

Guide for Mobile Traders

Street Trading, Food Safety and Health and Safety Requirements

**Armagh City, Banbridge & Craigavon Borough Council
Environmental Health Department**



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1.0 Introduction

The Council Environmental Health Department are responsible for the enforcement of licensing, food safety and health and safety in most mobile trading establishments.

This booklet gives an overview into the main requirements mobile traders must follow. It is a guide only and should not be relied on as an authoritative interpretation of the legislation. The applicable legislation referred to is as follows:

- The Street Trading Act (Northern Ireland) 2001
- Food Hygiene Regulations (Northern Ireland) 2006
- Regulation (EC) No 852/2004
- General Food Regulations (Northern Ireland) 2004
- Food Safety (Northern Ireland) Order 1991
- Health and Safety at Work (Northern Ireland) Order 1978

2.0 Street Trading Legislation

The Street Trading Act (NI) 2001 applies to any person offering or exposing anything for sale or supplying a service in a street or public place, whether or not in or from a stationary position. If you trade on private land, for example Trade Shows then generally a Street Trading Licence is NOT REQUIRED.

There are three main categories of street trading and these include

- a) A stationary licence to trade from a permanent pitch
- b) A licence to trade as a mobile trader
- c) A temporary licence to trade casually from a pitch for up to seven days
- d) Council can only grant a stationary licence to trade from a permanent pitch in a 'designated street' at a 'designated pitch'.
- e) Under the legislation, a mobile trader will include ice cream vans and mobile shops but will exclude a roundsman such as a milkman.
- f) Temporary licences are normally considered in association with special events. Council will work in conjunction with event organisers when issuing temporary licences. These licences may be issued to the event organiser or where this is not the case to individual traders. These applications must be applied for well in advance of the date trading is to take place.

Each application will be considered separately and a consultation will be carried out with the Police, Roads service and others. This consultation is to ascertain if there will be any inconvenience caused by the proposal. This process can take up to **3 months**.

The street trading fees vary depending on the type of licence applied for:

- Stationary pitches £365
- Mobile licence £127
- Variation of licence £74

- Temporary licence (Individual) - £125
- Temporary Licence (Event) – Refer to table

No of Traders	Fee	No of Traders	Fee
Up to 5	£125		
Up to 10	£170	Up to 60	£280
Up to 20	£190	Up to 70	£300
Up to 30	£215	Up to 80	£325

Up to 40	£235	Up to 90	£345
Up to 50	£255	Up to 100	£365

A proportion of the fee will be refunded if the application is refused in accordance with the Street trading act (NI) 2001, the Councils Fees policy and the Policy for setting Street Trading Licences

If you trade without a licence or if an authorised Council officer or PSNI Officer have reasonable grounds to suspect that you are trading illegally, they have the authority to seize any property, goods, receptacle, equipment, stall, or vehicle used by any person trading illegally.

If you are found to be trading illegally, you will be prosecuted with a maximum fine of £1,000 and you can also be charged with other offences such as obstruction.

3.0 Food Hygiene

Catering from mobile facilities is a high risk activity and will always carry with it the possibility of causing food poisoning to a large number of people. There is a requirement in the hygiene legislation for all food businesses to be operated in a hygienic manner. The following advice will help you to meet legal requirements and achieve good management practice.

The food business operator must:

- Register the food business with the local authority where the unit is normally kept.
- Have in place a documented food safety management system such as “Safe Catering” or “Safer Food Better Business”, which identifies food safety hazards, which steps are critical for food safety and ensures that safety controls are in place, maintained and reviewed.
- Buy from reputable suppliers and keep a record.
- Display your Food Hygiene Rating.

Design and structure

- All stalls/vehicles should be designed and constructed to protect food from risk of contamination.
- Fittings and equipment for mobile units should be of good quality materials capable of being readily cleaned. Bare wood is not acceptable.
- Floors in mobile units should be of smooth, impervious and non-slip material and preferably coved to the wall fixtures.
- Allow adequate space for preparation, cooking, storage and wash-up.

Refuse

- Suitable arrangements for collection and removal of refuse and recycling from the site.
- There must be an adequate supply of suitable refuse containers provided.
- Plastic sacks must be tied securely and stored to prevent attraction of pests.

Water supply

- There must be an adequate supply of clean and wholesome water provided.
- If water containers are used they must be cleaned and sanitised on a regular basis.

Drainage

- Waste water from sinks and wash hand basins should be discharged into foul water system or into suitable containers and not directly onto the ground.

Equipment

- All equipment should be readily cleanable.
- Preparation surfaces and tables must have smooth, impervious surfaces, stainless steel or laminate surfaces are suitable.

Washing facilities

- Suitable and sufficient wash hand basins must be provided and accessible for use by food handlers. Supplies of soap and means of hygienic hand drying must be available at each basin.
- Suitable sinks must be provided for food preparation and for equipment washing.
- A constant supply of hot water should be provided at the sink(s) and wash hand basin.

Staff toilets

- All sanitary accommodation must be maintained in a clean condition.
- Suitable and sufficient wash hand basins with hot and cold water, soap, towels must be provided at the sanitary accommodation.
- If your mobile unit does not have a toilet then you should make arrangement for access to a toilet nearby.

Temperature control

Effective temperature control and storage is one of the most important safeguards for controlling the growth of food poisoning organisms. You should consider the following points:

- Ideally food should be prepared immediately before service, if this is not possible then the food should be prepared in small batches and kept at the correct temperature.
- All units should have sufficient fridge space for the storage of high-risk foods or the use of commercial cool boxes with eutectic freezer blocks. Keep a check of the temperatures ensuring the foods are kept at or below 8°C.
- Cooked food should reach a minimum core temperature of 75°C.
- Hot food displayed for sale/service should be kept above 63°C.
- Thermometers with probes should be used to check temperatures (all probes should be disinfected before use).
- Keep food covered when stored in the fridge.
- Protect stored food from public access and contact.

Cross-contamination

One of the main risks facing mobile catering is to protect food from contamination. This is an important legal requirement:

- Food preparation areas/chopping boards should be cleaned/disinfected after use.
- Raw and ready to eat food should be kept separate at all times, raw food should always be stored below ready to eat food, ideally separate refrigerators should be used.
- Clean and disinfect sinks after washing/preparing vegetables and raw food.
- Avoid touching food by using tongs etc.
- All equipment including knives and containers should be cleaned and disinfected after use.

- Boil wash all cloths regularly and replace as soon as they become worn/damaged. The use of disposable cloths and paper towels is recommended.
- Food must not be stored on the ground and must be kept away from risk of contamination.
- Equipment/utensils/crockery should be stored above ground, covered and kept free from contamination.
- Protect food from pests (insects, birds and rodents).

Cleaning

Adequate supplies of suitable food grade disinfectants or sanitising agents meeting BS EN 1276:1997, BS EN 13697:2001 or BS EN 1276:2009 should be used for the regular disinfection of equipment and work surfaces.

Personal hygiene

High standards of personal hygiene are essential and the following rules must be followed:

- Hand washing must be carried out: Before starting work, after handling any raw foods, after using the toilet, after a break, after sneezing, coughing, etc.
- All cuts or boils should be covered with a waterproof plaster preferably coloured.
- Jewellery and nail varnish should not be worn. Hair should be covered and tied back.
- Clean, washable over-clothing must be worn at all times when handling food.
- Outdoor clothing must be stored away from any food area.
- Any food handler who knows, or suspects, they are suffering from symptoms of food poisoning (particularly diarrhoea and vomiting) must notify their employer and must be excluded from working in any food handling areas until they have no symptoms for 48 hours.

Food safety training

- Food handlers must be trained to a level appropriate to their work.
- It is recommended that any person who handles, prepares or cooks high-risk food have formal food hygiene training.

4.0 Food Standards

The Food Information Regulations (NI) 2014 requires that information on food allergens must be declared on prepacked foods and food sold loose. This means all food businesses need to provide information about the allergenic ingredients used in foods sold or provided by them.

The regulations list 14 allergens that need to be identified if they are used as ingredients in a dish. These are:

- cereals containing gluten (such as wheat, rye, barley and oats and their hybridised strains)

- crustaceans (for example prawns, crab and lobster)
- eggs
- fish
- peanuts
- soybeans
- milk
- nuts (namely almonds, hazelnuts, walnuts, pecan nuts, Brazil nuts, pistachio nuts, cashew, macadamia nuts or Queensland nuts)
- celery (including celeriac)
- mustard
- sesame
- sulphur dioxide/sulphites (preservatives used in some foods and drinks) at levels above 10mg per kg or per litre
- lupin
- molluscs (for example clams, mussels, whelks, oysters, snails and squid)

As a food business serving loose foods, you will have to supply information for every item on your menu that contains any of the 14 allergens as ingredients.

To help to identify which dishes contain allergens:

- Make sure that your staff use the same recipes every time.
- Keep a copy of the ingredient information on labels of pre-packed foods for example, sauces, etc.
- Keep ingredients in the original containers where possible, or keep a copy of the labelling information in a central place (either on paper or stored electronically).
- Ensure that containers are clearly labelled, for ingredients which are delivered in bulk, and then transferred or stored in smaller containers.
- Make sure staff are aware of where this allergen information is kept.
- Ensure that the allergen information is kept up to date (for example, if recipes are changed or products substituted).
- Always check deliveries to make sure what is delivered is what was ordered.
- Ensure that the relevant labelling information is provided or is available with the order.
- Make sure that any records are updated, to help trace back to the source of your information.
- Check that the food delivered is the same brand that is normally used, as different brands might have different ingredients.

How to provide this information

Details of the allergens will have to be listed clearly in an obvious place such as:

- a menu
- chalkboard
- information pack

If it is not provided upfront, you will need to signpost to where it could be obtained, either in written or oral formats.

If the allergen information is provided orally there must be a way for:

- this information to be checked by others (verifiable)
- it to be confirmed as accurate
- the same information to be given every time (consistent)

5.0 Health & Safety

You must act to eliminate or minimise all workplace risks to the safety of your staff and others. This will include making assessments of the health & safety risks associated with your business and then doing what is necessary to remove or minimise those risks. If your organisation employs more than 5 people, the important points from your own risk assessment must be available in writing for inspection. Particular care should be given to vehicle movement on and off site, safety of gas and electricity supply, safe control of hot equipment and trip/slip hazards, control of chemicals hazardous to health (COSHH), manual handling and young people at work. Where necessary you must assess fire hazards. If you are in any doubt about controlling fire risks, further advice should be sought from your local fire prevention officer.

In Armagh City Banbridge and Craigavon Borough Council, Environmental Health staff enforce health and safety laws for mobile vendors. Please note that in some circumstances, health and safety matters may fall for enforcement purposes to the Health & Safety Executive.

Further Advice

The following work activities cause the most accidents for mobile vendors and you must consider whether you can avoid the activity and if not whether you have appropriate equipment to do the job and that your employees are properly trained.

- Transport issues – How will deliveries be managed? Are vehicles suitable and drivers competent? Can reversing be avoided? Are there restrictions on times of deliveries to protect the public?
- Manual handling – Can manual handling be avoided? Do you have handling aids available?
Do staff know how to use them?
- Slips, trips and falls – Are floor coverings in good condition and kept clean? Are walkways kept clear? Is lighting adequate at night? Do you clean up spillages straightaway? What footwear does the staff have?

In addition to these more general risks associated with work in the kitchen, you also need to consider the following:

Electrical Supply

- Permanent mains electricity should be provided for lighting/power where practicable.
- Electrical appliances must be protected from weather, physical damage and interference.
- Appliances must be protected by residual current circuit breakers.
- Cables and flexes must be positioned so as not to cause a tripping hazard.
- If generators have to be used, steps should be taken to place them safely, protect from interference and to reduce noise and fume nuisance.
- Generators must be in good condition and refuelling must not take place while the exhaust/engine is still hot. No generator fuel must be stored in or near the mobile catering unit.

- A competent electrician should carry out all electrical work.

First Aid Kit

- Each stall, stand or catering unit should be provided with a fully stocked first aid kit including bandages and waterproof dressings. Someone needs to take responsibility for taking charge of arrangements for example in the event of an accident.

Guarding of Machinery

- Operators shall ensure that all machinery used for cutting, slicing, mincing etc. is properly guarded to prevent injury to personnel.
- All persons operating such machinery shall be trained and instructed in its proper use.
- No person under the age of 18 years shall be allowed to clean such a machine.
- Guards to be fixed in position before operation of the machine.

Carbon dioxide cylinders

Carbon dioxide (CO₂) cylinders should be securely restrained in the vertical position when connected up to e.g. beer dispensing equipment.

- Restraint may be in the form of straps, chains or by mobile cylinder support.
- Full cylinders not in use and empty cylinders, should be either securely restrained in the vertical position or alternatively if laid on the floor, they should be securely wedged to prevent rolling.

Gas Safety

- **Maintenance**
It is the duty of every employer to maintain the gas installation (including storage arrangements, pipework, fittings, appliances etc.) The gas installation should be inspected by a **Gas Safe registered engineer**. Servicing should be undertaken in accordance with the manufacturer's instructions, usually every 12 months. A copy of the detailed inspection report should be obtained as this may be required if you apply to work on a site, or at an event. To find a Gas Safe registered engineer near you log on to the website <http://www.gassaferegister.co.uk/> or telephone 0800 408 5500.
- **New Trailers**
A newly built gas installation should come with written evidence that the installation complies with current safety legislation. It should contain details of what the installation consists of and who checked that it complies.
- **Second Hand Trailers**
It is recommended when buying a second trailer to ensure it has been issued with a Gas Safety Report within the previous 12 months.
- **Emergency Control Valve**
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. For cylinder installations, the cylinder valve can be used as emergency shut off valve.

- **LPG cylinders**

Cylinders carried in either a trailer or a converted vehicle should be located in a position that minimises the risk of damage in case of an accident whilst in transit. Where trailers have cylinder compartments they must be:

- The enclosure must be ventilated at high and low levels.
- The compartment must be accessible from the outside only.
- Have a means of securing cylinders from movement during transit.
- Have a means of preventing unauthorised access.
- Have a 1 hour fire barrier to the trailer wall.
- Only contain the regulator, pigtailed, gas spanner and cylinders, no other materials should be stored in the compartment.
- Have only the required number of cylinders to operate the equipment plus a reserve of the same capacity.
- Have an LPG Flammable Gas warning sign on the external side of the door to the compartment.
- Have cylinder changing instructions within the compartment.
- Have all connections between the compartment and the inside of the trailer fire stopped.

- **Ventilation**

It is essential that adequate free ventilation is provided in the cooking areas, this must be fixed at high and low levels, and include vermin screens. Notices should be sited next to the ventilation points to inform the operator that these be kept clean and free of blockages.

Flues and canopies must be fixed to the trailer or vehicle so as to prevent movement in transit. Any flue system should be installed in accordance with the appliance manufacturer's installation instructions and terminated so the products of combustion can discharge safely at all times. When positioning the vehicle and before operating any appliance with a flue system, due consideration must be given to the surrounding area and any obstructions that may affect flue performance. This will include overhanging tress, proximity to adjacent mobile catering vehicles, etc.

An open-flued appliance must not be used in a vehicle incorporating a forced extraction canopy due to the adverse effect the fan may have on flue performance.

For further specific information regarding ventilation please contact environmental health.

Fire Precautions

The guidelines for fire protection equipment are;

Where oil/fat frying or a griddle is used:

- Fire Blanket (this may change in the near future)
- 6ltr Wet Chemical Extinguisher

Where waste bins are provided/used:

- 6ltr Water Fire extinguisher

Where generators and/or electrical equipment are used:

- 2ltr CO2 Fire extinguisher, however this may need to be increased to take into account the number and types of equipment being used.

Where BBQ's are used

- 6ltr Water Fire extinguisher

Further information

If you need help in understanding or implementing the content of this booklet or with any aspect of environmental health, please contact Environmental Health Officers at the addresses below:

Environmental Health Department,
Old Armagh City Hospital,
39 Abbey Street,
Armagh, BT61 7DY

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Civic Building,
Downshire Road,
Banbridge, BT32 3JY

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