

Street Trading Section
 Public Protection Division
 222 Upper Street
 London N1 1XR
 020 7527 3630
 street.trading@islington.gov.uk



ISLINGTON

STREET TRADING LICENCE valid from 01/01/2016

This licence permits the person named to trade in the street as detailed below in accordance with and as defined in the London Local Authorities Act 1990 (as amended). This licence continues to remain in force until the expiry date unless it is surrendered or revoked, in which case, it must be returned to Islington Council.

Market	WHITECROSS STREET MARKET		Licence Number	564
Exact Location	no.127		Pitch Number	64
Maximum Pitch Size	9' 10" x 8' 2" (3m x 2.5m)	Licence Period	2016-2018	
Class of Commodity	Mature Cheeses, Cured Meats, Hot & Cold sandwiches			
Personal Details				
Surname/ Family Name	Borea	First Name/s	Matteo	
		Date of Birth:	[REDACTED]	
Home Address	[REDACTED]			
Postcode	[REDACTED]			



Declaration
 I, Mr Matteo Borea have read the standard street trading conditions and I agree to abide by them. I confirm that the information given above is correct to best of my knowledge. I also acknowledge that if I fail to abide by the street trading conditions or the information provided by me is subsequently found to be false it may result in the street trading license being withdrawn.

Signature..... *Matteo Borea*

Date..... 23/2/2016

APPENDIX 2 (a)

From: Toska, Georgette

Sent: 14 March 2017 17:04

To:

Cc: Fordham, David; Dervish, Houriyeh; Kaufman, Simon; Oranu, Obi

Subject: Delimala / Church of Cheese. Whitecross Street Market, London EC1Y 8TD

Importance: High

Dear Mr Borea,

Delimala / Church of Cheese. Whitecross Street Market, London EC1Y 8TD

The Food Safety and Hygiene (England) Regulations 2013 and associated legislation

Further to my Food Hygiene and Standards inspection of your stall today, I am writing to advise you that you have not passed the inspection and have been awarded a Food Hygiene Rating of **1 Major Improvement Necessary**.

Due to concerns of temperature abuse (and the very probable risk of selling unfit food), the Food Handler on duty, Ms Emmerline Smy took the sensible decision to discard some of the cheeses and ready-to-eat meats. The new stock, delivered that morning is to be stored in the Salad Kitchen fridges (at 126 Whitecross Street) at the close of trade. However, this is an emergency arrangement for one day only and you must therefore find a long term appropriate solution which allows you to store your food hygienically and **below +8°C**. The beer room in the basement of the 2 Brewers pub (where you have been keeping your food) is not suitable for the storage of high-risk food. This is because it has an air temperature of **+11.3°C** and will therefore not keep your food below +8°C.

Please find attached my post inspection report which provides further details of the temperature control issue and other areas of non-compliance (which includes inadequate hot water supply, lack of a HACCP based Food Safety Management System, lack of allergen identification, lack of date coding of high-risk food and poor staff training).

I should point out that this is your third Food Hygiene Inspection and it is unfortunate that many of the issues raised today have also been raised during your other inspections.

14 March 2017. Food Hygiene Rating of 1 Major Improvement Necessary

19 February 2015. Food Hygiene Rating of 4 Good.

8 January 2014. Food Hygiene Rating of 1 Major Improvement Necessary

As I have explained previously, your Licence conditions stipulate that you must achieve a Food Hygiene Rating of at least **3 Generally Satisfactory** (which you have only achieved once out of 3 inspections). As this is not the case, this matter will now be referred to both the Commercial Environmental Health and Street Trading Managers for further consideration (they have been copied in to this e-mail). A Case Review will now be undertaken and I will write to you again regarding the outcome of this.

In the meantime, you must ensure that all matters detailed in my report are addressed as a matter of urgency and in some cases **before** you next trade.

Yours sincerely,

Georgette Toska
Food Safety Officer
Commercial Environmental Health- West Team
Public Protection
Islington Council

APPENDIX 2 (b)

From: Toska, Georgette
Sent: 14 March 2017 17:14
To: Oranu, Obi <Obi.Oranu@islington.gov.uk>; Fordham, David <David.Fordham@islington.gov.uk>; Dervish, Houriyeh <Houriyeh.Dervish@islington.gov.uk>; Kaufman, Simon <Simon.Kaufman@islington.gov.uk>
Subject: FW: Delimala / Church of Cheese. Whitecross Street Market, London EC1Y 8TD
Importance: High

Dear All,

Unfortunately, I had to insist that some of the food on the stall was discarded today as it had been kept at an unsafe temperature for a week! I then had to arrange refrigerated storage in a local café for the new stock to be kept in overnight.

This trader has had a lot of advice over the years. He wasn't there today and the lady running the stall didn't know the basics (such as what temperature the food should be kept at). She got upset and cried, when it really isn't her fault.

Anyway, I think a Panel meeting would be a good idea as he hasn't had one before.

Many thanks,

Georgette



Name and Address of Premises	Delimala: Now trading as 'Church of cheese': White	Food Business Operator	Church of cheese Ltd.
Registered/Head Office Address	Cross Street Market - LONDON EC1Y	Business Type	Mr Matteo Boies Market stall

Specific legislation under which inspection conducted:

- The Food Safety and Hygiene (England) Regulations 2013 and associated legislation
- The Food Safety Act 1990 and associated legislation
- Health and Safety at Work, etc Act 1974 and associated legislation
- Other legislation:

Areas inspected: Stall

Procedure/Record/Documents examined

1 invoice
No other records available

Samples Procured/Taken : 1 1/2 of stilton wheel: off cuts of ready to eat

Summary of matters discussed at closing meeting: Meat + cheeses.

- ① Temperature control and monitoring
 - ② Hand washing + cleaning
 - ③ Food safety management system
 - ④ staff training
 - ⑤ stock rotation
 - ⑥ Allergens
- provided:
• Allergen matrix + sign

Follow up action to be taken by the Local authority:

to assess past inspections, when considering enforcement action

- No further action
- Revisit
- Letter/Email
- Improvement notice
- Remedial Action Notice
- Prohibition/Emergency Prohibition Notice
- Possible Caution/Prosecution
- Other: to refer to street trading

This report only covers the areas inspected at the time of the visit. If you disagree with the action taken by the officer, please contact the Environmental Health manager for WEST Team, at the above address.

Issued by: Georgie Toska

Designation: Food safety officer Inspection carried out at 11:45 on 14 March 2017.

Person(s) seen/interviewed: _____ Signature: _____

*See page (2)
Forgot to sign event page



Name and Address of Premises

Church of cheese . Whitersoss street Market . LONDON EC1Y

Matters discussed and requiring attention:

① Temperature control and monitoring: Immediate Action.

- Today, food stored in your thermal box on the stall gave a temperature probe reading of 11.4°C.

The food stored within the boxes was ready-to-eat meats and cheeses. Those with labels stated that they needed to be kept /endogated (i.e. +4°C).

- Overnight, the same food is kept in the Two Brewers pub, basement cold room. This gave an air temperature of +11.3°C. You cannot store your food there.

- I was advised that the re-wrapped food (shilton, brie cheese and off-cuts of meat) were delivered approximately 1 week ago. Therefore, it is reasonable to assume, that under the same ongoing storage conditions, they have been kept over the maximum legal temperature requirement of +8°C.

It was agreed that this food would not be sold, due to the concern of temperature abuse. It has been bagged and tagged. ENOSEAL 0086004. It will be discarded by the business.

Name: EMILY LINE SMY

Signed:

Position in company: ASSISTANT.

TYPE (See codes)

FH
CIM
C

C = Contravention of legal requirements

R = Recommendation of good practice

FH = Relates to Food Hygiene and Safety Procedures; ST = Relates to Structural Requirements; CIM = Relates to Confidence in Management (FH, ST and CIM are used when calculating your Food Hygiene Rating)

FST = Relates to Food Standards (inc labelling); HSW = Relates to Health and Safety at Work; SMF = Relates to Smokefree Requirements; OTH = Relates to other matters

Please note that if this visit has involved a primary food hygiene inspection, you will receive notification of your Food Hygiene Rating (including details of how it was calculated) in the post within 14 days. You will also be sent a certificate and door sticker for you to display your rating.



Name and Address of Premises

church of cheese. whitecross street Market. London.

Matters discussed and requiring attention:

Although there was a probe thermometer at the stall, it was not working at the time of my inspection. There were also no temperature records available, to support that checks are being made. The sole food handler on duty was not aware of the temperature requirements. Poor temperature control and monitoring, as observed today, poses a real risk to food safety.

TYPE
(See codes)

② Hand washing + cleaning: 3 days.
The pump thermal water flask is not adequate for hand washing and cleaning. This matter has been raised on a number of occasions. It should be noted that you handle and prepare open, high-risk food and wash all of your equipment on the stall.
I would suggest that you use an urn and washing-up bowls / buckets, as this has a greater capacity.
Please refer to the previously provided CIEH guidance regarding this topic.

ST
①

④ Food Safety management system: 1 day to provide, by e-mail

CIM
①

Today, there was no evidence of a documented

C = Contravention of legal requirements

R = Recommendation of good practice

FH = Relates to Food Hygiene and Safety Procedures; ST = Relates to Structural Requirements;

CIM = Relates to Confidence in Management (FH, ST and CIM are used when calculating your Food Hygiene Rating)

FST = Relates to Food Standards (inc labelling); HSW = Relates to Health and Safety at Work; SMF = Relates to Smokefree Requirements; OTH = Relates to other matters

Please note that if this visit has involved a primary food hygiene inspection, you will receive notification of your Food Hygiene Rating (including details of how it was calculated) in the post within 14 days. You will also be sent a certificate and door sticker for you to display your rating.



Name and Address of Premises

Church of Cheese. Whitcross Street Market. LOND N1

Matters discussed and requiring attention:

Food safety management system based on the principles of HACCP. This includes evidence of staff training, opening + closing checks and temperature monitoring records.

TYPE
(See codes)

④ Staff training: Immediate action
Today, the food handler working alone was not sufficiently trained in food hygiene matters (as illustrated in part 1: temperature control). The equivalent of level 2 training, must be undertaken by staff who work alone, or are expected to supervise someone else.

CIM
C

⑤ Stock rotation: Immediate action
Today, there were pieces of cheese and meat that were undated. I was advised that you had them for about 1 week. It is good practice to date 'label re-wrapped' produce (taking into account the manufacturer's guidance). This will help stock rotation and daily date checks, which should be carried out.

CIM
C

⑥ Allergens. 1 week.
Identify, which of the 14 allergens are contained in your food.

FS
CIM
C

C = Contravention of legal requirements

R = Recommendation of good practice

FH = Relates to Food Hygiene and Safety Procedures; ST = Relates to Structural Requirements;
CIM = Relates to Confidence in Management (FH, ST and CIM are used when calculating your Food Hygiene Rating)

FST = Relates to Food Standards (inc labelling); HSW = Relates to Health and Safety at Work; SMF = Relates to Smokefree Requirements; OTH = Relates to other matters

Please note that if this visit has involved a primary food hygiene inspection, you will receive notification of your Food Hygiene Rating (including details of how it was calculated) in the post within 14 days. You will also be sent a certificate and door sticker for you to display your rating.

APPENDIX 3

From: Fordham, David

Sent: 15 March 2017 12:03

To:

Cc: Toska, Georgette <Georgette.Toska@islington.gov.uk>; Kaufman, Simon <Simon.Kaufman@islington.gov.uk>; Demetriou, Chris <Chris.Demetriou@islington.gov.uk>; Trading, Street <Street.Trading@islington.gov.uk>; Nash, Rosemary <Rosemary.Nash@islington.gov.uk>; Lysaght, Mark <Mark.Lysaght@islington.gov.uk>; Morgan, Gerald <Gerald.Morgan@islington.gov.uk>; Oranu, Obi <Obi.Oranu@islington.gov.uk>

Subject: Food Hygiene Inspection

Dear Mr Borea

Delimala / Church of Cheese. Whitecross Street Market, London EC1Y 8TD

I was extremely disappointed to be informed by Georgette Toska – Food Safety Officer, that your food hygiene inspection of your stall in Whitecross Street on 14th March 2017, has resulted in a score of 1 – Major Improvement Necessary.

As you will be aware, the Street Trading licence conditions state “All licensed food traders shall achieve and maintain for the duration of their licence a Food Hygiene Rating Standard of 3 or higher”.

The score of 1 falls way below the expected and required standards for our food traders in markets and as a result, I have no other option other than to suspend your Street Trading licence for a minimum of 1.5 weeks with immediate effect.

You will not be able to trade in Whitecross St during this period.

You are invited to attend a review meeting at 3.00 pm on Monday 27th March so that I can determine whether your licence should be reinstated. This period of suspension will give you the opportunity to take on board any recommendations and improvements suggested by Ms Toska or her team.

Another matter of concern, and of which I have no doubt is a contributing factor to your poor score, is your infrequent attendance at the stall.

The Street Trading conditions state;

“You must be in personal attendance on your pitch for the majority (at least 50 per cent) of the working day, apart from absences for illness or holidays unless otherwise approved by the Council. You must attend and trade for a minimum of three days each week unless otherwise approved by the Council.”

Again, when we meet on 27th March, I will need to receive reassurances that you can meet the above condition.

If the above date is not convenient then please contact the Street Trading section to rearrange, but please remember that your licence will remain suspended until I am satisfied that you can meet the above Street Market conditions.

Yours Sincerely

David Fordham

Service Manager

Trading Standards and Street Trading

APPENDIX 4

From: Fordham, David
Sent: 10 April 2017 15:04
To:
Cc: Dervish, Houriyeh <Houriyeh.Dervish@islington.gov.uk>; Kaufman, Simon <Simon.Kaufman@islington.gov.uk>
Subject: RE: Matteo Borea Church of Cheese delimala Inspection

Dear Mr Borea

I have received both your e-mails with your updated instructions, and have discussed their contents with Mr Oranu and Ms Toska.

If all these matters referred to in the e-mails are in place and you are confident that your staff have been properly trained, then I think it is appropriate that we reinstate your licence with immediate effect.

This means that you can start trading again in the market.

Once you are trading, you will receive an unannounced inspection from one of our Environmental Health Officers who will report their findings to me.

If you have taken on board all the advice given, then you will be able to continue trading in Whitecross St, but I must warn you that if we do find significant further problems on this next or future inspections, then it is highly likely that your licence will be revoked.

Regards

David Fordham

Service Manager

Trading Standards and Street Trading

APPENDIX 5 (a)

From:
Sent: 23 May 2017 09:20
To: Toska, Georgette
Subject: Matteo borea white cross stall inspection

Dear Georgette,

I would like to update you on my upgrade. Since last inspection I've upgraded the market hygiene situation as you asked me.

The food is now kept in a fridge with low temperature during the non trading time, all the temperature records are checked twice daily and recorded, I have a urn with a tap for washing hands with hot free flowing running water, and I have a small fridge/freezer to keep the cheeses and meat stored in during the trading times a way to always keep the cold rotation.

I've been in London for the last three weeks but unfortunately I need to go away for something like ten days from today.

I was wondering if its recommended to wait for you for the next inspection and keeping the stall closed or if its fine to let the stall for this period at Emmerline Smy. Emmerline is on the license as assistant and she has been working with me for the past three weeks to make sure that she knows all the steps and updates.

Sorry to be a bit unsure, but after the last inspection I want all the things made in proper ways in case you recommend my presences will keep shout until my come back at the end of May.

Have a good day and see you soon,

Matteo Borea

APPENDIX 5 (b)

-----Original Message-----

From: Toska, Georgette
Sent: 23 May 2017 10:16
To: 'matteo borea'
Cc: Fordham, David; Dervish, Houriyeh
Subject: RE: Matteo borea white cross stall inspection

Good morning Matteo,

Thank you for your e-mail. I do not have any issue of you leaving Emmerline in charge of the stall, as long as your Food Safety Management System is implemented and that your food is kept safe. With regard to your licence conditions however, you must check that this is permitted. I have copied Mr David Fordham and Mrs Houriyeh Dervish into the e-mail for their consideration.

Thank you for keeping me up to date.

With kind regards,

Georgette

APPENDIX 5 (c)

From:

Sent: 23 May 2017 11:38

To: Toska, Georgette <Georgette.Toska@islington.gov.uk: Dervish, Houriyeh <Houriyeh.Dervish@islington.gov.uk>

Subject: Licensee Absence

Good Morning Matteo

Following the recent problems encountered by our Environmental Health officer, part of the agreement to allow you to start trading again was that you needed to be in attendance on your stall at all times.

I note that you have been complying with this requirement for the past 3 weeks.

We obviously acknowledge that there are times when a licensee's attendance may not be possible, and that is why we allow the licensee to register an Assistant, who can cover such short periods of absence. With regard to food premises, the crucial aspect for me is whether the Assistant is properly trained to manage the stall and implement the Food Safety Management system in the absence of the Licensee. This didn't appear to be the case at the time of the last inspection.

However, you have acknowledged the past problems, and have carried out the required improvements, so if you are therefore confident that Emmerline Smy is properly trained and confident in her role, then we can agree that the stall can continue to trade under Emmerline Smy's control for the period requested.

Regards

Dave



Thomas Genti

**IS AUTHORISED BY ISLINGTON COUNCIL
TO TRADE AS AN ASSISTANT ON BEHALF OF**

MATTEO BOREA

L.B. ISLINGTON
AUTHORISED BY

Authorising stamp and signature

STREET TRADING

Street Trading Licence No LN/00017417

Pitch Number 564

Whitecross Street Market

The named licensee MATTEO BOREA remains responsible for all trading activities on their behalf and must be carried out in accordance with the licence conditions.

This permit must be displayed clearly in a prominent position with the licensees' stall card and remains the property of Islington council.

This permit must be given up when the licence to which it relates is no longer valid. Expiry Date: 31/12/18

This permit is not transferable.

Public Protection Division
222 Upper Street
London
N1 1XR
Tel 020 7527 3830
Email street.trading@islington.gov.uk

issued Aug 2017.

APPENDIX 7

From: Toska, Georgette
Sent: 08 March 2018 16:58
To: Dervish, Houriyeh <Houriyeh.Dervish@islington.gov.uk>; Kaufman, Simon <Simon.Kaufman@islington.gov.uk>
Cc: Fordham, David <David.Fordham@islington.gov.uk>
Subject: Matteo Borea. Whitecross Street Market

Hello Houriyeh and Simon,

I was at Whitecross Street yesterday (Wednesday 7 March) and came across Matteo Borea's stall. He was not there and the attached assistant's card was displayed. However, the named assistant was also not there.

2 gentlemen: Mr Luka Loparco and Mr Settino Balena were there. They were serving hot pasta, which they had cooked on camping stoves. Luka said they had been at the market for the last 2 weeks. His mobile is [redacted]. He said that the attached Licence was checked that morning and that everything is ok.

I am concerned by this as I was not aware of the change and there were a couple of things that concerned me (such as the use of camping gas!) and it would appear from what I saw that Matteo is "sub-letting his stall" as these 2 gentlemen are completely unknown to me / us. Matteo, as you will remember attended a Panel with us and was given a final warning.

I can of course inspect them but I figured that you may not be aware of the situation and may well deal with matters beforehand.

Let me know if I can help further.

Many thanks,

Georgette

Georgette Toska
Senior Food Safety Officer
Commercial Environmental Health- West Team

APPENDIX 8

From: Dervish, Houriyeh

Sent: 09 March 2018 19:37

To:

Subject: Whitecross Street License Suspended

Dear Matteo

It is with regret that I have to suspend your street trading licence in Whitecross Street. It has been reported to me that you have changed the types of food on your stall and you have not been present. I was also surprised to find out that your 'assistant' was trading without the surrender of a casual voucher and led the officers to believe that he was licenced for the whole week and not just Thurs & Fri. We are very concerned especially as the commodities have not been approved by our food safety officers and we have had issues in the past with your operation.

I must now inform you that I have no option but to suspend your licence until we are able to resolve this matter. I will be on leave until Thursday next week but please do call me on my return.

Yours Sincerely

Houriyeh Dervish
Street Trading Manager

APPENDIX 9

From: Dervish, Houriyeh

Sent: 22 March 2018 17:27

To:

Subject: RE: Whitecross Street License Suspended

Importance: High

Dear Matteo

Further to our discussion earlier in the week, I have had to refer this case to the Street Trading Officers Panel and can now advise you the following:

Due to a history of non-compliance the council are not prepared to reinstate your licence at this stage. Your case will now be referred to the Licensing Regulatory Committee with a recommendation that the license is revoked.

Your license will remain suspended until this matter can be heard by the Licensing Regulatory Committee; the date for their next scheduled meeting is 12 June 2018.

Yours sincerely

Houriyeh Dervish



ISLINGTON

APPENDIX 10

Street Trading Team
Public Protection Division
222 Upper Street
London N1 1XR

Mr Matteo Borea

T 020 7527 3046
F 020 7527 3165
E houriyedervish@islington.gov.uk
W www.islington.gov.uk

This matter is being dealt with by:
Houriye Dervish

Our ref:
Your ref:

Date: 4 April 2018

Dear Mr Borea,

BREACH OF LONDON LOCAL AUTHORITIES ACT 1990 (AS AMENDED)

WHITECROSS STREET PITCH 564

I am writing to inform you that in accordance with Section 28 (1) (c) (d) and (h) of the London Local Authorities Act 1990 (as amended), I am referring your case to the Licensing Regulatory Committee on the grounds that:

(c) the applicant is an individual who has without reasonable excuse failed personally to avail himself fully of his licence

(d) you as the licence holder are on account of misconduct or for any other sufficient reason unsuitable to hold the licence;

(h) you as the licence holder have persistently failed to comply with any condition of your licence:

item 4 of the Street trading conditions which states:

'The business activity of the stall shall be undertaken in compliance with other legislation enforced by the Council or other Agencies, e.g. Environmental Health, Health and Safety, Food Safety, Trading Standards, Fire Prevention, Waste Management and Highways Regulations.

Item 12 Trading may only take place on the days and during the times specified on the licence/stall card.

Item 66 of the Street trading conditions which states:

'All licensed food traders shall achieve and maintain for the duration of their licence a Food Hygiene Rating Standard of 3 or higher.'

The committee will be asked to consider this case and determine whether to:

- Revoke the licence or
- Vary the conditions on the licence by attaching further conditions or
- Take no further action

You have the right to attend and address the Committee. If you decide to exercise this right you should attend the meeting which will be held on Tuesday 12 June 4pm at Islington Town Hall, Upper Street, and N1 2UD. You may attend the meeting with a representative of your choice and call in any witnesses. If you are unable to attend and you wish to apply for an adjournment, you must notify this office in writing with the reason and accompany this with supporting evidence e.g. medical certificate in case of illness. However, I must advise you that if the committee is not satisfied with the reasons you have given for seeking an adjournment, it may decide to hear your case in your absence.

In the meantime, I must remind you that your licence will remain suspended and neither you or any assistants will be able to trade. No further charges will be applied for the period from April – June. Charges will resume only if the Committee agrees to reinstate your licence.

Please advise the street trading team if you will be attending the meeting to present your case.

Yours sincerely



Houriyeh Dervish
Street Trading Manager