

Standard Conditions for Street Traders' Licence – Mobile Sauna (Principal)

Glossary

The following words and expressions used throughout these conditions shall have the meaning ascribed to them:-

“The Licence” is the street trader’s licence to which these conditions apply

“The Licence Holder” is the individual, partnership or body corporate who holds the licence

“Trade” - carrying out the activity of street trading as defined in section 39 of the Civic Government (Scotland) Act 1982;

“Business unit” - the kiosk, stall, vehicle, trailer or other premises from which the activity of street trading is carried out;

“Employee Street Trader’s Licence”- a licence issued by Aberdeenshire Council under section 39 of the Civic Government (Scotland) Act 1982 that allows the holder to carry out the activity of street trading as an employee of a person who holds a street trader’s licence. A person who holds an employee street trader licence cannot trade in their own right but only in a business unit in respect of which there exists a street trader’s licence.

Hours and Location

1. The Licence Holder shall only be permitted to trade in the business unit described in the Licence and at the location or locations and during the hours and days specified in the Licence. The beginning or ending of British Summer Time is to be disregarded for the purpose of determining the time at which the period of licensing hours ends and, accordingly, the period ends at the time it would have ended had British Summer Time not begun or ended.
2. The business unit must be positioned so that any users being served or waiting to be served do not interfere in any way with the free movement of vehicular traffic and/or pedestrians.
3. Any business units trading in the public road must not have any wheel on the footway or verge and must be sited such that users stand only on the footway while being served or waiting to be served.
4. The business unit shall not trade from the carriageway on any road where the speed limit is greater than 30mph.
5. The business unit must not trade within 20m of a road junction, pedestrian crossing or the site of a school crossing.
6. Except as otherwise directed or permitted by the licensing authority, the business unit shall not trade within 50 metres of any establishment or

premises in which are sold or offered for sale any goods or articles or services of the same or similar class and description as those to be sold or offered for sale by the Licence Holder.

Administrative

7. Where applicable the Licence Holder shall:-
 - (a) At all times whilst trading wear in a conspicuous position the identification badge issued to them by the Licensing Authority;
 - (b) Exhibit their identification badge to any police officer, Licensing Standards Officer or users who asks to see it. In the event of the loss of the badge or if it should be defaced or becomes illegible the Licence Holder must notify the Licensing Authority within two working days so as to obtain a new badge. The cost of replacing the badge will be met by the Licence Holder;
 - (c) Exhibit their Licence to any police officer or Licensing Standards Officer;
 - (d) Not in any way alter, erase or deface the Licence.
8. The Licence cannot be transferred to any other person and the Licence Holder shall not permit any other person to use the Licence. The Licence Holder shall allow free access to the business unit to any police officer, fire officer or Licensing Standards officer.
9. The Licence Holder shall ensure that any person who is employed by them or assists them in the business unit holds a current Employee Street Trader's Licence issued by Aberdeenshire Council. The Licence Holder shall be responsible for ensuring that any persons employed in street trading at the business unit are familiar with the terms of the Licence and comply with its 2 May 2025 conditions at all times irrespective of whether or not the Licence Holder is present.
10. A cleaning schedule must be completed and made available for inspection at the request of the Environmental Health Service. Details of the frequency of cleaning, cleaning materials used and contact time must be made available on request.

Training

11. The Licence Holder must ensure that the business unit is supervised by appropriately trained staff at all times when members of the public are admitted entry.
12. There must be at least one staff member on duty at all times who is trained and qualified in first aid and the use of a heart defibrillator.

Health and Safety

13. Where the Licence is in respect of a business unit which will offer goods or articles for human consumption the Licence Holder must be registered with the local authorities Environmental Health Service as a food business and hold a Certificate of Compliance which confirms that it meets with the Scottish Mobile Traders National Food Hygiene Standard issued under section 39 of the Civic Government (Scotland) Act 1982. The Licence Holder shall ensure that all street trading carried out at the business unit complies with the requirements of the Mobile Traders Food Hygiene National Standard.
14. The Licence Holder shall ensure that all street trading that is carried out from the business unit complies with the Guidance issued by the Health and Safety Guidance for Mobile Traders issued by the Health and Safety Co-ordinating Group of the Royal Environmental Health Institute of Scotland (approved 2017). (A copy of the Guidance is available on request from the Licensing Team at Aberdeenshire Council).
15. The Licence Holder must undertake a 'suitable and sufficient' risk assessment for the use of the mobile sauna, identifying controls and suitable methods to extinguish a fire and ensure that they have received sufficient training in regard to fire safety.
16. Only coals recommended for use by the manufacturer should be used and be replaced at regular intervals depending on usage.
17. The temperature must be between 80°C and 100°C for a sauna.
18. The Licence Holder must undertake a suitable COSHH assessment under the Control of Substances Hazardous to Health Regulations 2002 for the cleaning materials used and substances used within the sauna. Data sheets must be obtained and provided upon request to the Environmental Health Service.
19. A central fire point under the control and protection of either the Licence Holder or a person authorised by them must be established to contain portable fire-fighting equipment. Adequate numbers of fire-fighting appliances must be provided, and such appliances and equipment must always be kept in good working order and condition to the satisfaction of the Firemaster (Firemaster of Scottish Fire and Rescue Service). The fire point should comprise multi-purpose dry powder type extinguishers with a capacity of at least 2.5Kg. per 200 square metres of entertainment area. The location of the fire point must be known not only to the Licence Holder and the authorised person but also known to the owners and operators of any devices or equipment. The Licence Holder shall ensure that all owners and operators of equipment as well as employees attendants while on duty while the site is in

use are instructed in the fire safety precautions to be observed and the action to be taken in the event of fire or other emergency and shall ensure in particular that adequate precautions are taken to provide for the safe evacuation of vulnerable and handicapped persons in such circumstances.

20. No article shall be placed on top of, in front of or near any fire appliance to prevent, hinder or delay the said appliance being used immediately. Any direction issued by the Firemaster shall be complied with immediately.

Cleaning and disinfection

21. The Licence Holder must ensure that the sauna/steam room is cleaned and disinfected each day, in accordance with manufacturer's instructions and, where specified, with manufacturer recommended cleaning and disinfection agents capable of reducing the number of viable bacteria and blood borne viruses, including Hepatitis B & C and HIV. Where not specified by the manufacturer, an appropriate cleaning and disinfection agent shall be used in accordance with the product instructions and dilution rate.

Amenity and Behaviour

22. Without prejudice to any other conditions of the licence the Licence Holder shall take effective steps to ensure that the use of the business unit for the purposes of street trading does not detract from the amenity of the area in which it is located, and in particular that no nuisance is caused by noise, vibration, smell, or fumes from the business unit or for any other reason.
23. The Licence Holder shall ensure that an adequate number of litter bins are provided at all times for the deposit of litter by users and that said bins are emptied regularly, and that surrounding land in the immediate vicinity of the business unit are kept clear of litter.
24. The Licence Holder must take reasonable steps to ensure that the combustion of fuel for the operation of the sauna does not cause a statutory nuisance, as defined in the Environmental Protection Act 1990, to nearby sensitive receptors. Any complaints received by the Environmental Health Service will be investigated and enforcement action taken where necessary to abate the nuisance.

Insurance

25. The Licence Holder must have suitable public liability cover with a reputable insurance company for a minimum indemnity of £ 5 million for the use of sauna by members of the public. Such policy shall be exhibited to the Council each year on request.

Structure

26. The sauna room doors must have a glazed panel to allow safe access and egress by users and supervising staff to monitor the welfare of users.
27. The sauna and associated area must be suitably lit to allow for safe access and egress to the sauna and associated shower facility unit.
28. The door must open outwards and have an internal handle to allow users to exit the room when required.
29. All equipment shall be of sound mechanical construction and fit for purpose.
30. The coals/heater unit within the sauna must be guarded to protect from burning by a guard rail or barrier of at least a height of 100mm above the height of the coal.
31. The floor of the equipment should be impervious and laid to promote effective drainage. The covering shall be constructed of non-slip materials that can be easily cleaned.
32. The following must be provided:
 - a. A thermometer and a relative humidity gauge shall be provided indicating the temperature inside the sauna room. Checks must be undertaken on a daily basis and recorded. A copy of records must be made available at the request of the local authority.
 - b. A mechanism of alerting the Licence Holder to an emergency within the sauna shall be in place for the duration of its use. The location, purpose and operation of this device must be brought to the attention of users before each use. There must be a written procedure detailing the action to be taken in the event that the alarm mechanism is used. All relevant personnel must be familiar with the procedure.
 - c. A clock or other time keeping device shall be visible to users from inside the sauna
 - d. The temperature control device shall not be accessible to users of the sauna room.
 - e. A carbon monoxide detector which complies with BS EN 50291:2010 shall be powered by a battery designed to operate for the working life of the detector. The detector shall incorporate a warning device to alert the users when its working life is due to expire. The detector shall be sited appropriately in accordance with BS EN50292:2002 and the Building Standards non-domestic technical handbook.

- f. Clear safety guidelines on the use of the sauna shall be clearly displayed close to the entrance of the sauna facility and brought to the attention of users.

User safety

- 33. The Licence Holder shall ensure that persons under the age of 16 are prohibited from using the Sauna and/or Steam Room. The Licence Holder must ensure that age verification checks are carried out as follows:
 - (a) Always ask young people to produce proof of their age. Acceptable forms of I.D. are a passport; a European Union photo card driving licence; or a photographic identity card bearing the national Proof of Age Standards Scheme (PASS) hologram;
 - (b) Make sure the card matches the person using it and the date of birth shows they are over 16.
- 34. Users should be advised to sit on a towel in the sauna/steam room to reduce the risk of infection and burning.
- 35. Users must wear appropriate bathing costumes to reduce the risk of infection and burning.
- 36. All Users must complete a medical questionnaire before their first use of the sauna room to ascertain any contra-indications these should include:
 - a. Pregnancy
 - b. Diabetes
 - c. Seizures, e.g. epilepsy
 - d. Suffering from heart disease, circulatory problems, high or low blood pressure
 - e. Suffering from infectious skin disease, sores and wounds
 - f. Suffering an illness causing an inability to perspire
 - g. Are taking antihistamines, anticoagulants, vasoconstrictors, vasodilators, stimulants, hypnotic or tranquilliser or any other medication which makes the potential user unsure as to the advisability of using the sauna room
 - h. Suffer from migraine attacks
 - i. Suffer from any condition whatsoever that makes the user unsure as to the advisability of using sauna/steam room
- 37. The Licence Holder shall ensure that a supply of wholesome drinking water and, if necessary, disposable drinking vessels must be available for equipment users without charge to the user.

38. The water used for the associated use of the sauna – i.e. shower facilities, shall be wholesome, and meet the relevant drinking water standards. Shower facilities shall be provided close to the sauna.
39. The Licence Holder should identify and document the location of the nearest heart defibrillator. The Licence Holder should assess the suitability of the location and access to such devices. If the location and distance is unreasonable to access in an emergency, the Licence Holder must provide a defibrillator in their business unit.
40. The attention of the Licence holder is brought to Section 2.2(a) and Section 3 of the Health and Safety at Work Act 1974.
41. Where toilet facilities are not provided for sauna users, the Licence Holder shall provide information detailing the nearest usable facilities.