

Introduction

For the purposes of this document, the term “mobile traders” includes mobile premises, kiosks, stalls, vehicles, trailers and other such premises. All such categories shall henceforth be referred to within this document as “mobile food units”.

This document only relates to mobile food units where the operation of such requires a Street Trader’s Licence under the Civic Government (Scotland Act) 1982 (as amended)

Street Trader’s Licence

In order for a person to obtain a Street Trader’s Licence, the mobile food unit operated by that person must be subject of a valid Certificate of Compliance from a Food Authority.

Certificate of Compliance

In order to obtain a Certificate of Compliance under Section 39 of the Civic Government (Scotland) Act 1982, the mobile food unit must be inspected by the Food Authority which has registered that food business/mobile food unit.

If the trader/unit is not registered in Scotland, the inspection and issue of a Certificate of Compliance must be undertaken by the Scottish Food Authority in which the application for a Street Trader’s Licence is made.

Any current Certificate of Compliance issued by a Food Authority in Scotland shall be accepted by all other Licensing Authorities in Scotland where the operator of the mobile food unit applies for a Street Trader’s Licence. This does not, however, preclude the subsequent inspection of the mobile food unit by any Food Authority while the unit is trading within its jurisdiction.

As Health and Safety matters are not considered for input into the Certificate of Compliance procedure, it is anticipated that this guidance will assist in ensuring a consistent application of health safety within the mobile street trader sector.

COMPLIANCE WITH THE HEALTH AND SAFETY AT WORK ETC. ACT 1974

- 1) All operators of street trading vehicles have a legal responsibility under the Health and Safety at Work etc. Act 1974, to ensure the safety, health and welfare of their employees, themselves and members of the public.
- 2) Employers must make sure that working conditions are safe from risk and that staff are properly trained and protected. Further advice, designed specifically for small and medium sized businesses, can be found at www.hse.gov.uk/abc.
- 3) Customers and the public must not be exposed to any risks.
- 4) Operators must not risk their own safety.
- 5) These duties extend to such matters as;
 - a) Policy Statement. See Section 1.
 - b) Risk Assessment. See Section 3.
 - c) Training. See Section 4.
 - d) Accident Notification. See Section 5.



- e) Liquefied Petroleum Gas (LPG). See Section 7.
- f) Electrical Safety. See Section 8.
- g) Pressure Systems. See Section 9.
- h) Work Equipment. See Section 10.
- i) Slips, Trips & Falls. See Section 11.
- j) Hazardous Substances. See Section 12.

1. POLICY STATEMENT

Legal References:

Health and Safety at Work etc. Act 1974

- 1.1. Employers with more than five employees must provide a written Health and Safety Policy Statement.

www.hse.gov.uk/simple-health-safety/write.htm

2. HEALTH & SAFETY LAW INFORMATION

Legal References:

The Health and Safety Information for Employees Regulations 1989

- 2.1. The approved Health and Safety Law poster must be displayed in a prominent position.
- 2.2. Alternatively, a pocket card version of the Law poster can be provided to staff.

3. RISK ASSESSMENT

Legal References:

Health and Safety at Work etc. Act 1974

The Management of Health and Safety at Work Regulations 1999

- 3.1. Employers and self-employed persons must carry out an assessment of the risks associated with the operation of the business. This will involve identifying all relevant hazards that may present a risk of injury or ill health and ensuring that measures are identified to control associated risks. Work activities should be examined e.g. manual handling, use of equipment, vehicle movements etc. in order to identify risks. Also those at risk should be identified; these may include members of the public in addition to employees. Where there are five or more employees, significant findings require to be documented.

www.hse.gov.uk/risk/index.htm

www.hse.gov.uk/pubns/cais25.pdf

4. TRAINING

Legal References:

Health and Safety at Work etc. Act 1974

Provision and Use of Work Equipment Regulations 1998



- 4.1. Employees require to be provided with such information, instruction, training and supervision as is necessary to ensure, as far as is reasonably practicable, their health and safety at work.

<http://www.hse.gov.uk/pubns/indg345.pdf>

5. ACCIDENT NOTIFICATION

Legal References:

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

- 5.1. Systems must be in place for reporting, to RIDDOR, all specified injuries and accidents resulting in absence from work for more than seven days. Also injuries to members of the public that result in them being taken directly from the scene to a hospital for treatment.
- 5.2. In addition, specified Dangerous Occurrences and certain Occupational Diseases require notification.
- 5.3. Records require to be maintained of reportable accidents, occupational diseases and dangerous occurrences.

www.hse.gov.uk/riddor/index.htm

6. FIRST AID

Legal References:

The Health and Safety (First Aid) Regulations 1981

- 6.1. A suitable first aid kit must be kept in the vehicle.

www.hse.gov.uk/firstaid

7. STORAGE, USE AND HANDLING OF LPG

Legal References:

The Provision and Use of Work Equipment Regulations 1998

The Gas Safety (Installation and Use) Regulations 1998

Technical Standards

Code of Practice 24, Part 3 – Use of LPG Cylinders: The Use of LPG in Mobile Catering Vehicles and Similar Commercial Vehicles (May 2000)

7.1. **Servicing:**

- 7.1.1. Documentation must be provided to show that servicing of appliances has been carried out by a competent person, i.e. Gas Safe registered, accredited to work on non-domestic LPG mobile catering equipment and generators (as applicable). Competency of engineers can be verified on the Gas Safe website, see link below. The service should include a check of the whole system, from the cylinder up to and including the appliances.
- 7.1.2. A valid safety certificate issued by a competent, Gas Safe registered engineer requires to be available.

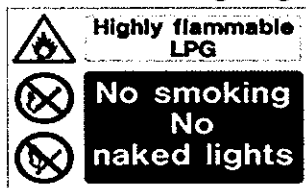
7.2. **What you must do:**

7.2.1. Site all cylinders outside the mobile food unit and protected from interference; or stored within a suitable, lockable, ventilated compartment attached to or forming part of the mobile food unit.

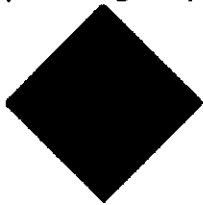
7.2.2. All cylinders must be stored in an upright position, with valves uppermost and secured to prevent movement.

7.2.3. When the vehicle is not in use, systems must be in place to ensure that free-standing cylinders are not left unattended in any location which is not secure from public access or unauthorised interference. They must not be kept inside the unit.

7.2.4. The vehicle must have a suitable warning sign notifying of the presence of LPG with the wording "Highly Flammable LPG. No Smoking, No Naked Lights":



7.2.5. The standard hazard warning diamond is also required for when travelling on a public highway.



7.2.6. An emergency isolation valve must be installed inside the cooking area at either the point where the low pressure pipework enters the cooking area or adjacent to the exit point of the cooking area.

7.2.7. All persons involved in the use of LPG and appliances, including changing of cylinders, must be adequately trained

7.3. **Ventilation:**

7.3.1. Adequate ventilation must be provided to prevent build-up of gas leakage and excessive condensation; and to provide fresh air for adequate combustion. This is in addition to openable windows, roof-lights and service hatches. Permanent high and low level vents must be provided, designed to prevent draughts, and must not be obstructed.

7.3.2. Where cooking equipment is located elsewhere than at the serving hatch in hot food snack vehicles, it may be appropriate to provide a canopy over the cooking equipment, ventilated to the external air.

www.hse.gov.uk/gas

www.hse.gov.uk/pubns/cais23.pdf

www.uklpg.org

www.gassaferegister.co.uk

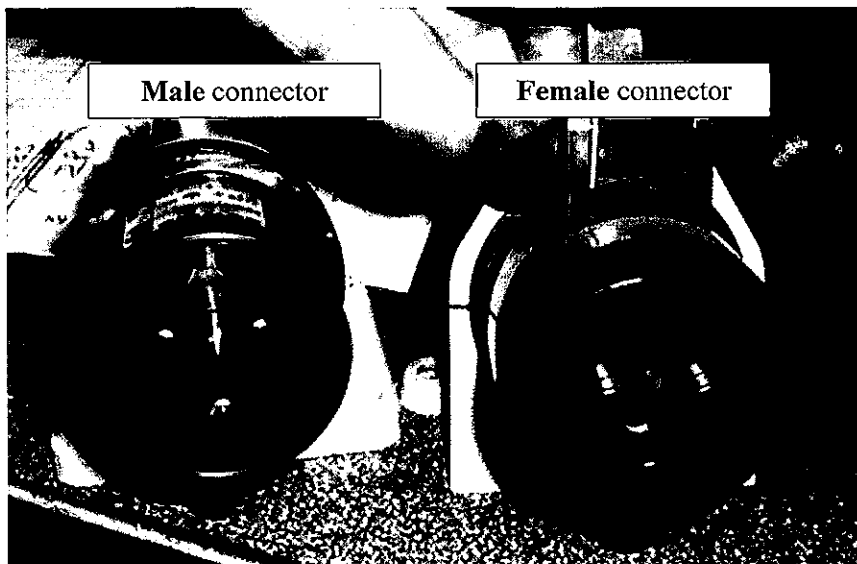
8. ELECTRICAL INSTALLATIONS AND GENERATORS

Legal References:

The Electricity at Work Regulations 1989

The Provision and Use of Work Equipment Regulations 1998

- 8.1. The fixed electrical installation requires to be examined and tested by a competent person and an Electrical Installation Condition Report should be made available.
- 8.2. Ensure the electrical connection from the vehicle is **male** and that all external connections are waterproof. (See photograph below)



- 8.3. Certification must be in accordance with the current Institute of Electrical Engineers Regulations (the IEE Regulations).
- 8.4. Portable appliances, including generators, must be maintained in order to prevent danger.
- 8.5. A suitable procedure should be prepared for refuelling generators. Fuel must be stored securely away from the generator and in approved storage containers.

www.hse.gov.uk/electricity

www.hse.gov.uk/pubns/priced/hsg107.pdf

9. PRESSURE SYSTEMS

Legal Reference:

The Pressure Systems Safety Regulations 2000

- 9.1. Relevant pressure equipment e.g. Coffee Machines will require to comply with the Pressure Systems Safety Regulations 2000 and be provided with Reports of Thorough Examination as per an appropriate Written Scheme of Examination.

www.hse.gov.uk/pressure-systems

10. Work Equipment

Legal Reference:

The Provision and Use of Work Equipment Regulations 1992

- 10.1. Work equipment requires to be suitable for its intended purpose.
- 10.2. Deep Fat Fryers and Frying Ranges should be fitted with thermostatic alarms.
- 10.3. Deep Fat Fryers & Hot Water Urns etc. should be secured to prevent movement and reduce risks from scalds and burns.
- 10.4. Particular attention requires to be paid to the emptying and cleaning of Deep Fat Fryers in order to identify safe systems of work and appropriate control measures. Specific guidance on these issues can be found at:

www.hse.gov.uk/pubns/cais17.pdf

11. SLIPS, TRIPS & FALLS

Legal Reference:

Workplace (Health, Safety and Welfare) Regulations 1992

- 11.1. Slip resistant flooring should be provided to the mobile food unit to reduce the risk of slipping.
- 11.2. Suitable means of access and egress requires to be provided e.g. appropriate steps at entrance.
- 11.3. Suitable procedures require to be implemented regarding floor cleaning and spillage in order to reduce risk of slipping.
- 11.4. Flooring requires to be maintained in good condition.

www.hse.gov.uk/slips

12. HAZARDOUS SUBSTANCES

Legal Reference:

Control of Substances Hazardous to Health Regulations 2002

- 12.1. Cleaning agents can be dangerous if not properly used. Instructions on labels must be followed.
- 12.2. A suitable risk assessment must be carried out in terms of COSHH and control measures implemented e.g. selection of a less hazardous product, PPE (personal protective equipment) etc..

www.hse.gov.uk/coshh/industry/catering.htm

Further Guidance:

NCASS Mobile Catering Code of Practice 2 (available from www.ncass.org.uk)

[LA Contact details here:]