

# **London Borough Bromley Special Treatment Regulations that apply to the application/ renewal process**

## **The Law**

### **London Local Authorities Act 1991, as amended by the London Local Authorities Act 2000**

Regulations made by the London Borough of Bromley under Section 10(1) of the London Local Authorities Act 1991, prescribe standard conditions applicable to all Special Treatment premises located in the London Borough of Bromley.

Effective from 7 April 2010

## **Definitions**

1. 'Approval of the Council' or 'Consent of the Council' means the approval or consent of the council as licensing authority in writing. "Approved", "Accepted", "Permitted", means approved, accepted or permitted by the Council in writing
2. "Council" means London Borough of Bromley as the appropriate licensing authority
3. 'Establishment for Special Treatment' has the meaning set out in section 4 of the London Local Authorities Act 1991 (as amended)
4. 'Licence' means a Special Treatment Licence granted under section 6 of the London Local Authorities Act 1991 (as amended)
5. 'Officer' means any person authorised by the Borough Council in writing. (This may include Officers of the London Fire and Civil Defence Authority)
6. 'Premises' means any premise within the Councils area licensable for special treatments and includes all installations, fittings and other items connected with the business.
7. 'The Act' means the London Local Authorities Act 1991 (as amended).
8. The Licensing of a premises for special treatment relates only to the provisions under the London Local Authorities Act ( as amended)It does not convey any approval or consent which may be required under any other legislation , byelaw, order or regulation.

## **Modification of Regulations**

1. These Regulations may be dispensed with or modified by the Council at its discretion
2. Where in these Regulations there is any reference to the consent of the Council being required, such consent may be subject to specific conditions or restrictions.
3. If the Licensee wishes any of the terms of the licence to be varied an application must be made to the Council and if the Council requires, the application must be advertised.

4. In the event of any conflict between the Regulations and the conditions contained in the Licence, the conditions in the licence take precedence.

## **Standard Conditions**

In addition to the above regulations general licensing conditions and those specific to the premises are also applicable .They should be read in conjunction with this document.

### **Application Forms:**

All applications for special treatments licences must be made on the forms provided by the Council.

Grant of a licence: form number **mst 1**

Renewal of a licence: form number **mst 2**

Variation of a licence: form number **mst 3**

Transfer of a licence ; form number **mst 4**

The application form must be signed by the applicant, or a solicitor, or other duly authorised agent acting on behalf of the applicant.

Applications for renewal must be made at least 1 months before the expiry date of the existing licence.

A transfer of licence includes transferring the licence into another persons name

A variation of a licence would be to add additional treatments or if alterations are made to the premises. In this case plans would need to be submitted ( see section on Plans)

## **Advertising the Licence Application**

For new applications and transfers of licences the applicant must display a notice at or near the premises in a place where it can be easily and read by persons in the street or adjoining public places. It must remain in this position for **14 days**. The 14 days begins on the date the application is delivered to the Council or if delivered by post, the date shown on the postmark.

This form is provided by the Council and entitled "Notice of Application for Grant/Transfer of a licence to use a premises as an establishment for special treatment" (**mst 6**)

The applicant must send a notification to the Council that the notice has been displayed . This should be sent with the completed application form. This form is entitled "Notification of Exhibition of a Notice at the Premises" (**mst 5**)

## **FEES**

A fee is payable on application and is dependant of what type of licence is being applied for. It must be sent with the completed application form. A copy of the fee list is available.

## **APPLICANTS:**

An application for a licence must be made by the person who lawfully occupies or who will occupy the premises to be licensed, by virtue of a freehold interest, a lease, an assignment of a lease, an underlease, an agreement for a lease or a tenancy ( evidence of which may be required by the Council).

## **PLANS AND SPECIFICATIONS**

The applicant must submit a copy of the plan of the premises, to the Council for new applications. For renewal variation and transfer unless there are structural alterations or a changes in internal layout to the premises plans will not need to be submitted. The scale for the plans must be 1:100 unless otherwise requested in writing. The Council must given written approval for the change in scale.

The specification for the plans are as follows

1. The plans must be up to date and each floor of the building must be on a different sheet.
2. It must show external and separating walls.
3. Internal walls and columns.
4. Partition walls and partitions.
5. Doorways and openings in external and internal walls and in partitions, indicating the direction of opening.
6. All stairways, indicating the direction of rise.
7. Any steps, ramps, or changes in floor, indicating the direction of rise.
8. All opening in floors or walls for lifts, escalators, elevators, conveyors, chutes etc .
9. Ventilation.
10. Indicate the use of each room
11. Washing facilities and showers
12. Toilet facilities

## **APPLICATION TO THE POLICE AND FIRE BRIGADE**

An application for grant, renewal, transfer or variation of a licence must be made using the specified Council forms to the Police and the Fire Brigade at the same time as the application to the Council. In the case of a new application this must include a copy of a 1;100 scale drawing of the premises as specified above. If on renewal variation or transfer of the licence there are structural changes then plans will also need to be submitted to both the Police and Fire Brigade.

## **APPEALS**

The applicant is aggrieved that their application was refused or feels that the terms. restrictions or conditions of the licence are unreasonable, the applicant may appeal to the Magistrates Court. This must be done within 21 days of the decision being notified to them in writing, by the Council. Where there is an existing licence this will remain in force until the time for bringing an appeal has expired or the appeal has been abandoned or determined.