

STREET TRADER LICENSING UNDER THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982

NOTES FOR GUIDANCE

The following notes are a brief outline of the requirements for Street Traders Licences under the above Act. They should be treated as **guidelines only and not an authoritative statement of law**. They do not purport to be more than a guide to the main provisions of the Act in order that applicants may consider if they need to apply for a Licence. Applicants are recommended to study the relevant provisions of the Act and obtain any further advice from their Solicitor.

1 STREET TRADER'S LICENCE

In accordance with the Civic Government (Scotland) Act 1982, a Street Trader's Licence, issued by The Highland Council as licensing authority, is required for street trading by a person, whether on his own account or as an employee. **Each individual trader requires to be separately licensed.**

A Street Traders Licence shall not be required for:-

- (a) the sale of newspapers only;
- (b) the sale of milk by or on behalf of a person registered under regulations made under Section 19 of the Food Safety Act 1990;
- (c) the sale of coal, coke or any solid fuel derived from coal or of which coal or coke is a constituent;
- (d) any activity in respect of which a Certificate under the Pedlars Act 1871 has been granted;
- (e) any activity in respect of which a Licence is required under the Civic Government (Scotland) Act 1982; or
- (f) organising or participating in a public charitable collection within the meaning of Section 119(16) of the Civic Government (Scotland) Act 1982.

2 DEFINITIONS

Street Trading means doing any of the following things in a public place:

- (a) hawking, selling or offering or exposing for sale any article;
- (b) offering to carry out or carrying out for money or money's worth any service;

to any person in a public place and includes doing any of these things therein or from a vehicle or in or from a kiosk or moveable stall not entered in the Valuation Roll except where it is done in connection with or as part of a retail business being carried on in premises abutting the public place.

Public Place means any place (whether a thoroughfare or not) to which the public have unrestricted access and includes:-

- (a) the doorways or entrances of premises abutting on any such place; and
- (b) any common passage, close, court, stair, garden or yard pertinent to any tenement or group of separately owned houses.

3 TRADING LOCATIONS

The trader shall be permitted to trade at the undernoted location(s) in the area of the Highland Council, but with the exception of trading in the areas defined below.

- (i) Inverness Area: See attached map in Appendix 2
- (ii) Ft William Area: See attached map in Appendix 2
- (iii) Nairn Area: See attached Map in Appendix 2

4 MINIMUM AGE

Please note there are rules regarding the employment of children in street trading contained in the Civic Government (Scotland) Act 1982, the Children and Young Persons Act 1937, the Education (Scotland) Act 1980, the Children (Protection at Work) Regulations 1998 etc and The Highland Council Byelaws on the Employment of Children 1999.

These rules provide amongst others that:

- (i) No person under 14 can engage in street trading.
- (ii) Children of 14 and over who are still of school age can engage in street trading if he/she is being employed by his/her parents in connection with their retail business and is under their direct supervision and has been granted a street traders licence and has an employment permit under the Byelaws and is acting in conformity to that licence and permit.

Please note however that the licence and permit are in addition to all other legislation regulating employment of children and on safety in the workplace which employers in particular should be aware of. Although care has been taken in the preparation of this guidance, it is not a definitive statement of the law and persons may be well advised to seek independent legal advice from a Solicitor or Citizen's Advice Bureau.

- (iii) A person over school age, even if they are still at school, can apply for a street traders licence without requiring a permit under the said Byelaws.

School Age

A child means a person who is not, for the purposes of the Education (Scotland) Act 1980, over school age. Therefore:-

(a) A child whose 16th birthday falls between 1 March and 30 September is over school age on 31 May of that school year.

(b) A child whose 16th birthday falls between 1 October and 28 February is over school age after the end of the Christmas term of that school year."

5 CERTIFICATE OF COMPLIANCE

If the sale of foodstuffs is involved from a vehicle, kiosk or moveable stall, you will require to obtain a Certificate of Compliance from the Council stating that the vehicle, kiosk or moveable stall complies with the requirements of Food Safety legislation. A separate fee is payable for this certificate as detailed in the attached list of fees. Please note that the certificate of compliance relates only to the structure you are using, you may also require to undertake food safety training separate to this.

From November 2017 there is a national standard for food hygiene for mobile traders. Attached in Appendix 1 to these guidance notes is information and further details in relation to the national standard.

6 HOURS OF OPERATION

It is a standard condition of the Licence that trading should not commence before 0700 hrs and should cease no later than 2300 hrs. An application beyond these times will require to be justified by the applicant before a Hearing of the relevant Licensing Committee.

7 TRADING LOCATION

You are asked on the application form to state whether you propose to trade from a specific location. If the answer to this is yes you should provide details of that location together with a site or location plan. You will be asked to provide a letter or similar document from the owner of the land you propose to trade from, to show you have permission to trade from that location, before the licence is issued. A street trader's licence although valid in all Highland Council Areas will not give permission in itself to trade from a specific location.

If you wish to trade within the boundary of the Inverness City Centre then you should indicate this in question 6 of the application form and detail, on a plan if possible, the exact location in which you wish to trade. Any application received where trading in the City Centre is requested will require to be considered by the Highland Licensing Committee. You will be invited to attend the meeting where you will be given an opportunity to address the Committee in support of your application prior to a decision being taken on whether to grant permission or otherwise.

If you are applying for a licence in respect of mobile trading you are asked to ensure that the following restrictions, which are enforced by the Council's Community Services (Roads), are complied with:

- Due to Traffic Order restrictions, no trading is permitted in Council Car Parking areas unless you have received specific written permission from the Council's Roads Service.
- No trading on Council adopted roads is permitted where it would cause an obstruction either by the traders or customers vehicles
- No trading is permitted on any Council adopted road that has a 'no waiting at any time' Order.

8. PLANNING CONSENT

If you intend trading from a particular location, or area, for more than 28 days in a calendar year you may require to obtain planning consent. In such cases it is recommended that you seek guidance from the Council's Planning Service prior to submitting an application for street traders licence.

The Development Enquiry service provides advice on whether planning permission or building warrants are required for a development proposal. Customers seeking confirmation on planning permission should use this service using the following link [Development Enquiry | Development Enquiry | The Highland Council](#)

9. CONDITIONS

The Licence holder will be required to comply with the standard conditions attached to these Notes and which will form part of the Licence being granted.

The following is a breakdown of what the Council will expect from you as the licence holder in terms of demonstrating compliance with certain standard conditions, and in fulfilling the licensing objective of ensuring there is no undue public nuisance, or threat to public order or public safety.

Electrical Safety

- a. For vehicles or kiosks with a fixed electrical installation, an application for a licence should be accompanied by an up to date electrical report which states that the electrical installation is in a satisfactory condition. The report should be in the format prescribed in Appendix 6 of BS 7671. The required format is an Electrical Installation Condition Report. The form should be completed in accordance with the relevant Best Practice Guide on classification codes published by the Electrical Safety Council. For a completely new installation an electrical installation certificate is the appropriate format. The certificate will require to be signed by a qualified person who is:
 - A professionally qualified electrical engineer
 - A member of the Electrical Contractors Association
 - A member of the Electrical Contractors Association of Scotland
 - A certificate holder of the National Inspection Council for Electrical Installation Contracting
 - A Certificate Holder of the Scottish Electrical Certification (SELECT) scheme

Where the electrical report expires during the period in which the street traders licence is in force then an updated report shall be submitted to the Council as soon as possible thereafter.

- b. For temporary or moveable stalls using a temporary electrical installation, an application for a licence should be accompanied by written confirmation from a qualified person that the proposed electrical installation and arrangements are suitable for the licensable activity.

Gas Safety

For premises with gas appliances, an application for a licence should be accompanied by an inspection record/s from a suitably competent Gas Safe Registered Engineer to confirm that all the gas appliances, installation pipework and ventilation arrangements have been inspected and tested and are safe to operate.

Waste and Litter Arrangements

An application should be accompanied with details to confirm that satisfactory arrangements are in place for the removal and disposal of litter and other refuse arising from the licensable activity.

For your assistance, a pro-forma is attached to these guidance notes that can be completed in order to satisfy this requirement.

Food Safety

The Council's Environmental Health Service will take into account your premises' current Food Hygiene rating when considering your application.

The following table provides an overview as to how they will comment on your application based upon your premises' Food Hygiene Rating.

| Current FHIS Rating | Outstanding Formal Enforcement Action | Consultation Response |
|---|---------------------------------------|---|
| Pass | N/A | No objections or observations |
| Improvement Required (Minor Recurring) | N/A | No objections, observations only. Details of the FHIS rating will be provided to licensing along with a copy of the most recent inspection letter. |
| Improvement Required (Major e.g Cross contamination or no FSMS) | N/A | Applicant will be provided with a 7 day opportunity to address non-compliance. <ul style="list-style-type: none"> • If FHIS rating changed to a Pass, then no objections or observations. • If FHIS rating changed to minor improvement required, then no |

| | | |
|----------------------|-------------------------|---|
| | | <p>objections but observations & copy of most recent inspection letter provided to licensing.</p> <ul style="list-style-type: none"> • If FHIS Rating remains Major non-compliance, then Environmental health will formally object to licence. |
| Improvement Required | Yes (HINs, RANs, HEPNs) | Environmental health will formally object to the licence application. |

As can be seen, where premises have been awarded an “Improvement Required” rating, applicants will be given a short period to address the issue/s prior to them the Environmental Health Service commenting on your application. If your premises has an “Improvement Required” Rating, you are advised to liaise directly with the Council’s Environmental Health Service at an early stage for further advice in order to address these matters. Failure to do this may result in a delay in the processing of your application and/or objection by Community Services – Environmental Health. The Environmental health Service can be contacted on Tel: 01349 862021 or by Email: envhealth@highland.gov.uk

10 **EMPLOYEES LICENCE**

Where the applicant for a licence is to be an employee of an existing street trader a reduced application fee is applied. Please see the list of fees attached for a note of the current application fees. It should be noted that this licence is only valid while the licence holder remains an employee of an existing licensed street trader.

11 **DETERMINATION OF AND DURATION OF LICENCES**

- (i) **Full licences:** a licence will normally be issued after the elapse of 28 days from receipt of an application. In certain circumstances, eg where objections have been received, applications can take considerably longer to be determined. A Licence shall remain in force, unless previously suspended or revoked, for a period of three years from the date when it comes into force, or such shorter period as the Council thinks fit. The Licence is not normally transferable.
- (ii) **Temporary Licences:** application may be made for a temporary licence which on being granted by the Council may have effect for a period not exceeding 6 weeks. A temporary licence is not capable of being renewed, but where application has also been made for a full licence for the same activity, the temporary licence, if granted, shall continue to have effect until the application for the full licence has been determined. Temporary licences **may** be granted earlier than the 28 day period specified for a full licence and the fee for a temporary licence is as shown in the attached list of fees. **Please**

note that where an application for a full licence is submitted following the grant of a temporary licence the full application fee must be paid.

- (iii) Determination Period: The Council have 6 months (9 months from 1st May 2017) in which to determine an application for a licence under the Civic Government (Scotland) Act 1982. If an application cannot be determined by officers using delegated powers and the 6 month (or, from 1st May 2017, 9 month) deadline is approaching then the application may require to be submitted to the Council's Highland Licensing Committee for their consideration. The Committee have the power to grant or refuse applications for a licence.

12 LICENCE TO BE RETAINED

The Licence must not be altered, erased or defaced in any way, must be kept clean and legible and must not be lent to or used by any other person. Should the Licence be lost or become defaced or illegible the Licence holder shall obtain a replacement from the Council on payment of the appropriate fee as detailed in the appendix to these notes. The Licence holder shall produce his/her Licence within five days of being requested to do so by a Police Officer or an authorised Officer of the Council or the Fire Authority.

13 RETURN OF LICENCE

A Street Trader shall deliver his/her Licence and identification badge to the licensing authority:-

- (a) upon ceasing to act or trade as a Street Trader;
- (b) within seven days of receiving notice of the coming into effect of a decision of the Council authority to suspend or vary the terms of the Licence, or the decision of a Court to revoke it.

14 NOTIFICATION OF CONVICTIONS OR MATERIAL CHANGE OF CIRCUMSTANCES

The Licence holder shall notify the Council as soon as is reasonably practicable with any **convictions or other material change** in circumstances affecting him/her or the activity to which the Licence relates, including any particulars referred to in the application for grant, or latest application for renewal, of the Licence. **If in doubt, notify the Council of any changes.**

15 NOTIFICATION OF MATERIAL ALTERATIONS

The Licence holder shall not make or permit to be made any material change to the vehicle or stall without the prior **written** consent of the Council unless in accordance with a requirement imposed by or in pursuance of any enactment other than parts I or II of the Civic Government (Scotland) Act 1982. **If in doubt as to whether consent is required, contact the Council.**

16 APPLICATION FORM AND FEES

Application forms are available from Council Offices or Service Points shown at the end of these Notes.

You should take care in completing the application form to list, subject to the terms of the Rehabilitation of Offenders Act 1974, all convictions against you. If you are in doubt as to whether or not to list a conviction you should seek independent advice on this matter.

A separate application is required for obtaining a Food Hygiene Certificate.

In order to apply for a Street Trader' Licence, the application form must be returned along with the appropriate fee (The current fee for this can be found on the Council's website, see link below

http://www.highland.gov.uk/info/1125/licences_permits_and_permissions/306/licence_application_fees

The following documentation must be submitted before the licence can be issued:

- two passport photographs for identity badge;
- if applicable, a certificate of compliance with Food Safety legislation; and
- location plan and permission if trading from a fixed stance.

Your application will be referred to the Police, Environmental Health, Planning and if applicable the Roads Section for comment.

Please note that if your application is either refused or withdrawn the application fee paid is non-refundable.

17 PRIOR REFUSAL

Please note that if you have applied for and been refused an application for a Street Traders Licence in one Area of The Highland Council then, unless your circumstances have altered, you will be unlikely to be granted an application made in another Highland Council Area.

If refused, you cannot apply for the same kind of licence in respect of the same activity or for the same premises, within one year of that refusal unless there has been a material change in circumstances.

18 HEARINGS

Occasionally, and always if there is an objection to the granting of a Licence, a Hearing of the relevant Licensing Committee of the Council will be held to decide whether or not a Licence should be granted. If the application is to be referred to a Hearing you will be invited to attend and notified in writing of the date, time and venue. A further appeal lies to the Sheriff Court.

19 OFFENCES

The following are criminal offences liable, on summary conviction, to a fine and/or imprisonment:-

- (a) Carrying on an activity for which a Licence under the Civic Government (Scotland) Act 1982 is required without such a Licence;
- (b) Failing to comply with a Condition of a Licence;
- (c) Failing to notify the Council of a material change in the circumstances of a Licensee;
- (d) Failing to obtain the consent of the Council before making any material change to any premises, vehicle or vessel to which the Licence relates;
- (e) Failing to surrender the Licence (1) after it has been suspended or (2) when the Licensee has given up the activity to which it relates;
- (f) Failing to disclose convictions in the Application Form;
- (g) Making a false statement when filling in the Application Form.

The above list is not exhaustive and reference should be made to the Civic Government (Scotland) Act 1982 for all offences under the Act.

Appendix 1

MOBILE TRADERS FOOD HYGIENE NATIONAL STANDARD

Introduction

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).

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".

Structural and operational requirements

These standards cover only structural requirements for Mobile Food Units. The text represents structural aspects which shall be considered as core requirements for the assessment for a Certificate of Compliance. Operational matters which can only be assessed during normal trading are not included within this standard.

Notification of the Food Authority [Registration]

The food business operator must ensure that the Food Authority in which the mobile food unit is normally based (even when not trading) is notified of the existence of that food business. The information duly requested must be provided by the food business operator in order to enable relevant details to be entered on the register of food premises held by the Food Authority.

Any other premises used for preparation of food which is to be sold from a mobile food unit must be registered as such by the Food Authority within which it is located.

Street Trader's Licence

In order for a person to obtain a Street Trader's Licence under Section 39 of the Civic Government (Scotland) Act 1982, the mobile food unit operated by that person must be subject of a valid Certificate of Compliance from a Food Authority.

A copy of the current street traders licence must be displayed on the mobile food unit and any identification badge worn as required.

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 Trading Licence is made, or another authority to which an application for a street trader's licence in respect of this activity is or has been made.

Period of validity

Any Certificate of Compliance so granted will be valid for a period of 3 years.

Inspection for a Certificate of Compliance and issue of certificate does not preclude the subsequent inspection of the mobile food unit by any Food Authority while the unit is trading within its jurisdiction.

MOBILE TRADERS FOOD HYGIENE NATIONAL STANDARD

GENERAL FOOD HYGIENE REQUIREMENTS

1.0 WATER SUPPLY

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(c)(d)(e)&(f)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter VII, (1)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter VII, (4)

1.1 General

1.1.1 Mobile food units must be provided with an adequate, piped supply of hot and cold water or warm water at a suitably controlled temperature.

- 1.1.2 All water supplied to hand, equipment and food washing facilities must be potable water.
- 1.1.3 Potable water must be used:
- for cleaning food;
 - for cleaning surfaces which may come into contact with food;
 - for cleaning hands;
 - for using as an ingredient in food and drinks;
 - for cooking of food;
 - any other operations where there is a risk of contaminating foodstuffs
- 1.1.4 Ideally, mains water or a suitably treated private supply should be used. Where there is no direct connection to a suitable supply, containers may be used. This water must be potable.
- 1.1.5 A “piped supply” includes the use of a tap mechanism that delivers hot and cold water independently or provides warm water via a mixer tap that is manually (or sensor) controlled. The practice of using jugs etc to transfer water to sinks or wash basins is not acceptable.
- 1.1.6 The supply must be from a tap or taps at adequate pressure and temperature
- 1.1.7 The supply must provide a sufficient volume of water, by capacity or means, for the trading hours.
- 1.1.8 Containers used for holding water and any associated pipework must be:
- made of food grade materials and be enclosed;
 - capable of being cleaned and disinfected;
 - readily identifiable as being for water use only and visibly different from any containers used for receipt and storage of waste water;
 - of sufficient capacity to store enough water for the business’ potable water needs

1.2 Hot water

- 1.2.1 The pipe work must be affixed and deliver the water supply directly to all sinks. The practice of using jugs etc. to transfer water to a sink(s) is not acceptable.
- 1.2.2 Where services are readily available, a constant piped supply or an instantaneous water heater (gas/electric) can be used. Alternatively, insulated containers for hot water storage would be acceptable provided they are of suitable capacity and capable of storing the water at an adequate temperature and deliver water to the sink(s) via fixed pipework.

1.3 Ice

- 1.3.1 Utensils must be made from durable materials that will not present a foreign body hazard.

2.0 WASH BASINS

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(a)

2.1 Wash Basin Provision

- 2.1.1 All units must be provided with an adequate number of wash basins designated for the purpose of maintaining personal hygiene.
- 2.1.2 The wash basin must be located in an accessible position and available for use.
- 2.1.3 A suitable and sufficient supply of liquid soap and single-use paper towels for hand-drying must be provided.
- 2.1.4 The wash basin must be provided with an adequate, piped supply of hot and cold water or warm water at a suitably controlled temperature in order to facilitate hand washing under running water.
- 2.1.5 Waste water from the wash basin must be piped to a suitable closed container which is readily identifiable as being designated for that purpose. For example, it could be clearly marked 'Waste Water'. (See Section 7 – Waste)

3.0 SINKS

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(c)

3.1 Sink Provision

- 3.1.1 Sinks must be located in an accessible position.
- 3.1.2 The requirement for sinks is in addition to wash basins. The provision of a sink or sinks is for the washing of food and the cleaning and disinfecting of work tools and equipment and is not for the washing of hands.
- 3.1.3 Sinks must be of sufficient size to accommodate all equipment that requires to be washed during trading.
- 3.1.4 The minimum provision for sinks in each Unit Category is as listed in 3.1.5 below. Categories 1 and 2 are defined in Annex 2.
- 3.1.5
 - **Category 1 Unit** - No sink required
 - **Category 2 Unit** – Minimum of 1 Sink Required
 - A sink will **not** be required in a Category 2 Unit in the following circumstances:
 - Where food is only served and not prepared (where “prepared” means processed by washing, cooking, reheating or assembling etc, so as to be ready to serve or eat with little or no further preparation); and
 - Where there is an adequate provision of multiple/duplicate items of equipment, e.g. knives, spoons, tongs etc; and
 - Where adequate alternative arrangements have been made for the cleaning and disinfection of non-replaceable food contact surfaces in the event of spillage or other contamination.
- 3.1.6 Where no sink is provided and ready-to-eat food is sold, e.g. fruit, signage is required to advise customers that such items must be washed prior to consumption.

4.0 STRUCTURE AND EQUIPMENT

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(b)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter V(1)(a)(c&d)

4.1 Equipment Standard – Installation and Maintenance

- 4.1.1 Food equipment, work surfaces and fittings must be constructed using smooth surfaces that allow effective cleaning/disinfection.
- 4.1.2 All internal surfaces must be constructed and/or finished with washable materials.
- 4.1.3 Food equipment, work surfaces and fittings must be installed so that they allow access for cleaning or they must be capable of being moved or dismantled to allow such access.
- 4.1.4 Walls immediately behind and adjacent to food preparation surfaces and equipment must be capable of being cleaned and, in high risk food areas, disinfected.
- 4.1.5 Tables, work surfaces, food display cabinets, counters, equipment, utensils and display containers must be in good repair in order to be easy to clean and must be kept clean and maintained in good condition at all times. Surfaces coming into direct contact with food or are in such close proximity that they could contaminate the food if dirty must be capable of being disinfected and should be duly disinfected as appropriate.

5.0 PROTECTING FOOD FROM CONTAMINATION

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (1)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(f)&(h)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter V, (1)(b)&(c)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter IX

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter X

5.1 Layout/Structure

- 5.1.1 The unit must be large enough for the type of operation carried out. In particular, there must be sufficient space to prevent contamination of foods to facilitate adequate cross contamination prevention procedures.

5.2 Food Protection

- 5.2.1 Layout, facilities and equipment must be capable of protecting food from any contamination likely to render the food unfit for human consumption, injurious to health or contaminated in such a way that it would be unreasonable to expect it to be consumed in that state.

- 5.2.2 All wrappings, containers etc. in contact with food must be made of food grade material.

6.0 PEST CONTROL

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (1)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(h)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter IX, (4)

6.1 Exclusion of Pests

- 6.1.1 Mobile food units must be designed to prevent the access of pests.

7.0 WASTE

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (1)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(f)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter VI (1-4)

7.1 Waste – General

- 7.1.1 A suitable receptacle must be provided for the storage of waste materials on the unit.

7.2 Waste – Receptacles and Containers

- 7.2.1 The internal and external surfaces of non-disposable waste containers must be washable and in good repair.

7.3 Liquid Waste/Drainage

- 7.3.1 Where liquid waste cannot be linked directly to the mains drainage system, holding containers may be used. These containers must be readily identifiable so that their intended use is understood and that they are visibly different from potable water containers.
- 7.3.2 Waste water must be collected in a readily identifiable sealed container. It must not be discharged directly onto the unit's stance or surrounding area. It must be disposed of to a suitable drainage system at the end of each trading day. This excludes the disposal down surface water drains.

8.0 TEMPERATURE CONTROL

Legal References:

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter III, (2)(g)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter IX, (5)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter IX, (6)

EC Regulation 852/2004, Article 4(2) and Annex II, Chapter IX, (7)

8.1 Temperature Control – Facilities and Equipment

- 8.1.1 Mobile food units must be provided with suitable and adequate temperature controlled storage facilities for perishable and frozen foodstuffs.
- 8.1.2 Where temperature controlled storage facilities are used, suitable means of monitoring temperatures must be provided.

9.0 VENTILATION

Legal References: None

Note – No specific provision for the provision or adequacy of ventilation exists in relation to mobile vehicles from a food safety perspective.

- 9.1 Every mobile food unit must be provided with sufficient ventilation, not including the open service hatch of the unit.
- 9.2 Ventilation openings and mechanisms must be washable and be designed to prevent the entry of dust and all pests.

10.0 LIGHTING

Legal References: None

- 10.1 Vehicles must be provided with sufficient natural lighting and suitably protected artificial lighting to allow for the hygienic preparation and service of food and the effective cleaning of the vehicle.

ANNEX 1 – Sample Certificate

**Council
Logo**

COUNCIL NAME

SERVICE NAME

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

MOBILE FOOD UNIT CERTIFICATE OF COMPLIANCE

Photograph of
Mobile Food Unit

| |
|--|
| |
|--|

| | | | |
|--|---------------|--------------------------|--|
| Name and Address of Applicant | | | |
| | | | |
| | | | |
| | | | |
| Type of Licence: | Street Trader | | |
| Mobile food unit to which Certificate applies: | | Vehicle Registration | |
| Vehicle category: [As per Annex 2] | | Certificate Valid Until: | |

On behalf of [Insert Council name] Council, I hereby certify that the said mobile food unit, as stated above, met with the requirements of the Scottish Mobile Traders National Food Hygiene Standard on [Insert date of inspection]

| | | | | | |
|--------------------|--|--------------------|--|---------|--|
| Officers Signature | | Date of Inspection | | Section | |
|--------------------|--|--------------------|--|---------|--|

| | | | |
|--------------|--|----------|-------------|
| Ref no. | | Officer: | Name: |
| Date Issued: | | | Designation |
| | | | Tel: |
| | | | e-mail: |

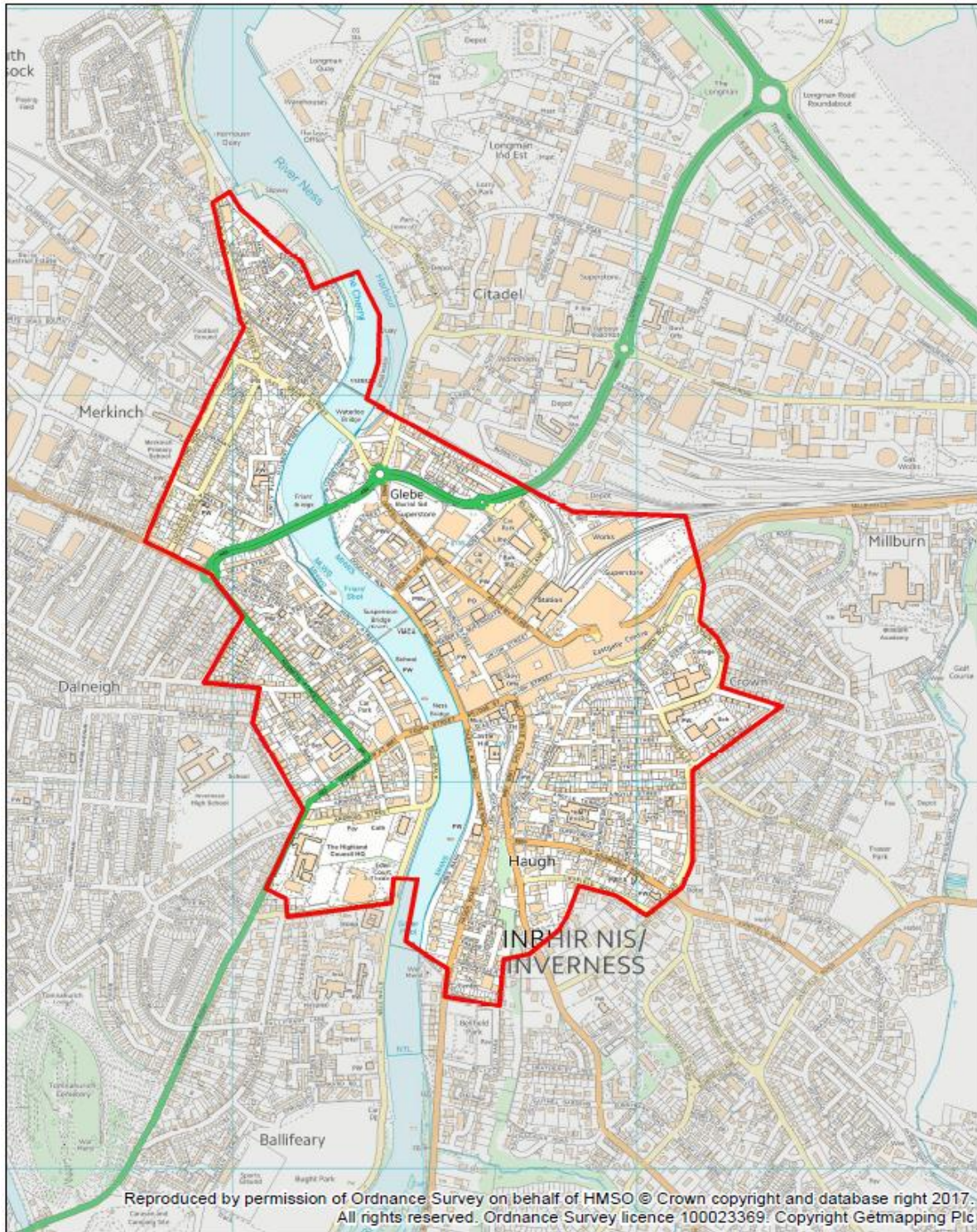
ANNEX 2

Definition of Mobile Food Unit Categories

| Category | Types of Operation |
|------------|--|
| Category 1 | <ul style="list-style-type: none"> • Tea, coffee only • Pre-packed food only; • Raw fruit and vegetables only • Wet fish only; • Any combination of the above |
| Category 2 | All other operations |

Appendix 2


Inverness

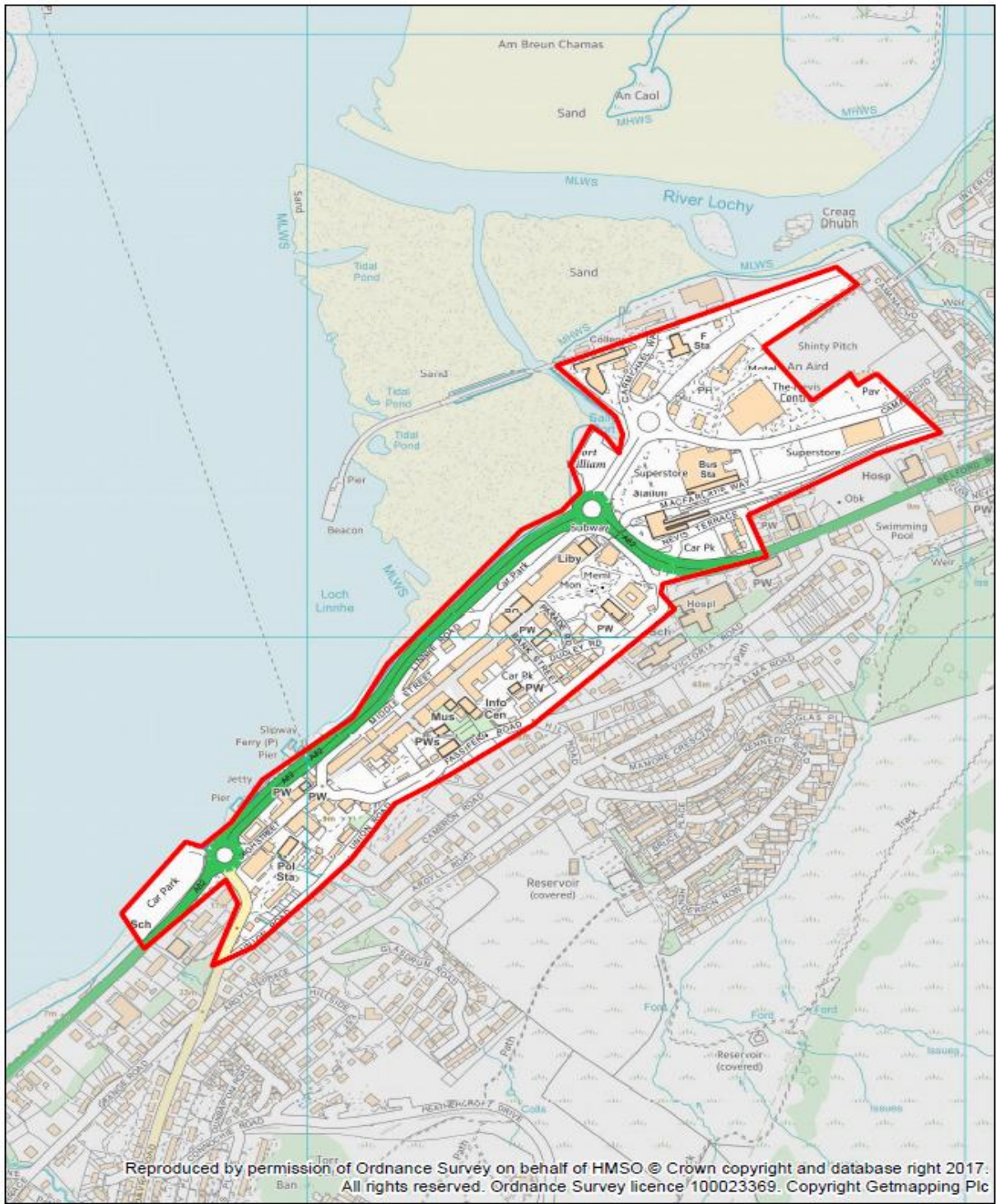


Highland Council
Civic Government (Scotland) Act 1982
Street Traders Licence - Schedule of Conditions
Condition 1 - Inverness - Exempted Area

0 100 200 300 400 500 Metres
1:12,000



N

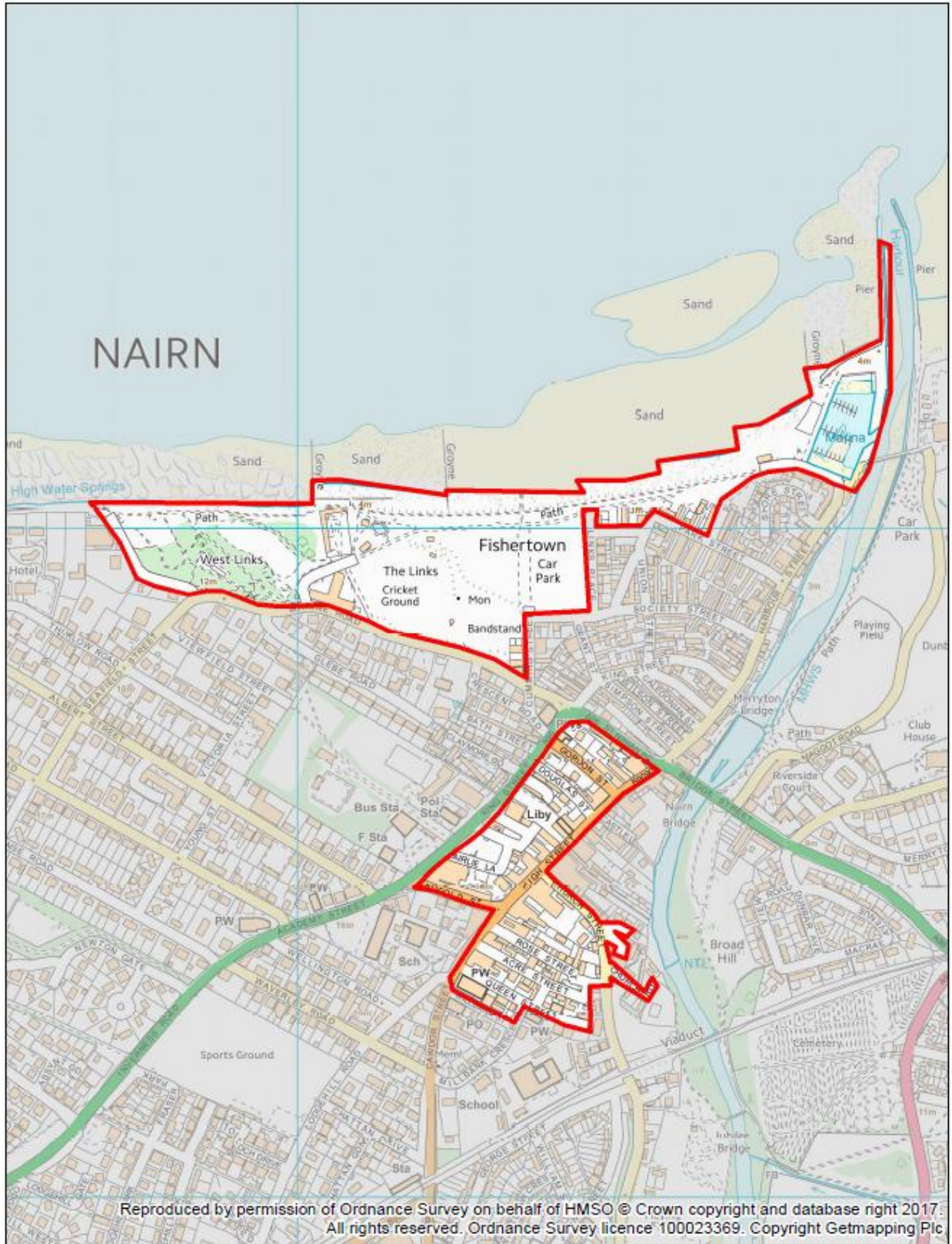




Highland Council
Civic Government (Scotland) Act 1982
Street Traders Licence - Schedule of Conditions
Condition 1 - Fort William - Exempted Area

0 50 100 150 200 250 Metres
1:7,500



Highland Council
Civic Government (Scotland) Act 1982
Street Traders Licence - Schedule of Conditions
Condition 1 - Nairn - Exempted Area

