

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 hereafter 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

For a person to obtain a Street Trader’s Licence, the mobile food unit run by that person must have a valid Certificate of Compliance issued by a Local Food Authority.

Certificate of Compliance

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, prevent the subsequent inspection of the mobile food unit by any Food Authority while the unit is trading within its area.

As Health and Safety matters are not considered in the Certificate of Compliance assessment process, it is anticipated that this guidance will help in ensuring a consistent approach to health and safety control and management within the mobile street trader sector (including mobile food and non-food units).

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

- i) 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.
- ii) 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 <https://www.hse.gov.uk/simple-health-safety/>.
- iii) Customers and the public must not be exposed to any risks.
- iv) Operators must not risk their own safety.
- v) These duties extend to such matters as (this list is not exhaustive);
 - 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 9.
- g. Pressure Systems. See Section 10.
- h. Work Equipment. See Section 11.
- i. Slips, Trips & Falls. See Section 12.
- j. Hazardous Substances. See Section 13.

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 a risk assessment to assess the risks associated with the operation of the business. This will involve identifying all relevant hazards that may pose a risk of injury or ill health and ensuring that measures are identified to control associated risks.
- 3.2. Work activities should be examined e.g., manual handling, use of equipment, vehicle movements etc. to identify risks. Also, those at risk should be identified; these may include members of the public in addition to employees.
- 3.3. 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 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 kept 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 Liquid Petroleum Gas (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 (September 2017)

7.1. Servicing:

- 7.1.1. Documentation must be provided to show that servicing of gas 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.
- 7.1.2. The service of the LPG operated equipment should include a check of the whole system, from the LPG cylinder up to and including the appliances.
- 7.1.3. A valid safety certificate issued by a competent, Gas Safe registered engineer requires to be available in the mobile food unit.

7.2. What you must do:

- 7.2.1. Site all LPG cylinders outside the mobile food unit and protect these from interference; or store these within a suitable, lockable, ventilated compartment attached to or forming part of the mobile food unit.
- 7.2.2. All LPG 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 LPG cylinders are not left unattended in any location which is not secure from public access or unauthorised interference. LPG cylinders 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 gas isolation valve must be installed inside the cooking area at either the point where the low-pressure pipework enters the cooking area or next to the exit point of the cooking area.
- 7.2.7. All persons involved in the use of LPG and appliances, including changing of LPG 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 or covered.
- 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.

7.4. **Gas tightness testing:**

- 7.4.1. Gas tightness testing, also called gas leak detection, is a procedure carried out by a qualified gas engineer. These tests only take a few minutes, and the gas engineer will survey the gas installation and check for any obvious faults or gas leaks.
- 7.4.2. The Gas Safety (Installation and Use) Regulations 1998 state that business owners are responsible for the safe maintenance of any gas installation.
- 7.4.3. Whilst there is no actual requirement for routine gas tightness tests to be carried out, it would be recommended in the event where there is potential for pipework to be damaged from frequent transportation. This would ensure that gas pipework and installations are safe to use .

www.hse.gov.uk/gas

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

www.uklpg.org

www.gassaferegister.co.uk

8. **Solid Fuel Burning Appliances**

Legal Reference:

The Health and Safety at Work etc Act 1974

The Workplace (Health, Safety and Welfare) Regulations 1992

Provisions and Use of Work Equipment 1998

The Control of Substances Hazardous to Health (COSHH) Regulations 2002 (as amended)

- 8.1. The appliance must be sited in a suitable place, i.e., where there is free movement of air and that it has a working extraction system.

- 8.2. Extraction systems for commercial solid fuel appliances must be thoroughly examined and tested at least once every 14 months.
- 8.3. You must also have a suitable regular cleaning and maintenance programme to ensure that your extraction system continues to function properly.
- 8.4. You should fit a functioning audible carbon monoxide alarm suitable for use in a commercial kitchen and have procedures in place to deal with evacuation if the alarm sounds
- 8.5. Only use recommended fuel unless you are certain that your extraction system can safely remove the products of combustion from alternative fuels.
- 8.6. Solid fuel should be stored in a dry and ventilated area. Requirements may vary depending on the quantity and type of fuel.
- 8.7. Care should be taken when removing embers from solid fuel stoves. The embers should be deposited into a metal bucket or equivalent and removed from the mobile unit.
- 8.8. Embers should not be stored in plastic bags, plastic containers etc, due to the risk of fire.

[Managing risk in catering and hospitality: Your responsibilities \(hse.gov.uk\)](https://www.hse.gov.uk/management/catering/)

[Preventing exposure to carbon monoxide from use of solid fuel appliances in commercial kitchens: CAIS26 \(hse.gov.uk\)](https://www.hse.gov.uk/management/catering/preventing-exposure-to-carbon-monoxide-from-use-of-solid-fuel-appliances-in-commercial-kitchens-cais26/)

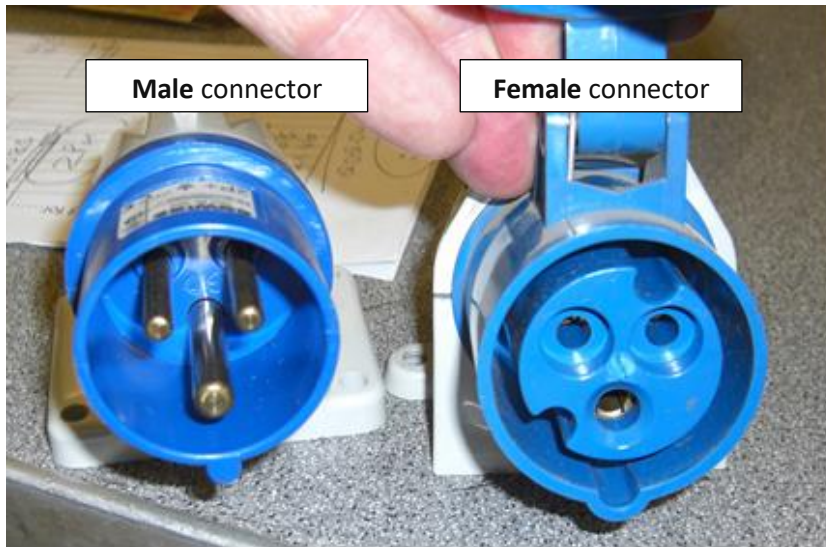
9. ELECTRICAL INSTALLATIONS AND GENERATORS

Legal References:

The Electricity at Work Regulations 1989

The Provision and Use of Work Equipment Regulations 1998

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



- 9.3. Certification must be in accordance with the current Institute of Electrical Engineers Regulations (the IEE Regulations).
- 9.4. Portable appliances, including generators, must be kept in good order to prevent danger. Portable appliance testing (PAT) should be carried out on all portable appliances annually and six monthly for handheld devices as per the IEE Code of Practice for Inservice Inspection and testing of Electrical equipment.
- 9.5. Generators need to be suitably located outside the vehicle/unit, and not pose a risk to others, in terms of safety, fire and fumes and should be operated in line with manufacturer's instructions. Generators need to be protected from inclement weather but must always have good ventilation.
- 9.6. A suitable (CO₂) Fire Extinguisher should be within 5m of a generator.
- 9.7. Fuel such as petrol is a dangerous substance; it is a highly flammable liquid and can give off vapour which can easily be set on fire and when not handled safely has the potential to cause a serious fire and/or explosion. A suitable procedure should be prepared for refuelling generators. Fuel must be stored securely away from the generator and in approved storage containers.
- 9.8. Lighting**
- 9.8.1. The lighting must be moisture ingress protected or suitable outdoor lighting. Lighting cables must be fully insulated where attached to metal framed structures. All installations must be undertaken by a qualified electrician.
- 9.9. Fire Safety**
- 9.9.1. Appropriate fire extinguishers must be provided and checked every 12 months. The following is required:
- Mobile food units cooking food: 4kg dry powder or four litres of foam.

- If deep fat frying is taking place, it is recommended that you fit a flame failure device and a suitable fire blanket.
- Stalls with generators/electrical equipment: 4kg dry powder or Carbon Dioxide (CO₂)

www.hse.gov.uk/electricity

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

10. PRESSURE SYSTEMS

Legal Reference:

The Pressure Systems Safety Regulations 2000

- 10.1. Relevant pressure equipment e.g., Coffee Machines that use pressurised steam 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

11. Work Equipment

11.1. Legal Reference:

The Provision and Use of Work Equipment Regulations 1992

- 11.2. All work equipment requires to be suitable for its intended purpose.
- 11.3. Deep Fat Fryers and Frying Ranges should be fitted with thermostatic alarms.
- 11.4. Deep Fat Fryers & Hot Water Urns etc. should be secured to prevent movement and reduce risks from scalds and burns.
- 11.5. Particular attention requires to be paid to the emptying and cleaning of Deep Fat Fryers 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

12. SLIPS, TRIPS & FALLS

Legal Reference:

Workplace (Health, Safety and Welfare) Regulations 1992

- 12.1. Slip resistant flooring should be provided in the mobile food unit to reduce the risk of slipping.

- 12.2. Adequate means of access and egress requires to be provided e.g., suitable steps at entrance.
- 12.3. Suitable procedures require to be implemented for floor cleaning and spillage to reduce the risk of slipping.
- 12.4. Flooring requires to be kept in good condition.
- 12.5. Consideration should be given to both the inside of a mobile unit and the immediate vicinity; this is particularly important for temporary units such as marquees and at events.

www.hse.gov.uk/slips

13. HAZARDOUS SUBSTANCES

Legal Reference:

Control of Substances Hazardous to Health Regulations 2002 (COSHH)

- 13.1. Cleaning chemicals can be dangerous if not properly used. Instructions on labels must be followed.
- 13.2. 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

(note membership may be required to view content)

For more information, please contact the Environmental Health Department of your Local Authority. The below links will help you find the contact details for your Local Authority.

www.mygov.scot/find-your-local-council

www.foodstandards.gov.scot/contact-us/local-authorities