



Oaklands Road
Haywards Heath
West Sussex
RH16 1SS

01444 458166
www.midsussex.gov.uk

Contact
Tel 01444 477433

Email
foodsafety@midsussex.gov.uk

Our Ref
SR/25/3889

Date
17 November
2025

Dear Andrew Horrell

**The European Union (Withdrawal) Act 2018
Regulation (EC) No. 178/2002 & No. 852/2004
Food Safety and Hygiene (England) Regulations 2013
Health & Safety at Work etc. Act 1974
Local Government (Miscellaneous Provisions) Act 1976**

Address: Bloomsbury Kitchens, Copthorne Bank, Copthorne,
Crawley, West Sussex, RH10 3QZ

Planning Application Reference No: DM/25/2817

Please see attached schedule detailing structural requirements for food businesses

Eve Newman
Senior Environmental Health Officer
Food & Safety Team
Environmental Health

Working together for a better Mid Sussex

Scan the QR code to find out
all the latest Mid Sussex news



Judy Holmes
Director of Planning & Sustainable Economy, Communities

Chief Executive - Kathryn Hall

SR/25/3889

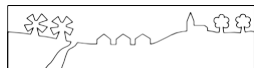
FDSRQ



GENERAL STRUCTURAL REQUIREMENTS FOR FOOD BUSINESSES
Regulation (EC) No.852/2004 Annex II Chapters I to XI

1. Food premises are to be kept clean and maintained in good repair and condition.
2. The layout, design, construction, siting and size of food premises must:
 - (a) Permit adequate maintenance, cleaning and/or disinfection, avoid or minimise air-borne contamination, and provide adequate working space to allow for the hygienic performance of all operations;
 - (b) Be such as to protect against the accumulation of dirt, contact with toxic materials, the shedding of particles into food and the formation of condensation or undesirable mould on surfaces;
 - (c) Permit good food hygiene practices, including protection against contamination and, in particular, pest control;
 - (d) Where necessary, provide suitable temperature-controlled handling and storage conditions of sufficient capacity for maintaining foodstuffs at appropriate temperatures and designed to allow those temperatures to be monitored and, where necessary, recorded.
3. An adequate number of flush lavatories are to be available and connected to an effective drainage system. Lavatories are not to open directly into rooms in which food is handled or a work room. A lobby should be provided between the lavatory and the adjoining room. Lavatories must have adequate natural or mechanical ventilation.
4. An adequate number of wash hand basins is to be available, suitably located and designated for cleaning hands. Washbasins must be provided with hot and cold running water, materials for cleaning hands and for hygienic drying. Wash hand basins should be provided in the kitchen and other areas where open food is handled, and also close to lavatories.
5. There is to be suitable and sufficient means of natural or mechanical ventilation in the kitchen and other food rooms. Mechanical airflow from a contaminated area to a clean area is to be avoided. Ventilation systems are to be so constructed as to enable filters and other parts requiring cleaning or replacement to be readily accessible and to ensure that nuisance from smell and noise is not caused to adjacent premises.
6. Food premises must have adequate natural and/or artificial lighting.
7. Drainage facilities must be adequate for the purpose intended. They must be designed and constructed to avoid the risk of contamination. Where drainage channels are fully or partially open, they are to be so designed as to ensure that waste does not flow from a contaminated area towards or into a clean area, in particular an area where foods likely to present a high risk to the final consumer are handled.
8. Adequate changing facilities for personnel must be provided where necessary. Outdoor clothing must not be stored in a food room.
9. Cleaning agents and disinfectants are not to be stored in areas where food is handled.
10. In rooms where food is prepared, treated or processed (excluding dining areas):
 - **Floor** surfaces are to be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials unless food business operators can satisfy the competent authority that other materials used are appropriate. Where appropriate, floors are to allow adequate surface drainage. Assuming that they are properly installed, floor surfaces that would comply with this requirement include: Quarry, ceramic or vinyl floor tiles, vinyl safety flooring, Terrazzo, cast in situ resin flooring unless the proprietor of the food business can satisfy the food authority that other materials used are appropriate.

- **Wall** surfaces are to be maintained in a sound condition and be easy to clean and, where necessary, to disinfect. This will require the use of impervious, non-absorbent, washable and non-toxic materials and require a smooth surface up to a height appropriate for the operations unless food business operators can satisfy the competent authority that other materials used are appropriate.
 - **Ceilings** (or, where there are no ceilings, the interior surface of the roof) and overhead fixtures are to be constructed and finished so as to prevent the accumulation of dirt and to reduce condensation, the growth of undesirable mould and the shedding of particles;
 - **Windows** and openings must be constructed to prevent the accumulation of dirt. Those which can be opened to the outside environment must where necessary be fitted with insect-proof screens which can be easily removed for cleaning. Where open windows would result in contamination, windows are to remain closed and fixed during production;
 - **Doors** must be easy to clean and where necessary disinfect. This will require the use of smooth and non-absorbent surfaces, unless the proprietor of the food business can satisfy the food authority that other materials used are appropriate.
 - **Surfaces** (including surfaces of equipment) in contact with food must be maintained in a sound condition and be easy to clean, and, where necessary, to disinfect. This will require the use of smooth, washable and non-toxic materials unless the food business operators can satisfy the food authority that other materials used are appropriate.
 - **Sinks** Adequate sinks must be provided for the cleaning and disinfecting of work utensils and equipment. These facilities must be constructed of corrosion resistant materials, be easy to clean and have an adequate supply of hot and cold water. Adequate sinks must be provided for washing food. Every sink for washing food must have an adequate supply of hot and/or cold potable water as required, and be kept clean, and, where necessary, disinfected.
11. All articles, fittings and equipment with which food comes into contact must be so constructed of such materials and be installed in such a manner as to minimise any risk of contamination of the food and allow adequate cleaning of the surrounding area.
 12. Food waste, non-edible by-products and other refuse are to be deposited in closable containers, unless food business operators can demonstrate to the competent authority that other types of containers or evacuation systems used are appropriate. These containers are to be of an appropriate construction, kept in sound condition, be easy to clean and, where necessary, to disinfect.
 13. Adequate provision is to be made for the storage and disposal of food waste, non-edible by-products and other refuse. Refuse stores are to be designed and managed in such a way as to enable them to be kept clean and, where necessary, free of animals and pests.
 14. All waste is to be eliminated in a hygienic and environmentally friendly way in accordance with legislation applicable to that effect, and is not to constitute a direct or indirect source of contamination.
 15. There is to be an adequate supply of potable water, which is to be used whenever necessary to ensure that foodstuffs are not contaminated.
 16. Ice which comes into contact with food or which may contaminate food is to be made from potable water. It is to be made, handled and stored under conditions that protect it from contamination.



Provision of Toilets in Food Establishments in Mid Sussex

This document offers guidance on the standards adopted by Mid Sussex District Council for the provision of toilet amenities in food establishments that offer seating or other facilities intended for the use of consumers to consume refreshments. Guidance relates to our adopted policy under Section 20, Local Government (Miscellaneous Provisions) Act 1976. Please note that the information contained in this document is intended for guidance only and is not a comprehensive statement of the requirements. If more specific information is required, you should seek the full version of the related legislation. Each toilet should be provided with a wash hand basin with adequate supplies of hot and cold, or appropriately mixed, running water, soap and hygienic hand drying facilities.

1. New Premises

Toilets will be required on the following scales for new businesses where seating will be provided for the public (NB where premises provide seating facilities for fewer than 30 persons, the shared use of one toilet will be considered sufficient).

a) Restaurants, Cafes, Fast Food Outlets and Canteens

Fitments	For male public	For female public
Toilets	1 per 100 up to 400. For over 400 add at the rate of 1 per 250 or part thereof.	1 per 50 up to 200. For over 200 add at the rate of 1 per 100 or part thereof.
Urinals	1 per 25 persons	
Wash hand basins	Each toilet should be provided with a wash hand basin with adequate supplies of hot and cold, or appropriately mixed, running water, soap and hygienic hand drying facilities.	

b) Hotels

Fitments	For residential public and staff	For public rooms – for males	For public rooms – for females
Toilets	1 per 9 persons omitting occupants of rooms with toilets ensuite	1 per 100 up to 400. For over 400 add at the rate of 1 per 250 or part thereof	1 per 50 up to 200. For over 200 add at the rate of 1 per 100 or part thereof.
Urinals		1 per 25 persons	
Wash hand basins	Each toilet should be provided with a wash hand basin with adequate supplies of hot and cold, or appropriately mixed, running water, soap and hygienic hand drying facilities.		

2. Public Houses, Beer Houses, Wine Bars, Clubs (where alcohol is consumed on the premises)

(NB number of persons frequenting the premises is calculated by assuming 3 persons to 2 square yards of drinking area, excluding fixtures and fittings).

Customer accommodation	Female toilet	Males	
		Male toilet	Urinals
Less than 15	1	1	1
15-100	1	1	1
150	2	1	2
200	2	1	3
250	2	2	3
300	3	2	4
350	4	2	5
Wash hand basins	Each toilet should be provided with a wash hand basin with adequate supplies of hot and cold, or appropriately mixed, running water, soap and hygienic hand drying facilities.		

3. Existing Premises

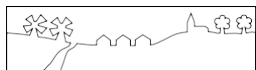
- a) Toilets to be required on similar scales where seating is provided for the public in existing premises.
- b) Each toilet should be provided with a wash hand basin with adequate supplies of hot and cold, or appropriately mixed, running water, soap and hygienic hand drying facilities.
- c) Each case to be judged on its merits and consideration given to physical limitations of premises themselves to contain such conveniences.

Further Food Safety Information

It is best practice that, wherever possible, toilet facilities for customers should be separate from those intended for staff members. The purpose of this is to reduce the risk of food handlers being introduced to infections that members of the public could bring in, although good personal hygiene and effective hand washing can control the hazard. This principle is strongly recommended in new or substantially refurbished premises which will be served by more than 30 customer seats. In addition, it is specifically detailed in the European Food Law that all toilets must be connected to an effective drainage system, and must not open directly into rooms where food is handled. The latter point requires the use of an intervening lobby with at least 2 doors when the toilet is connected to any food storage, cooking or preparation room, but will also include any restaurant seating or server area.

Frequently Asked Questions

Question	Answer
In a café or restaurant where food is being consumed, can a toilet enter directly into a food area (e.g. kitchen, dining area etc.)	No. Toilets should not lead directly into rooms in which food is prepared or eaten. This means that there should be a lobby with two doors between the lavatory and the food room. This is required by Food Law.
If I am building a new restaurant or café with seating, should I provide toilet facilities for people with disabilities?	Toilet facilities should be provided for people with disabilities wherever it is reasonable and practicable. The Council's Building Control Department should be contacted for more specific advice. Tel: 01444 477570
If I am only providing food to be eaten off the premises do I need to provide toilets for customers?	Providing all food is supplied on a take-away basis then toilets would not need to be provided for customers. It should however be remembered that if a toilet is provided it must comply with the legal standards.
Do I need to provide toilet facilities for my staff?	Under the Workplace (Health, Safety and Welfare) Regulations 1992 "suitable and sufficient sanitary conveniences shall be provided at readily accessible places". In most situations this would mean that toilets and wash hand basins must be provided at the premises although there can be exceptions to this (e.g. kiosks with public toilet facilities nearby). Guidance is available regarding the number of toilets that should be provided of each sex.
Does every room containing a toilet have mechanical extract ventilation?	Not necessarily. All rooms where a toilet or urinal is provided must have adequate ventilation to prevent odours entering other rooms. Suitable natural ventilation may be sufficient.
Does the lobby area between a toilet and the seating area or food handling room need to be provided with mechanical extract ventilation?	No. There is no obligation to provide mechanical extract ventilation in the lobby, however ventilation can be useful in lobbies (especially in cramped small lobbies) to improve ventilation.
I have been to a food premises that does not comply with standards set out in this guide. How are they allowed to get away with this?	This information refers to new and/or substantially refurbished premises. These standards must be achieved in all new premises. Certain exceptions have been made for premises that were operating prior to the introduction of the legislation although wherever practicable these standards are asked for in older premises.



MID SUSSEX
DISTRICT COUNCIL