occur at any stage. Small amounts of allergen in food could cause severe reactions and could even be fatal.

Therefore you must:

- Raise staff awareness about allergens in foods; how cross contamination can happen and how it must be avoided.
- Look at all stages of storing, handling, preparing and serving “allergy-free” food to see where cross-contamination could occur.
- Prevent cross contamination; by such things as separation of allergenic ingredients, separate preparation areas, thorough cleaning practices, effective hand washing practices etc
- Develop a written procedure for how you will deal with customer requests to provide “allergy-free” foods.
- Train staff in safe practices and procedures to prevent cross contamination.

The guide “Food Allergen Information and Controls for Caterers” enclosed, will help you to do this. I also enclose the latest allergen related safe methods from the Safer Food Better Business Pack that can be used to help ensure you have completed a risk assessment for allergens.

**Until you have completed this “risk-assessment” and can demonstrate the safe preparation of an allergy-free meal you should not provide “allergy-free” food.**

*Retained Regulation (EC) No. 852/2004, Article 5*

## **SCHEDULE B (RECOMMENDATIONS)**

1. Hands should not come into contact with taps after they have been washed. Clean single-use towels can be used to prevent contact with taps when turning them off, if taps are designed to be hand operable. The use of non-hand operable taps at handwashing facilities is recommended.

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2. I recommend that you frequently monitor and record both refrigeration and hot food core temperatures so that you can ensure that correct temperatures are being achieved. To ensure that particular recordings can be traced, the name of the person and the date and time should be included in the records.
3. I recommend that yourself, the food business operator, carry out refresher food hygiene training as done over 3 years ago. The Level 2 'Food Safety Award in Catering' food hygiene certificate or an equivalent would be appropriate. The following local organisations run the "Level 2 Food Safety Award in Catering" Course:

Derby College - 01332 836638

Blue Cloud Training - 07946 735287

Food hygiene Consultants - [info@foodhygieneconsultants.com](mailto:info@foodhygieneconsultants.com)) – 07863338372

Online training is available through companies such as Virtual College and High-Speed Training. This list has been compiled from readily available sources and inclusion does not imply recommendation by Derby City Council, neither does omission imply that other organisations may be unsuitable.

4. I recommend that the free Food Standards Allergen training is completed which can be found at:- <https://allergytraining.food.gov.uk/>
5. I was told that chicken/meat was left to thaw at room temperature. This practice encourages the growth of food poisoning bacteria. I recommend you thaw food in covered containers in the refrigerator.
6. To ensure you are fully compliant with the latest E.coli controls I enclose an E.coli Check sheet for you to complete and follow. For information this guidance can be found on the Food Standards Agency website.  
<http://www.food.gov.uk/foodindustry/guidancenotes/hygguid/ecoliguide>
7. In order to prevent cross contamination between 'raw/dirty' and 'clean/ ready-to-eat' areas/practices you should ensure that:
  - any contaminated outer clothing worn in a raw food preparation environment (e.g. aprons and overalls) is changed before handling ready-to-eat foods or entering a clean area. You may consider using disposable aprons for different activities.

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- use of any equipment/work surface such as the preparation of kebabs is separated by time, and adequately cleaned and disinfected in between use, or an additional surface is provided for use and ensure its use does not present a cross-contamination risk.
- wrapping and packaging materials for ready-to-eat foods are stored in a designated clean area designed to protect it from cross contamination.