



# **Street Trading Application Pack**

Licensing Team  
Hartlepool Borough Council  
Civic Centre  
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## **INTRODUCTION**

Hartlepool Borough Council operates a licensing system for anyone selling food or other goods from a street in Hartlepool. A 'street' is defined as any public place to which the general public have access without payment and can include both private and public land. A licence (or more usually a 'consent') is required when trading from a fixed location (i.e. a burger stall) or when travelling through the streets (i.e. an ice cream van).

A licensing system is in place to ensure public safety, public health and to promote consumer protection.

There are a number of things you should do before making an application for a licence: -

- Obtain written approval from the land owner (if you will be trading from one particular site);
- Speak to the Council's Highways department on 01429 523200 to ensure your proposals will not be contravening highways legislation;
- Speak to the Council's Planning department on 01429 284380 as planning permission may be needed if you intend to trade from one site regularly;
- Speak to the Council's Car Parking department on 01429 523258 if you intend to trade from a public car park;
- Speak to the Council's Property Services department on 01429 523282 if you intend to trade from a fixed location on Council land.
- Obtain public liability insurance to a value of at least £5,000,000;
- If you will be selling food, you should have your vehicle, trailer etc. inspected by the Council's Environmental Health Officers on 01429523312 (if this has not previously been done);
- Prepare a location plan detailing exactly where you intend to trade from.

Once you have completed the above, you should submit your application and licence fee to the Council's Licensing Team.

It is your responsibility to identify a suitable trading site. If you make an application that cannot be approved because you have not obtained the necessary permissions detailed above, the Council will refund your application fee less a £65 administration charge.

An application does not automatically guarantee you permission to trade from a specific location. As such, it may be beneficial to submit more than one proposed location plan with your application, in case one is refused. A maximum of 3 locations can be proposed with each application. If you do decide to submit more than one location plan you must clearly number each plan to indicate your preferred order of priority i.e. 1<sup>st</sup> choice, 2<sup>nd</sup> choice etc. Please note only one location may be granted with any consent/licence.

A Street Trading consent does not guarantee you exclusive trading rights in any area and Street Trading is generally not permitted within the vicinity of any shops or other Street Traders selling articles/goods of a similar nature. However, the council *may* issue more than one consent/licence for a particular location, particularly where the only cross-over is generic products such as sweets, drinks etc., and as such you should be aware that competition from other traders could have an effect on your business.

Under road traffic law, authorised Street Traders are not guaranteed parking rights on the highway and may have to compete with other motorists for their trading location.

Please note that Street Trading consents/licences may be revoked by the Council at any time for failing to comply with the terms and conditions or for any other reason and this should be taken into account if you are planning a long term business investment. Experience has shown that mobile hot food businesses that trade near residential properties, schools etc can cause potential problems and complaints to the Council. Any genuine complaints made to the Council relating to the above may result in your consent/licence being revoked. You are therefore strongly advised to consider carefully where you intend to trade. This may include consulting with residents/businesses that may be affected before you submit an application.

Street Trading consents/licences are not transferable. Rebates will only be considered at the discretion of the Head of Public Protection when a licence/consent is surrendered due to circumstances beyond the consent holder's control. An example of this would be if the Council had taken a decision to close the road where trading was taking place.

Rebates will not be considered where a private land owner had withdrawn permission to trade or where the business has simply not been as profitable, or as busy, as had been hoped. Please see the appropriate section of this guide for full details about surrendering a consent/licence.

**REMEMBER - If you trade within the Borough of Hartlepool without a valid consent you will be liable to prosecution.**

**If you intend to supply alcohol at any time, or hot food or drink between 23:00hrs and 05:00hrs, you may need an additional licence. Please speak to the Licensing Team for more information.**

## **WHAT TO DO NEXT**

If you wish to apply for a street trading consent please complete and return your application at least 28 days before the first date you are proposing to trade. If you are selling food, your business will also need to be registered with the local authority where your trailer is stored overnight. If your trailer will be stored outside the Hartlepool area, please let us know and we can put you in touch with the relevant local authority. Application and food registration forms can be found at the end of this guide.

An Environmental Health Officer will contact you to arrange for a food hygiene/health & safety inspection of your trailer/mobile, during the application process.

Alternatively if you require any further information on street trading please contact: -

**Licensing Section  
Hartlepool Borough Council  
Civic Centre  
Victoria Road  
Hartlepool, TS24 8AY  
Tel: (01429) 523354  
E-mail [licensing@hartlepool.gov.uk](mailto:licensing@hartlepool.gov.uk)**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT, 1982**  
**APPLICATION FOR TRADING IN “CONSENT STREETS”**  
**GUIDANCE NOTES FOR APPLICANTS**

The Council have resolved that all streets in the Borough of Hartlepool shall be deemed to be “consent streets” as from 1<sup>st</sup> May 2005. Details of the prohibited streets are in the attached Public Notice.

A “consent street” is defined as a street in which street trading is prohibited without the consent of the district council.

A “prohibited street” is defined as a street in which street trading is prohibited.

“Street Trading” means the selling or exposing or offering for sale of any article (including a living thing) in a street but this does not include:-

- (a) trading as a pedlar under the authority of a “Pedlars Certificate”
- (b) anything done in a market or fair the right to hold which was acquired by virtue of a grant enactment or order
- (c) trading in a truck road “Picnic Area”
- (d) trading as a news vendor
- (e) trading as a petrol filling station or shop
- (f) selling things as a “roundsman”

The reference to trading as a news vendor in (d) above is a reference to trading where:-

- (i) the only articles sold or exposed or offered for sale are newspapers or periodicals; and
- (ii) they are sold or exposed or offered for sale without a stall or receptacle for them or with a stall or receptacle for them which does not :-
  - 1. exceed 1m. in length or width or 2m. in height.
  - 2. occupy a ground area exceeding 0.25 sq.m.
  - 3. stand on the carriageway of a street.

Any application for a street trading consent must be made to the council in writing on the appropriate Street Trading Application Form.

Consent will not be granted to persons under the age of 18 years. Should the Council grant “consent” they may attach conditions to it and such conditions may be varied at any time.

Street Trading consents may be granted for a limited period only, which will not exceed 12 months and may be revoked at any time.

In any case where the Council are prepared to grant a “Consent” a fee will be required before the consent is issued.

The law provides that any person who trades in a “Consent Street” without having obtained the consent of the Council shall be guilty of an offence.

**NOTE :**      **Any consent issued will only be valid in relation to a single vehicle (or person trading on foot) at any one time.**

**PUBLIC NOTICE**

**HARTLEPOOL BOROUGH COUNCIL**

**LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 SECTION 2**

**STREET TRADING**

Notice is hereby given that on the second day of March 2005 the Licensing Committee of Hartlepool Borough Council passed the following resolution designating streets in the Borough of Hartlepool for the purpose of Street Trading as PROHIBITED STREETS, LICENCE STREETS and CONSENT STREETS.

The resolution is as follows:-

That the following street designations be made, as shown on the plan of the Borough of Hartlepool:-

(a) **Prohibited Streets** - Summerhill Lane

(b) **Licence Streets** - Marina way (*between the junction with the highlight and Maritime Avenue*). Maritime Avenue (*between the junction with Marina way and Maritime Close*). Maritime Close. The Highlight. Avenue Road (*between the junction with Victoria Road and South Road*). South Road (*between the junction with Avenue Road and York Road*).

(c) **Consent Streets** - All other streets within the Borough of Hartlepool.

That the street designations shall take effect on the First day of May 2005.

**NOTES:**

1. For the purpose, the term "street" includes :-

(a) any road, footway, beach or other area to which the public have access without payment; and

(b) a service area as defined in Section 329 of the Highways Act 1980, and also includes a part of a street.



**Area where Consents for selling hot food after 6.00pm will not be granted**



**Licensing Act**

**BOROUGH OF HARTLEPOOL  
NEIGHBOURHOOD SERVICES DEPT.**

HEAD OF PUBLIC PROTECTION & HOUSING: R. HARRISON M.C.I.E.H.  
TEL: 01429 266522

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## **FOOD SAFETY**

### **Vehicles/Mobile Sales Units**

Vehicles that sell food must be of a type suitable for use as a catering or food sales unit. Purpose made vehicles are preferred. Vehicles must be of an adequate size to allow food to be prepared hygienically. Ideally the cab should be separate from the food area. Where this is not possible, it must be constructed so that it can be cleaned easily.

Where food is sold from stalls or barrows, they must be constructed so they are easy to clean and so that food is protected from risk of contamination from passing traffic and the public.

### **Construction**

The important thing is to make cleaning as easy as possible.

Floors should ideally be covered with non-slip impervious material. The edges should be sealed and preferably coved to make cleaning easy.

Walls, ceilings and doors must be smooth, washable and easy to clean. Joints must be sealed and kept to a minimum. Suitable surfaces are plastic sheet materials, gloss paint etc. A heat resistant, easy to clean surface such as stainless steel will be required near to cooking equipment.

As far as possible, all internal structures must be free of ledges and projections to avoid dirt traps. Joints between work surfaces could be a dirt trap. Continuous surfaces are better, or joints that can be properly sealed. It is recommended that the junctions between preparation surfaces and walls are sealed with a suitable silicone sealant.

### **Work Surfaces, Storage Units, Equipment etc.**

All working surfaces, cupboard areas and shelving should be capable of being easily cleaned. Suitable preparation surfaces are stainless steel and laminated plastic. Cupboards and storage units should preferably be finished with a laminated surface. Gloss painted or varnished timber is acceptable but is less durable. Self-adhesive plastic surfaces such as 'fablon' are not suitable.

Cooking equipment should be maintained in a clean hygienic condition at all times and all combustible materials adjacent to, or above, the equipment must be properly fireproofed.

All equipment must be in good condition and capable of being easily cleaned. Catering grade equipment is recommended. Equipment must be secured but access should be provided for cleaning beneath and behind.

## **Temperature Control of Food**

### **Storage**

Traders must be aware that the Food Safety & Hygiene (England) Regulations 2013 require food businesses to make sure that the food they sell is safe and that it is kept at the correct temperature. Further information on the Regulations is available in the leaflet 'Food Hygiene: a Guide for Businesses' produced by the Food Standards Agency.

Where 'high risk' foods such as cooked meats, cheese, cream or milk are sold, a suitable refrigerator of adequate size should be provided to maintain such foods at low temperatures (Ideally 0°C to 5°C). In very limited circumstances, the use of cool boxes and freezer packs is acceptable for storing food for short periods. However, frequent opening and closing allows temperatures to rise, so their effective use is limited. The Environmental Health Officer can advise on this.

Adequate thermometers should be provided in all fridges and freezers so that temperatures can be checked daily.

Effective separation must be maintained between raw and cooked foods to prevent cross-contamination of food poisoning bacteria. Separate refrigerator accommodation should be considered for raw and cooked foods. All open food must be protected from the risk of contamination by keeping in suitable lidded containers, or covering with food wrap.

Freezers should operate at -18°C or colder.

### **Cooking**

It is important that all food is cooked thoroughly to temperatures above 75°C. In particular, burgers must be cooked until the juices run clear and there are no pink bits inside.

Where possible, it is safer to cook food freshly and serve it immediately. However, if food is to be kept hot for any period of time a bain-marie or other equipment must be provided which will keep the food above 63°C.

A suitable probe thermometer should be kept on the mobile and regular temperature checks carried out to ensure that correct temperatures are maintained e.g. on the bain-marie.

### **Washing Facilities**

Adequate washing facilities must be provided in all units where 'high risk' foods such as hot dogs, burgers, ice cream etc. are sold.

Separate washing facilities must be provided for hand washing and preparing food / washing equipment. This is necessary to reduce the risk of cross contamination by food poisoning bacteria. Plastic bowls and flasks of hot water are not acceptable.

In catering units such as ice cream vans and fast food units, where only a small amount of food preparation is undertaken and few utensils are used, a purpose-

made double unit manufactured for mobile traders (comprising a small hand basin and sink) will be acceptable.

### **Hand Washing**

The following facilities must be provided:

where open food is sold, a purpose-made wash hand basin must be installed for personal use only, complete with an adequate supply of hot and cold water (or hot water at a suitably controlled temperature). Soap and a hygienic means of drying hands (i.e. paper towels) must be provided.

### **Equipment Washing**

The number of sinks required will depend on the size of the business and the amount of equipment to be washed. For example in catering units using crockery and cutlery for serving food, a double-bowled sink with integral drainer would be recommended, however a minimum of one sink should be provided. Sinks should be large enough for the equipment to be washed. An adequate supply of hot water and cold water must be provided.

### **Water Supply**

Water must be supplied direct to the wash basin and sink(s) and must not be carried from water heated in containers. Ideally, water should be obtained from a mains supply. Where water is taken from a private supply such as a spring or well, you must arrange for it to be tested regularly to make sure it is safe to use.

Water tanks or food grade storage containers (minimum 10 gallon capacity) should be cleaned regularly, ideally with disinfectant. Suitable tablets can be purchased from camping/caravan shops and some supermarkets.

Hot water must be supplied from an **instantaneous water heater** of a type normally fitted in caravans. These are capable of supplying a number of outlets with adequate hot water, the temperature of which can be controlled. An electrically operated pump draws water from a plastic storage container, pumps it through the appliance, where it is heated instantaneously and delivers it to the outlet over the sink or wash hand basin.

### **Waste Water/Refuse Storage and Disposal**

Waste water must be piped direct from washing facilities into sealed containers or tanks. These should be cleaned regularly. Waste water must not be discharged into road gullies or onto the ground.

Refuse must be stored in suitable lidded bins (preferably foot pedal operated). Bins must be emptied at least daily. Where necessary, suitable bins must be provided for customers' litter etc.

All refuse produced by the business should be removed from the site and disposed of properly, to avoid any nuisance or attraction to vermin or insects.

## **Lighting**

Adequate natural or artificial lighting must be provided to allow food to be prepared hygienically and for staff to work safely. Fluorescent lights are a good source of illumination. It is recommended that bulbs and tubes are fitted with suitable diffusers.

## **Ventilation**

Adequate ventilation must be provided above all cooking equipment. Ventilation from frying ranges should be direct through the ceiling or wall at the rear of the appliance.

A suitable canopy must be provided above deep fat fryers, griddles etc. Grease filters are recommended. The flue should terminate at least 300mm above the roof of the vehicle and be fitted with a suitable cowl or similar to prevent rain from entering.

Adequate ventilation is needed to keep working temperatures in the vehicle comfortable and remove the products of combustion.

## **Sanitary Accommodation**

Where traders operate on the same site throughout their trading period, arrangements should be made for access to a toilet in nearby premises, or a toilet must be provided.

If sanitary accommodation is provided inside the unit it must be suitably ventilated to the external air and entered through a ventilated lobby or from the outside of the vehicle. A wash hand basin, complete with an adequate supply of hot and cold water (or hot water at a suitable controlled temperature) should be provided, complete with soap and a hygienic means of drying hands (i.e. paper towels).

## **Food Safety Training**

The Food Safety & Hygiene (England) Regulations 2013 make the training of food handlers compulsory. The Regulations say that all food handlers must be ***“supervised and instructed and /or trained in food hygiene matters commensurate with their work activity”***.

In simple terms this means that everyone involved in a food business who handles food must receive some training or instruction. The training needed will depend on the type of business, foods prepared or served and the type of work the person does. For example a person who prepares burgers will need more detailed training than someone who handles only fruit and vegetables.

Food handlers who prepare or serve high risk foods will need a Foundation Level Food Hygiene Certificate or equivalent.

It is good practice for a business to have a training plan to identify the training needed for each member of staff and to maintain records of any training undertaken.

## **Personal Hygiene**

All food traders must maintain a high level of personal cleanliness by keeping themselves, their clothes and their over-clothing clean.

Hand washing is one of the most important steps in producing safe food. Hands must always be washed before starting work and after any task which may have made them dirty, particularly after handling raw food or visiting the toilet.

Clean, suitable (e.g. long sleeved) and washable over-clothing must be worn whilst handling, serving or preparing open food. Head coverings are also recommended. Protective clothing should only be worn during the trading period and should not be worn when setting up the vehicle, carrying out maintenance etc.

All cuts and abrasions should be covered with a waterproof plaster at all times. It is recommended that blue or brightly coloured waterproof plasters be used. Smoking in any food area is prohibited.

## **Illness**

Food handlers should not work if they are suffering from food poisoning symptoms such as diarrhoea or vomiting. They should stay away from any food handling area until 48 hours after the diarrhoea or vomiting has ceased. On return to work careful attention to personal hygiene, including scrupulous hand washing, is essential.

Proprietors should instruct all staff on appointment that they must notify the person in charge before they start work if suffering from any of these symptoms. It is also good practice to give new staff this instruction in writing.

Food handlers should also be aware that skin infections such as boils, septic fingers or any other discharging wound can also lead to contamination of food with food poisoning bacteria. These conditions must also be reported to the person in charge of the business.

## **Food Handling Practices**

Safe food handling techniques are important to reduce the risk of food poisoning. Food must be protected from risk of contamination with food poisoning bacteria.

For example:

- Food should not be handled unless absolutely necessary. Tongs or serving utensils should be used wherever possible.
- Separate utensils and chopping boards should be used for the preparation of raw and cooked foods. The use of colour coded equipment is recommended.
- Sneeze guards may be required at the serving counter to protect food from customers coughing or sneezing.
- Food must not be left in cans once opened, instead it should be decanted into suitable lidded containers.

- Food for sale must be kept completely separate from waste food or refuse.
- Wrappings must be of food grade quality, clean and stored in a clean place. Wrapping in newspaper is not acceptable unless food is first wrapped in food grade paper.
- A stock rotation system must be set up based upon 'First In, First Out' principle. High risk foods must be sold within their 'use-by' date. Only as much stock as is necessary for immediate use should be carried.

Where food handling is carried out at home or at a storage depot, these premises must also comply with food safety legislation.

### **Hazard Analysis**

The Food Safety & Hygiene (England) Regulations 2013 include a requirement for people running food businesses to *"identify any steps in the activities of the food business which are critical to ensuring food safety and to ensure that adequate safety procedures are identified, implemented, maintained and reviewed."*

In simple terms, this means that if you run a food business you must look at the operation from start to finish, decide which parts of it might lead to the food which you serve or sell becoming unsafe to eat and take action to prevent this from happening. This close examination of your food business operations is known as **'hazard analysis'**.

In practice most food businesses choose to use the 'Safer Food Better Business' pack to ensure compliance with current legislation. Your local Environmental Health Officer can provide advice in relation to the pack, or it can be downloaded from the Food Standards Agency website

The pack will assist you in developing clear instructions for the controls which you expect your staff to carry out (e.g. temperature monitoring checks required to be undertaken). It is good practice to keep records of any checks made, for example, fridge and cooking temperatures.

### **Further Information/Advice**

Further information/advice can be obtained from your local Environmental Health Officer by telephoning (01429) 523312, as well as from the Food Standards Agency website at [www.food.gov.uk](http://www.food.gov.uk)

Details of local training courses/providers are available on request by telephoning (01429) 523341.

## **HEALTH AND SAFETY**

As far as possible accidents at work should be anticipated and prevented by the use of safe systems of work, safe equipment and the proper training and supervision of staff.

When accidents do occur, arrangements for first aid, summoning of medical assistance, investigation and reporting should be clear.

### **General Construction**

Vehicles must be of an adequate size for food handlers to work safely. A safe entry / exit to the vehicle must be provided, particularly where public have access.

Extra care is required in mobile vehicles as mains power is not usually available and bottled gas and electricity generators may be used.

### **Liquid Petroleum Gas (LPG)**

LPG is almost universally used in mobiles as a convenient and safe source of heating. It can however form a highly explosive mixture when mixed with air, particularly in enclosed spaces such as mobiles. Great care must be taken to avoid leaks of gas into the cooking area where there are naked flames.

Where liquid gas is utilised:

- All LPG cylinders, regulators and change-over devices should be located in the open air or housed in a separate, well ventilated, fire-resistant compartment. The compartment should be ventilated at low level to the external air only and should have access exclusively from outside the vehicle (to enable safe access to shut off the cylinders in case of fire).
- The cylinders should conform to BS 50456, be fitted upright and fastened securely during transit and use. All valves and appliance controls should be turned off whilst the vehicle is in motion.
- Cylinders should preferably be connected by means of an automatic change-over device. This device should be connected to both service and reserve cylinder and will automatically divert the supply from service to reserve when the service cylinder is empty. This will ensure an uninterrupted supply and will eliminate the need to change cylinders manually whilst food handling is being carried out.
- The storage compartment should be used solely for the storage of LPG cylinders, associated pressure regulation equipment and specialist tools as necessary.

### **Flexible LPG Hoses**

Flexible LPG hoses should be of high pressured type (BS3212 part 2) where fitted between cylinder and regulator and of the low pressure type (BS3212 part 1) in all other areas.

Tubing should be kept as short as possible and properly secured by integral threads, crimping or hose clips (worm driven (jubilee) clips are not considered suitable).



Where subjected to temperatures above 50°C, LPG hose should be braided or armoured and where it passes through walls or partitions should be protected against abrasion damage by rubber grommets.

Liquid Petroleum Gas attacks rubber and it is recommended that flexible hoses should be replaced after two years use.

### **Rigid LPG Pipework**

Internal gas supply pipework should be of drawn copper or stainless steel tubing, with appropriate compression or screen fittings. Flexible hose should only be utilised internally at connections to appliances.

No pipework should be run through box sections or structured cavities but should be visible or at least easily accessible. Pipework should be adequately supported at intervals not exceeding 1 metre (0.5 metres for soft copper tubing) and protected against abrasion by rubber grommets where it passes through walls or partitions.

As a minimum requirement, LPG pipework should be provided with a shut-off tap fitted prior to the first gas appliances on the line and easily accessible to persons working on the unit. It is recommended however, that where possible shut off taps are installed immediately before each appliance.

All such taps should have their open and closed positions clearly indicated upon them.

- Appliances should be manufactured to British Standard and suitable for use with LPG. They should be fitted with flame failure devices which shut off the gas to the main burner if the flame goes out. Appliances should be installed, maintained and serviced to manufacturers / suppliers instructions and securely fastened to avoid any movement.
- Adequate ventilation should be provided and a suitable flue fitted where the design of the appliances requires such.
- Catering appliances should not be left unattended whilst in use and should not be lit whilst the vehicle is in motion (unless fitted with a flame failure device, an adequate flue if in a vehicle, properly secured and not showing any naked flame).
- All persons working in mobile catering units should have adequate instructions, information and training including the dangers associated with LPG, action to be taken in the event of an emergency, safe method of changing cylinders, especially when any changeover of cylinders is undertaken.
- Compartments housing cylinders should be clearly marked "LPG – HIGHLY FLAMMABLE – NO SMOKING".

### **Ventilation**

Permanent ventilation equally divided at both high and low levels should also be provided in the unit to remove combustion products and any LPG leakage.

## **Cooking Equipment**

### **Fryers**

At fryers, including fish and chip ranges:

- An automatic high temperature limit device should be fitted which will shut off the gas supply to the main burner if the temperature of the frying medium exceeds 230°C. Manual intervention should be required to re-establish the gas supply. This device should not operate on the same gas valve as the automatic temperature control.
- An automatic temperature control should be fitted to control the temperature of the frying medium with a maximum setting 205°C.

A visual examination of the containers, pipework, appliances, vents and flues should be made daily before the vehicle is taken out and again after parking up.

The complete gas installation should be examined for soundness at least once per year and more frequently as necessary according to usage.

### **Electrical Equipment**

All electrical equipment must be so constructed or maintained by a competent person to prevent danger so far as reasonably practicable. Batteries must be secured in a suitable compartment. Where generators are used they must be sited so that they do not cause nuisance to the occupiers of nearby premises. Suitable arrangements must be made for the storage of food.

### **Fire Precautions**

Suitable fire extinguishers (e.g. 6 litre foam filled extinguisher) / blankets must be provided in all vehicles with LPG installation. Detailed information is available from Cleveland Fire Brigade  
Tel (01429) 872311.

The exit from the mobile should be kept free from obstructions.

Make sure everybody knows what to do in an emergency.

### **Hazardous Substances**

Some products and substances used on a mobile vehicle are hazardous. This could include cleaning chemicals, degreasers, adhesives and vehicle exhaust gases. The way you work should be organised so that the risk from using these substances is minimised and the likelihood of any accidents is reduced. Certain hazardous substances are covered by the Control of Substances Hazardous to Health Regulations (COSHH). You need to decide what safety precautions you need to take for any harmful substances you use. This might include:-

- Finding a safer alternative.
- Providing good ventilation.
- Making sure chemicals are stored and disposed of properly.

- Making sure staff are adequately trained or instructed.
- Providing protective clothing such as rubber gloves or goggles.

### **Handling Hot Fat/Oil**

The main hazard associated with hot fat or oil is burns. This can be caused by splashes, when food or the basket is dropped carelessly, or if it spits or boils over if there is excess water or moisture in the food. Where there is hot oil or fat there is a major fire hazard. If the oil is spilled or splashed onto the floor it can cause slips. The following safety measures should be adhered to:

- Check that the oil is up to the oil level mark.
- Do not overfill.
- Break up dripping or fat into lumps.
- Do not top up with oil from large containers.
- Do not leave the fryer unattended while in use.
- Check the food is dry before immersing in hot oil. Brush off ice crystals carefully.
- Do not overload the basket.
- Do not let the basket drop into the oil.
- Take care when shaking food in the basket.
- Clean up spills or drips from the floor immediately.
- Allow the oil to cool before draining. The removal of oil should always be done when it has cooled sufficiently so as not to present a risk of burning or scalding.
- Turn off the fryer before cleaning and allow the oil to cool. Clean in accordance with the manufacturers handbook.
- Have appropriate fire fighting equipment and fire blanket near the fryer with a sign explaining what to do in the event of a fire.

If filtering of oil is undertaken the oil must be hot and protective clothing must be provided. This will include a visor, heat resistant apron and heat resistant gauntlets.

When discarding hot oil, one of the biggest dangers is the presence of moisture in the disposal container. This can result in explosion and serious injury. The container used must be suitable for the purpose and should be:-

- Metal or heat resistant plastic as normal plastic will melt.
- Dry, to prevent the risk of explosion.
- Complete with lids, to prevent entry of moisture.
- Of solid construction, with no leaking welds or joints.

### **First Aid Kit**

An adequate first aid kit must be provided and be available at all times. It is recommended that this should include blue 'food grade' waterproof plasters and a protective waterproof finger stall.

It is also recommended that at least one person should have received emergency first aid training.

## Reporting Accidents

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) is the law that requires employers, and anyone else with responsibility for health and safety within a workplace, to report and keep records of:

- work-related deaths;
- serious injuries;
- cases of diagnosed industrial disease; and
- certain 'dangerous occurrences' (near miss accidents).

Please note that the law changed on 6 April 2012. If a worker sustains an occupational injury resulting from an accident, their injury should be reported if they are incapacitated for more than seven days (not counting the day on which the accident happened.) There is no longer a requirement to report occupational injuries that result in more than three days of incapacitation, but you must still keep a record of such injuries.

Incapacitation means that the worker is absent or is unable to do work that they would reasonably be expected to do as part of their normal work.

Employers and others with responsibilities under RIDDOR must still keep a record of all over three day injuries – if an accident book is kept, then this record will be enough. The deadline by which the over-seven-day injury must be reported has also increased to 15 days from the day of the accident.

To report an incident go to [www.hse.gov.uk/riddor](http://www.hse.gov.uk/riddor) and complete the appropriate online report form. The form will then be submitted directly to the RIDDOR database. You will receive a copy for your records.

All incidents can be reported online but a telephone service remains for reporting **fatal and major injuries only**. Call the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

A new leaflet '[Reporting accidents and incidents at work](http://www.hse.gov.uk/pubns/indg453.pdf)' which explains the change can be found at: <http://www.hse.gov.uk/pubns/indg453.pdf>

## **Ice Cream Vans**

### **SUMMARY OF THE CODE OF PRACTICE ON NOISE FROM ICE CREAM VAN CHIMES ETC 1982**

It is an offence to sound your chimes before 12 noon or after 7pm. It is also an offence to sound your chimes in such a way as to give reasonable cause for annoyance. A code of practice approved by the Government gives guidance on methods of minimising annoyance caused by your chimes. The main points of the code of practice are:-

#### **DO NOT SOUND YOUR CHIMES:-**

- For longer than 4 seconds at a time.
- More often than once every 3 minutes.
- When the vehicle is stationary.
- Except on approach to a selling point.
- When in sight of another vehicle which is trading.
- When within 50 metres of schools (during school hours), hospitals and places of worship (on Sundays and other recognised days of worship).
- More often than once every 2 hours in the same length of street.
- Louder than 80dB(A) at 7.5 metres.
- As loudly in quiet areas or narrow streets as elsewhere.

#### **REMEMBER :**

***It is an offence to sound your chimes before 12 noon or after 7pm.***

***It is an offence to sound your chimes at any time in a way which gives reasonable cause for annoyance.***

# GENERAL CONDITIONS OF CONSENT



1. Street Trading shall be conducted in such a manner as not to cause: -
  - (i) obstruction of the street or danger to persons using it. It should be noted by traders that the holding of a Street Trading Consent does not preclude the Highway Authority or the Police from taking action to remove any obstructions on the highway.
  - (ii) nuisance or annoyance (whether to persons using the street or otherwise).
2. Traders are prohibited from setting out their goods or advertising material on the surface of the carriageway or pavement.
3. A consent holder shall not trade in any street designated by the Council as a either a "Licensed Street" or a "Prohibited Street".
4. Unless a consent has been obtained to trade from a specified location, trading in a particular position is restricted to a 15 minute duration, after which the Van/Cart/Barrow or vehicle must be moved a minimum distance of ½ a mile before trading again. Return to within ½ mile is prohibited within 1 hour. Longer time periods to trade may be considered with prior written approval.
5. Where a consent permits trading at a specified location, the consent holder must trade within the boundaries detailed in the consent plan (if applicable).
6. If detailed in the consent, a consent holder must comply with any requirements relating to earliest/latest arrival/departure time – regardless of when actual trading may commence.
7. A "Consent Disc" issued to the consent holder should be displayed at all times. The consent must be produced on demand to a Police officer or to duly Authorised Officer of the Council.
8. No goods, other than those authorised in the consent, may be traded without prior written consent of the Council.
9. The consent holder shall immediately notify the Council in writing of any changes affecting the original consent.
10. This consent shall be personal to the consent holder and is not transferable.
11. No person under the age of sixteen years shall be employed as an assistant.
12. The consent holder shall provide sufficient containers of at least 50 litre capacity as may be necessary for the depositing of litter arising from their trade and ensure that the immediate vicinity of their van, car, barrow or other vehicle is kept free from litter at all times during which they are trading. All sites must be left free from litter and waste when trading has ceased.

13. All waste collected in the consent holder's bin(s), or by the consent holder, is the consent holder's responsibility and must be removed from site and disposed of in accordance with the Environmental Protection Act 1990. Specifically, waste must not be deposited in any bins or other receptacles provided for public use.
14. All street trading units must be equipped with safe and adequate lighting during the hours of darkness.
15. The use of loud speakers, horns, flashing lights or any other instruments designed or intended to attract the attention of the public is forbidden without the prior written consent of the Council.
16. The consent holder shall maintain the site to the same condition and state as it was at the commencement of the occupation. To this end, consent holders have a duty of care in relation to their trading sites and adjacent areas and must not damage in any way, either wilfully or by negligence, any part of the consent street including paved areas, grassed area, signs, fencing etc.
17. Consents may be temporarily suspended for any reasonable cause, at any time at the request of a Police Officer or authorised Council Officer, who may require the consent holder to move from his trading position.
18. Consents may be revoked by the Council at any time either following the breach of any of these conditions by the Consent holder or for any other reason.
19. The holder of a Consent must provide the Council with proof of Public and Product Liability Insurance for a minimum sum of £5,000,000.
20. The Consent holder shall indemnify the Council from and against all loss, damage, costs, liabilities and claims whatsoever arising from its use and occupation of the land.
21. Licence/consent holders may have a maximum of two liquefied petroleum gas (LPG) cylinders at the premises at any one time. The maximum size of any one cylinder shall be 47Kg.
23. There shall be no filling of LPG cylinders at the trading site.
24. If a consent holder is found to be breaching any condition detailed in this consent they will be issued with a written warning unless the breach is considered serious enough to warrant immediate revocation. If a second written warning is required within any 12 month period, the consent will be immediately revoked.
25. Any appeal against a written warning or revocation of a consent must be made, in writing, within 21 days to: -

Head of Regulatory Services  
Hartlepool Borough Council  
Civic Centre  
Hartlepool  
TS24 8AY

## **NOTES ON REGISTRATION OF FOOD BUSINESS ESTABLISHMENT**

**The following information is provided for guidance and should not be regarded as a complete statement of the law.**

### **What is registration?**

Registration of a business establishment used for a food premises (including market stalls, delivery vehicles and other moveable structures) is required by law. Registration enables the Council to keep an up-to-date list of all food premises in Hartlepool so authorised food officers can visit them when they need to. The frequency of the visits will depend on the type of premises.

### **Who needs to register?**

If you run a food business establishment you must tell (or arrange for someone else to tell) the Council about any premises you use for storing, selling, distributing or preparing food. A 'food business' means any undertaking, whether for profit or not and whether the public or private, carrying out any stage of production, processing and distribution of food. Food business establishments include restaurants, hotels, cafes, shops, supermarkets, staff canteens, kitchens in offices, warehouses, guest houses, delivery vehicles, buffet cars on trains, market and other stalls, hot dog and ice cream vans etc.

If you use vehicles for your business in connection with permanent premises such as a shop or warehouse, you only need to tell the Council how many vehicles you have. You do not need to register each vehicle separately. If you have one or more vehicles but no permanent premises, you must tell the authority where they are normally kept.

**Anyone starting a new food business establishment must register with the local authority at least 28 days before commencing food operations.**

There are no specific exemptions from the need to be registered, available to food businesses. However, the law says that to be considered a 'food business', there needs to be a certain continuity of activities and a certain degree of organisation. The following activities are therefore excluded from the requirement to register as a food business establishment:

- Activities such as the occasional preparation of food by individuals or groups for gatherings or for sale at charitable events, such as coffee mornings;
- Primary production for private domestic use;
- The domestic preparation, handling or storage of food for private domestic consumption;
- The direct supply, by the producer, of small quantities of primary products to the final consumer or to local retail establishments directly supplying the consumer;
- Collection centres and tanneries which fall within the definition of food business only because they handle raw material for the production of gelatine or collagen.



These activities are, however, still subject to the general requirements relating to placing unsafe food on the market contained in Article 14 of Regulation (EC) No 178/2002 as implemented by the General Food Regulations 2004.

Bed and breakfast accommodation with less than three letting bedrooms was previously exempt, but changes in the law now mean they have to be registered.

### **How do I register?**

By filling in this form. Registration cannot be refused and there is no charge. The registration form must be sent to your local authority. The address can be found overleaf. If the form is sent to the wrong address your application will not take effect until it is received at the proper place. If you use premises in more than one local authority area, you must register with each authority separately.

**You must tick all the boxes which apply to your business**, answer all the questions and give all the information requested. Please write your answers clearly.

**When answering Question 3 please note that in food law, a 'food business operator' means the natural or legal persons responsible for ensuring the requirements of food law are met within the food business under their control.**

If you have any questions please contact the Commercial Services Team on the number provided below.

**It is an offence to give information which you know is false.**

### **What happens to the information given on the form?**

We will enter the details on a Register. The register with the name of the business (if any), the address, telephone number and the type of business carried on at each will be open to inspection by the general public. Records of the other information provided will not be publicly available.

### **Changes**

Once you have registered with the Council you only need notify us where there is a change of food business operator, where the nature of the business changes (including closure), or where there is a change of the address at which movable premises are kept. The new food business operator will have to complete an application form.

If the Council wishes to change the entry in the Register because of information which it receives from someone else you will be given 28 days notice and an opportunity to comment on the proposed change.

**If you have any questions please telephone (01429) 523320 for assistance.**



## APPLICATION FOR STREET TRADING

**Before completing this application form please read the enclosed guidance document & conditions**

### 1. APPLICANTS DETAILS

I hereby apply for the grant of a Street Trading:  
(please refer to guidance document)

CONSENT

LICENCE

**Full Name of Applicant:**  
(Mr/Mrs/Miss/Ms)

**Maiden Name:**  
(if applicable)

**Date of Birth:**

**Home address of Applicant:**

**Home  
Tel No.**

**Work  
Tel No.**

**Email**

**Fax No.**

**Have you ever been convicted of any offence? YES/NO** If Yes, please give details

**Have you ever been refused a Street Trading Consent / Licence? YES**

**NO**

### 2. ASSISTANT DETAILS (maximum of 2 assistants and must be aged 18 or over)

**Full Name of Assistant:**  
(Mr/Mrs/Miss/Ms)

**Maiden Name:**  
(if applicable)

**Date of Birth:**

**Home address of Assistant:**

**Full Name of Assistant:**   
(Mr/Mrs/Miss/Ms)

**Maiden Name:**   
(if applicable)

**Date of Birth:**

**Home address of Assistant:**

**3. TRADING DETAILS**

**Trading Name**

**Type of food being sold:** (Please tick appropriate boxes)

**HOT FOOD**       **COLD FOOD**       **BOTH**

**Proposed hours of Trading:**

Mondays	between the hours of	<input type="text"/>	and	<input type="text"/>
Tuesdays	between the hours of	<input type="text"/>	and	<input type="text"/>
Wednesdays	between the hours of	<input type="text"/>	and	<input type="text"/>
Thursdays	between the hours of	<input type="text"/>	and	<input type="text"/>
Fridays	between the hours of	<input type="text"/>	and	<input type="text"/>
Saturdays	between the hours of	<input type="text"/>	and	<input type="text"/>
Sundays	between the hours of	<input type="text"/>	and	<input type="text"/>

**Nature of goods being sold:**

**Type of vehicle to be used:** Barrow       Van       Stall

**Where will the vehicle be stored overnight** .....

**Please provide vehicle registration details (if applicable)** .....

**Period of Consent required:**      **Start Date**

**DAY**       **WEEK**       **MONTH**       **½ YEAR**       **YEAR**

**If you wish to obtain consent to trade in a particular area for more than 15 minutes, please state the exact location and provide a clear location map of the area and an indication of exactly where trading is proposed.**

If you are trading from private land you must obtain and provide written proof that you have the land owners permission.

Location:

Are chimes or other similar amplified sound proposed

YES

NO

If, Yes what type of amplified sound is proposed

**NOTE: the applicant must comply with the Code of Practice on Noise from Ice Cream Van Chimes etc 1982. Summary of the Code of Practice is detailed in the Guidance Notes.**

I have enclosed the fee of £\_\_\_\_\_ (cheques should be made payable to Hartlepool Borough Council.)

I would like to apply for Charitable Fee Exemption\*

Name of Charity: \_\_\_\_\_

\* Charitable Fee Exemption will only be considered at the discretion of the Head of Public Protection and only where trading is clearly a non-commercial nature and all profits are donated to a charity. Exemptions will not be available for any consent being sought to trade longer than two days, at any one time.

The following factors shall be taken into account when considering whether an exemption should be applied:-

- Whether the seller is engaged as a trade or business.
- The percentage of turnover being retained as expenses by the seller and the amount of profit being donated to the charity or good cause.
- Whether the seller is being paid or is acting as a volunteer.
- Any other matter considered relevant by the Head of Public Protection.

## **DECLARATION**

**I hereby apply for the grant of a Street Trading Consent/Licence (delete as appropriate) and understand that if my application is successful I will be required to produce evidence of appropriate public & product liability insurance cover to a minimum value of £5,000,000.**

**I certify that the above details are to the best of my knowledge a true and correct record.**

**I have read the Council's Guide to Street Trading and conditions in relation to street trading and certify that I will comply with all terms and conditions therein.**

Signature of Applicant

Date

Please refer to the checklist overleaf before returning this form.

**Checklist:-**

- Completed Application Form**
- Fee**
- Insurance**
- Location Plan(s) (if applicable)**
- Landowners permission (if applicable)**
- Food Registration Form**

**Hartlepool Borough Council  
Public Protection Division  
Licensing Section  
Civic Centre  
Victoria Road  
Hartlepool  
TS24 8AY**



## **STREET TRADING** **TABLE OF FEES**

ALL FEES INCLUDE A £65.00 NON-REFUNDABLE APPLICATION CHARGE, WHICH WILL BE RETAINED BY HARTLEPOOL BOROUGH COUNCIL, SHOULD YOUR APPLICATION BE REFUSED OR WITHDRAWN.

### **Street Trading Fees – 2023/24**

#### **Street Trading Consents**

##### **All Areas (except for Seaton Carew Sea Front)**

	05:00 hours – 21:00 hours	21:00 hours – 05:00 hours
Annual	£1445	£2890
6 months	£885	£1770
1 month	£235	£470
1 week	£160	£320
1 day	£85	£175

**Seaton Carew Sea Front** - including Coronation Drive, The Front and The Cliffe, between Newburn Bridge to the North and The Coach Park to the South.

£2310 (or, for shorter periods, an amount based on the same proportion of the annual fee as detailed above)

#### **Non Established Market**

Fewer than 30 traders	£130 (per event)
More than 30 traders	£220 (per event)

#### **Street Trading Licence**

Including Marina way, Maritime Avenue, Maritime Close, The Highlight, Avenue Road, South Road

Weekly	£160
Daily	£85