

Filthy restaurant infested with RATS as owner handed lifetime ban

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BY **PAUL BEARD** 09:33, 12 DEC 2017, **UPDATED**09:36, 12 DEC 2017

The **Perry Barr** owner of a restaurant where rat and mouse infestations put the health of customers at risk has been banned from taking part in running any food business.

The ban was imposed when Kayes Miah appeared at Warwick Crown Court after pleading guilty to a number of breaches of food hygiene and safety regulations.

He also admitted failing to comply with an improvement notice served on him over the appalling conditions at the Mr India restaurant and take-away in West Street, Warwick.



Kayes Miah outside Warwick Crown Court (Image: Paul Beard)

Miah, of Derrydown Road, Perry Barr, was sentenced to ten months in prison suspended for two years and was ordered to do 150 hours of unpaid work and to pay £500 costs.

Recorder Anthony Potter told him: “Customers were coming to your restaurant for the convenience of food being prepared for them and for a pleasant experience.

“What they did not want was the risk of contracting an unpleasant disease as a result.”

Marcus Harry, prosecuting, said that Miah had registered as a food business operator in May 2010 and opened Mr India.

In March this year Warwick District Council food safety inspectors carried out a routine inspection of the premises which uncovered a number of offences – the most serious of which were infestations of both rats and mice.

Rodent droppings were found in a variety of locations, including near a chiller and in the cellar which was used to store non-food items including take-away containers.



Mr India is situated on the corner of West Street, Warwick (Image: Google Maps)

Nesting material was also found in the cellar, where there were also areas of flooding.

In the kitchen the inspectors noted general dirtiness, including greasy walls and ceilings, a greasy drainage rack, and holes large enough for rodents to get in and out of the kitchen.

There was also inappropriate means for staff members to clean their hands, with no soap or paper towels.

There was mould on the walls near the sink in the kitchen and a leak under the sink, and items such as a chopping board, a tea towel and a food container were dirty, as were various surfaces and a microwave oven.

There were further issues identified in the bar area, and the restaurant had no food safety management system in place.

Miah was on holiday at the time, but his nephew was there and agreed to a voluntary closure of the restaurant until a pest control operator was brought in and a thorough clean carried out.

Mr India re-opened three days later after a further visit was made which established that those measures were under way.

But the improvements did not last and, when another inspection was carried out in May, eight further offences were discovered, including evidence of fresh rodent droppings.

The walls and ceilings in the kitchen were still soiled with grease, as was the draining rack, and there was a food container with a split in an area infested with rodents.

Again there was a voluntary closure while improvements were supposedly made, and a hygiene improvement notice was served on Miah a few days later.

But a further inspection in July showed that had not been complied with – and there were still a number of breaches of food hygiene regulations including dirty and greasy surfaces and mould, while in the cellar there were dead insects in the area where food containers were kept.

Mr Harry pointed out that Miah had already been cautioned for hygiene regulation breaches in 2010 and 2014, a year when he was also convicted of breaching regulations in respect of a travel agency he was running at the time.

Recorder Potter commented: “Of particular concern to me is that on each occasion there has been no attempt to put in procedures to deal with the concerns. On one hand he blames others, but on the other hand he had the option of complying.”

Amrisha Parathalingam, defending, said: “He has made changes. He tells me that in fact the council were supposed to visit the premises about a month ago, but no-one attended.”

She handed in a number of photographs which she said showed the improvements that had been made, including painting the walls – but Mr Harry observed that there were none of other areas of concern, such as the cellar.

Miss Parathalingam added: “Of course the premises were filthy, which Mr Miah has to accept. His mother died, which had an effect on him, but he knows that does not excuse putting the public’s health at risk by running a dirty restaurant.”

Recorder Anthony Potter told Miah: “I have to sentence you for a number of breaches of food and safety hygiene regulations, breaches that occurred on three separate occasions.

“You ran the Mr India restaurant. It’s a restaurant which is close to the castle and close to the racecourse which attract a large number of visitors to the region.

“It is in a prime position to attract customers, and I have no doubt that anyone who has attended that restaurant would be appalled to see the state it was in when the inspectors first visited, when they found evidence of rats and mice having visited the premises and left their droppings.”

“I have to take regard of what I consider your flagrant disregard of regulations which are in place to ensure customers can eat and purchase food to take away in the knowledge that they can eat it safely.”