

## GENERAL PURPOSES AND LICENSING COMMITTEE

Minutes of the meeting held on 7<sup>th</sup> April 2010

### Present

Councillor Brian Toms (Vice-Chairman) (in the Chair)  
Councillors Nicholas Bennett JP, John Canvin,  
John Getgood, Julian Grainger, Mrs Anne Manning,  
Charles Rideout, Colin Smith, Mrs Brenda Thompson,  
Mrs Pauline Tunnicliffe and Stephen Wells,

### 120. APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies for absence were received from Councillors Roger Charsley, Mrs Carole Hubbard, Tony Owen, Mrs Denise Reddin, Tim Stevens and Michael Turner. Councillors Mrs Anne Manning and Colin Smith attended the meeting as the alternates for Councillors Mrs Hubbard and Turner, respectively.

### 121. DECLARATIONS OF INTEREST

There were none.

### 122. MINUTES

In relation to Minute 105 (Modern.gov Meeting Management System: Presentation), a Member expressed concern that certain requirements of the Development Control Committee with regard to the format of planning applications' reports were not included in the current report template in the Modern.gov system. In relation to the same Minute, another Member drew attention to problems for the public in accessing committee documents on the internet. In response, the Democratic Services Manager commented that both concerns would be investigated.

**RESOLVED that, subject to the Member referred to in the first line of Minute 102 (Minutes) being identified as Councillor Grainger and to the Member referred to in the eighth line of the same Minute being identified as Councillor Nicholas Bennett, the Minutes of the meeting held on 16<sup>th</sup> February 2010 be confirmed.**

### 123. MATTERS OUTSTANDING FROM PREVIOUS MEETINGS

The position in relation to the following matters was noted:

- **Councillor Web-Pages (Minute 56 – 24.9.08)** – All Members of the Council had been invited to request a web-page based on one of the two approaches which had been agreed by the Committee in September 2008. Democratic Services were in the course of implementing the Modern.gov committee management system that

would provide enhanced options for Member web-pages and on which the Committee had received a presentation at its last meeting (Minute 105). The option for Members of receiving a summary-sheet-only agenda had been introduced in November 2009. In the light of the progress which had been made on this matter, Members agreed that this item be deleted from the "Matters Outstanding" list.

- **Revision to Licensing Policy 2008-2011: Enforcement (Minute 78 - 2.11.09)** – See Minute 125 below.
- **Members' Services: Benchmarking Information (Minute 62 – 23.9.09)** – Following consultation with the Chairman, a further report was to be submitted to the Committee's next meeting.
- **London Local Authorities Act 1991: Revision to Codes of Practice for Special Treatments (Minute 58 – 23.9.09)** – See Minute 126 below.
- **Ravensbourne College Pension Arrangements (Minute 110 – 16.2.10)** – See Minute 129 - further report to be submitted to the Committee's next meeting.

**124. QUESTIONS FROM MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

**125. REVISION TO LICENSING POLICY 2008-2011: ENFORCEMENT – RESULTS OF PUBLIC CONSULTATION  
Report ES10055**

The Council was required to have a Statement of Licensing Policy, to keep it under review and to make alterations as appropriate, subject to prior public consultation and to the approval by full Council. The draft revision of the "Enforcement" section of the Council's Statement of Licensing Policy 2008 to 2011 had been agreed by this Committee in November 2009 (Minute 78) for formal public consultation.

The Director of Environmental Services reported that by the conclusion of the consultation period on 26<sup>th</sup> February 2010, approximately 900 people had been consulted (involving all known licence holders, known Residents' Associations, responsible authorities and Ward Members) from whom 105 responses had been received the vast majority of which had supported the proposed revision of the enforcement section. Comments which had been made by respondents were included in the report and considered by Members. It was not felt that any of the

comments significantly affected the proposed revision and therefore no further amendments were considered necessary.

**RESOLVED that, subject to the replacement of the word “that” with the word “there” in the penultimate line, the draft revision of the “Enforcement” section of the Council’s Statement of Licensing Policy 2008 to 2011 be endorsed.**

**RECOMMENDED that the endorsed revision of the “Enforcement” section of the Council’s Statement of Licensing Policy 2008-2011, as set out in the attached Appendix, be formally adopted by the full Council on 28<sup>th</sup> June 2010.**

**126. LONDON LOCAL AUTHORITIES ACT 1991: REVISION TO CODES OF PRACTICE FOR SPECIAL TREATMENTS  
Report ES10061**

In accordance with the London Local Authorities Act 1991, the Council had the power to make rules and regulations relating to premises offering special treatment (including massage, manicures, sunbeds, saunas, steam rooms, tattooing, acupuncture, electrolysis and piercing etc), all of which were required to hold a licence.

The Director of Environmental Services reported that the current rules and guidance notes which were issued as part of a Licence had been in place since 1991 and were now considered to be outdated. Following an extensive review, the officers recommended an updated and revised codes of practice for special treatments licences to include a simplified application process and fee structure, revised licence conditions and the introduction of a registration scheme for therapists, the details of which were set out in the Director’s report. Since the publication of the report, various amendments had been identified and these were outlined by the Director’s representative at the meeting. The changes to the rules, codes of practice and fees were to be referred to the Executive and full Council for approval and adoption. The Committee was also requested to authorise officers to make minor corrections and updates to the codes of practice in keeping with changing national standards or publications without the need for the specific approval of this Committee.

A Member was concerned that the procedure involving the granting of a licence should not pre-empt any decision where planning permission was also required. It was pointed out that, from a legal point of view, the granting of planning permission was not a pre-requisite to the issuing of a licence which was not conditional on planning consent. Both applications were separately administered and enforceable. It was felt that this issue could be addressed by the inclusion of an “informative” on any licence granted where planning permission was required.

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On a separate matter, whilst noting that it was not a statutory requirement, a Member felt that the approximately 110 businesses affected should be consulted regarding the proposed changes. However, the majority of the Committee, in supporting the unified approach outlined and the tidying up of the standard conditions proposed, felt that there would be little point in embarking on an expensive consultation exercise.

**RECOMMENDED that, subject to the concurrence of the Executive, and with effect from 1<sup>st</sup> July 2010, the full Council on 28<sup>th</sup> June 2010:**

**(1) approves the adoption of the revised Codes of Practice as attached;**

**(2) agrees to the introduction of a registration scheme for all beauty therapists working in the Borough; and**

**(3) agrees changes in the administration process which supports local businesses including (a) a simplified fees structure, and (b) the removal of the requirement to place a newspaper advertisement for new applications.**

**RESOLVED that, subject to the adoption of the above recommendation, the officers be authorised to make minor corrections and updates to the Codes of Practice in keeping with changing national standards or publications without the need for formal reference to this Committee.**

**127. RESPONSE TO DEPARTMENT OF CULTURE, MEDIA AND SPORT  
CONSULTATION ON PROPOSALS TO EXEMPT SMALL LIVE MUSIC  
VENUES FROM LICENSING  
Report ES10058**

A consultation document had been received from the Department of Culture Media and Sport (DCMS) which had sought the Council's views on proposals to exempt small live music venues from the requirements of the Licensing Act 2003. The background to the proposals were set out, comments on which had been required by 26<sup>th</sup> March 2010. Following consideration of the proposals, the letter attached to the report of the Director of Environmental Services, which had been agreed in consultation with the Chairman and Vice-Chairman of this Committee, had been sent by the officers as this Council's response within the required deadline.

Members supported the response which had been submitted. However, since it was noted that the consultation document had been published back in January (subsequently confirmed as 31<sup>st</sup> December 2009), some concern was expressed that all Members of this Committee had not been given the opportunity to either consider the proposals at the last meeting held on 16<sup>th</sup> February 2010, or the

agreed response. As a consequence, Members considered arrangements for addressing similar situations regarding responses to consultation documents which might occur in the future.

**RESOLVED that**

**(1) the Council's response in opposing the proposals to exempt small live music venues from the licensing requirements of the Licensing Act 2003, as indicated in the letter attached to the report of the Director of Environmental Services, be noted and supported; and**

**(2) in future where deadline dates for responding to consultation documents do not fit in with the timetable of meetings for this Committee, the Council's suggested response following officer discussions with the Chairman and Vice Chairman should be emailed to all Members of the Committee providing them with seven days to comment thereon.**

**128. LICENSING SERVICE: WORK PLAN FOR 2010/11  
Report ES10057**

A report was received from the Director of Environmental Services which informed the Committee of major work areas for the Licensing Service in 2010/11, some of which were statutory requirements. In addition, Members were also invited to prioritise from a number of options outlined further areas of work to be undertaken by the Licensing Service over the next year, subject to the availability of resources.

**RESOLVED that**

**(1) approval be given to the commitment of the Licensing Service to the following work areas in 2010/11:**

- (a) review the Statement of Licensing Policy;**
- (b) run the Best Bar None Scheme, subject to a review at the end of the year;**
- (c) arising from Minute 126 above, introduce an approved therapist scheme for Special Treatment Premises; and**
- (d) development of on-line Licensing capability;**

**(2) a further report be submitted to the Committee's next meeting setting out a work plan covering the issues involved in prioritising the following work streams:**

- (i) Club License Conditions;**
- (ii) review of Animal Welfare Licence Conditions; and**
- (iii) routine visits being made to all licensed premises targeting, in particular, those premises where there were known problems.**

**129. RAVENSBOURNE COLLEGE PENSION ARRANGEMENTS**

This report was withdrawn – a report to be submitted to the next meeting following further discussions with the Council’s actuary.

**130. SCHEME OF DELEGATION TO OFFICERS**  
**Report LDCS10047**

Further to Minute 27 (24.6.09), the Scheme of Delegation to Officers had been further reviewed and updated following:

- a review of the Scheme in 2009 (where the Development Control Committee and the PDS Committees had been asked to question whether matters should be delegated, whether prior notification of intention to exercise the delegated power was needed, if there should be a report afterwards and whether such reports could await an annual review);
- changes under the Local Government and Public Involvement in Health Act 2007 whereby any executive powers delegated to officers had to be delegated by the Leader of the Council rather than the Council (which was reflected in the Scheme by the addition of a column to indicate whether each individual delegation derived from the Leader or from the Council, or both); and
- recent changes to departmental arrangements.

At the request of the Constitution Improvement Working Group and this Committee (Minute 106 – 16.2.10), all PDS Committees and the Development Control Committee had been asked to review sections of the Scheme related to their work and to highlight any further changes. Any suggested amendments were to be considered by this Committee prior to, in accordance with normal practice, the Scheme being submitted for approval to the Annual Council Meeting which, this year, was to be held on 19<sup>th</sup> May 2010.

Members were informed that most Committees had made no comments. However, details were reported and a draft Minute circulated concerning proposed changes in the delegations relating to the Environment Portfolio which the Environment PDS Committee on 6<sup>th</sup> April 2010 had suggested in respect of Delegations DES67, DES83 and DES87. The Vice-Chairman of that Committee, who was also a Member of this Committee, had made a number of further suggestions at that meeting and, in that connection, circulated at this meeting a paper amplifying the issues concerned, in particular drawing attention to additional matters which he felt should involve consultation with Ward Members.

The Democratic Services Manager indicated that, once all the Committees had considered the proposed new Scheme of Delegation to Officers, the

amendments proposed would be incorporated in the new Scheme for presentation at the Annual Council Meeting. Members felt that all Members of this Committee should be given the opportunity to comment on the final version of the Scheme before it was submitted to the Annual Council Meeting.

**RESOLVED that the proposed new Scheme of Delegation to Officers, including the suggested amendments by Committees, be e-mailed to all Members of this Committee for comments prior to submission to the Annual Council Meeting on 19<sup>th</sup> May 2010.**

**131. NOMINATIONS FOR APPOINTMENT AS HONORARY ALDERMEN  
Report LDCS10062**

Further to Minute 111 (16.2.10), the Member Working Group, which had been set up by this Committee, supported by the officers, had met on 9<sup>th</sup> March 2010 and had identified nominations of individuals who it was felt merited nomination for appointment as Honorary Aldermen.

The list of nominations recommended to this Committee were set out in Appendix 2 to the report of the Director of Legal, Democratic and Customer Services. All the nominees had indicated that they would accept appointments as Honorary Aldermen and the nominations were supported by Members. The Appointment Ceremony of Honorary Aldermen for the Municipal Year 2010/11 would be held at a special meeting of the Council convened immediately before the Annual Council meeting on 19<sup>th</sup> May 2010.

**RECOMMENDED that the nominated individuals listed in the attached Appendix (former Councillor Mrs Ingrid Buckley, Councillor Mrs Jenny Hillier, Councillor Mrs Carole Hubbard, Councillor Gordon Jenkins, former Councillor Maurice Kenward and former Councillor Arthur Wilkinson) be recommended for appointment as Honorary Aldermen for consideration at a special meeting of the Council to be held on 19<sup>th</sup> May 2010.**

**132. INVESTMENT SUB-COMMITTEE: MINUTES OF THE MEETING  
HELD ON 2<sup>ND</sup> FEBRUARY 2010, EXCLUDING EXEMPT  
INFORMATION**

The Minutes of the above meeting were received.

**133. APPEALS SUB-COMMITTEE**

**(a) Minutes of the meetings held on 26<sup>th</sup> February and 2<sup>nd</sup> March 2010, excluding exempt information**

The Minutes of the above meetings were received.

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**(b) Minutes of the meetings held on 5<sup>th</sup>, 16<sup>th</sup> and 25<sup>th</sup> February 2010, excluding exempt information**

The Minutes of the above meetings were received.

Arising from the Disciplinary Dismissal Appeal case which had been considered by the Appeals Sub-Committee, the Chairman of that Sub-Committee expanded on the issues which had given cause for concern and on which it had been considered should be drawn to the attention of this Committee. The Chairman of the Sub-Committee, supported by another Member of that Sub-Committee, considered that sub-paragraphs (a), (b) and (c) of resolution (2) of Minute 11 (25.2.10) should be amended and that the revised resolution (2) should, as a consequence, read as follows:

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(2) That the Appeals Sub-Committee, in hearing the case of Mrs C.N., identified a number of issues that should be referred to the General Purposes and Licensing Committee for onward submission to the Children and Young People PDS Committee:

(a) the supervision of the staff concerned by senior management at the establishment;

(b) the supervision and monitoring of the course work and teaching by senior staff; and

(c) the Departmental Management Teams of the Children and Young People Department and the Human Resources Division should consider whether the procedures for dealing with members of staff subject to formal/informal review of their work, particularly in this case in April 2009, are satisfactory and secondly whether, in this case, the procedures were adhered to.”

Members noted that there had been a number of disciplinary appeal cases recently where issues relating to proper staff supervision had been drawn to the attention of this Committee.

**RESOLVED that a detailed, confidential report addressing the above issues be submitted to the Committee’s next meeting and that the Assistant Chief Executive (Human Resources), the Assistant Director (Learning and Achievement), Children and Young People Services and the HR Consultancy Manager (CYP) be requested to attend the meeting to present the report.**

**134. LOCAL JOINT CONSULTATIVE COMMITTEE: MINUTES OF THE MEETING HELD ON 10<sup>TH</sup> MARCH 2010**

The Minutes of the above meeting were received.



**135. LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000**

**RESOLVED** that the Press and public be excluded during consideration of the items of business referred to in the following Minutes as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summaries  
refer to matters  
involving exempt information**

**136. INVESTMENT SUB-COMMITTEE: EXEMPT MINUTES – 2<sup>ND</sup> FEBRUARY 2010**

The exempt Minutes of the above meeting were received.

**137. APPEALS SUB-COMMITTEE: EXEMPT MINUTES – (A) 26<sup>TH</sup> FEBRUARY AND 2<sup>ND</sup> MARCH 2010 AND (B) 5<sup>TH</sup>, 16<sup>TH</sup> AND 25<sup>TH</sup> FEBRUARY 2010**

It was noted that the record of the exempt Minutes of the above meetings, not published in view of the sensitive information which had been discussed at the meetings, were retained on file.

**138. LAST MEETING**

This was the last meeting of the Committee of the current Council. In the absence of the Chairman of the Committee (Councillor Owen), a message was read on his behalf in which his personal thanks were expressed to the Vice-Chairman (Councillor Toms, who was standing down at the forthcoming Borough Elections) for all his support, particularly at the time when Council policies were being drawn up to deal with totally new (Licensing) legislation. The Chairman also recorded the Council's debt to Councillor Toms' expertise in chairing the Investment Sub-Committee and the huge contribution which he had made to Bromley Council's affairs. The Chairman also wished to record his thanks to Councillors Mrs Hubbard and Mrs Reddin, both of whom were also not seeking re-election, for their invaluable contribution to this Committee.

Members of the Committee also recorded their thanks to the Chairman and Vice-Chairman for their Chairmanship and hard work on the Committee over the duration of this Council.

Chairman

The meeting ended at 8.50 pm.

### Wording for Enforcement Section of Licensing Policy

Variation from existing policy is shown in bold italic and underlined.

#### **Enforcement Section for Statement of Licensing Policy**

Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act. **We will support businesses to comply with the law but view offences and breaches of licence conditions seriously.**

The Licensing Authority will make arrangements to monitor premises and take appropriate enforcement action to ensure this. The Licensing Authority will work closely with the Police to establish protocols to ensure an efficient deployment of Police and Licensing Officers engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that High-risk premises receive the highest priority.

The enforcement action will be:

- Targeted toward those premises presenting the highest risk
- Proportional, to the nature and seriousness of the risk those premises present
- Consistent, so that we take similar approaches in similar situations
- Transparent, so those who are subject to enforcement action know what to expect
- Accountable, so that we take responsibility for our actions.

The Licensing Authority has instructed its officers to adopt a zero tolerance approach to offences and **breaches of licence conditions**. In practice this means that licensing officers will investigate all complaints alleging breaches of the Act or licence conditions and act on all sources of reliable intelligence (including local residents and businesses) with a view to establishing if offences have been committed.

Such matters may include:

- Unauthorised licensable activities or breach of licence conditions
- Allowing disorderly conduct on licensed premises
- Sale of alcohol to children and the consumption of alcohol by children
- Sale of alcohol to a person who is drunk

Where licensing officers have such evidence they have a range of enforcement options including:

- Offering advice /guidance (verbal or written)
- Informal written warnings
- Formal cautions
- Prosecutions
- Review of Premises Licences where there are problems associated with crime and disorder, public safety, public nuisance or the protection of children from harm
- Closure of premises that are experiencing disorder or causing a nuisance.

**The Licensing Authority encourages a graduated approach to enforcement as set out in the Environmental Health & Trading Standards generic enforcement policy however in the cases of offences relating to :-**

- 1. The deliberate and persistent provision of unlicensed activities especially the sale of alcohol**
- 2. The breach of licensing conditions resulting in substantial risk to the promotion of the licensing objectives( crime and disorder, public safety, public nuisance or protection of children from harm)**
- 3. Persistent underage sales**
- 4. The use of licensed premises in connection with organised criminal activity**
- 5. Allowing disorderly conduct on licensed premises**
- 6. Delivering alcohol to children**
- 7. Allowing the sale of alcohol to children**
- 8. Sending a child to obtain alcohol**

**It is the expectation that Formal Action (including Fixed Penalty Notices, Formal Cautions, Reviews and / or Prosecution) will be the preferred approach.**

**Where Members of the Licensing sub-committee are required to hear an application to 'Review' a licence they will be guided by the decision of the High Court in *Bassetlaw District Council v Worksop Magistrates Court* 2008 EWHC 3530 (Admin), that deterrence is an appropriate consideration when dealing with Reviews where there has been activity in connection with criminal activity.**

Special Treatment Licence Fees

Current		Proposed	
Application fee (includes 1 treatment category)	£262	Tattooing and Body piercing	£400
Additional category	£44	All other treatments ( including ear & noise piercing)	£350
Newspaper Advert ( not a fee but a cost to the businesses)	£200	Not applicable	£0
Typical cost of a new application	£506	Typical cost of a new application	£350 – 400
Renewal Fee ( no change in treatments)	£130	Tattooing and Body piercing	£ 200
Renewal with changes	£167	All other treatments ( including ear & noise piercing)	£175
Variation to treatments	£86	Variation to treatments	£ 50
Transfer	£86	Transfer	£100
Temporary Licence	Not available	Temporary Licence	£50 per month

## **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 1 July 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**

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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.

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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.

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**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, elavators, 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.



## **London Borough Bromley Special Treatment Regulations that apply to all premises**

### **The Law**

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

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**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 1 July 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 or electronic form
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**

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5. These Regulations may be dispensed with or modified by the Council at its discretion
  6. 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.

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7. 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.
8. 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 these regulations standard licensing conditions have been approved for the following treatments and should be read in conjunction with this document.

1. Massage and Reflexology
2. Body Piercing
- 3 Ear and Nose piercing
4. Nail Treatments
5. Tattooing
- 6 Tanning and UV treatments.
- 7 Sauna and Steam rooms
- 8 Spa and Jacuzzis
- 9 Electrolysis

**General licence conditions for all licensed premises**

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**TERMS OF LICENCE**

**Licences are granted for a term of twelve months.**

**DISPLAYING THE LICENCE**

The Licence shall be displayed in a prominent position within the licensed premises at all times.

**OPENING TIMES**

The opening and closing times shall be clearly displayed in a prominent position within the premises to which the public have access.

If the premises are closed for business then a sign to that effect must be clearly visible on it.

**PRICE LIST/TARIFF**

A price list of all the treatments offered, including VAT must be displayed in a prominent position within the premises. This price list must be available to an authorised officer, on request.

**PLANNING CONSENT**

All applicants must contact the Council's Planning department to check whether planning permission is required. The issue of a special treatment licence does not indicate that planning consent has been granted by the Council for the premises to be used for such treatments. It is the applicant's responsibility to obtain planning consent separately. The Licensing Department of the Council will notify its Planning Department of any application for a special treatment licence that it has received.

### **LICENCE**

- (a). The licence is personal to its holder. The licence cannot be transferred by the licence holder to any other person unless the licence holder makes an application for transfer to the Council.
- (b). The licence is only valid in respect of the premises named on the licence. The licence cannot be transferred by the licence holder to any other premises.
- (c). The establishment specified in the licence may only carry out treatments that are specified on the licence unless a licence to vary to made to the Council.

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### **CRIMINAL HISTORY**

- (b) You have a duty to inform the council of any criminal convictions obtained during the licensing period.

### **INSURANCE**

- (a). The licensee shall arrange for suitable Employer's Liability, Public Liability and Professional Indemnity insurance covering the range of special treatments offered.
- (b). the appropriate insurances must be kept on the premises and be available for inspection by visiting officers.

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### **PERSON IN CHARGE OF LICENSED PREMISES**

- (a)The licence holder or some responsible person nominated by them, shall be in charge and on the premises for the whole time that it is open for business to the public. This nomination shall be in writing and available for inspection by an authorised Officer of the Council at any reasonable time.
- (b) The person in charge must be familiar with these regulations and a copy of them must be kept on the premises.

### **PERSONS ADMINISTERING TREATMENT**

Only therapists approved by the London Borough of Bromley shall provide treatments All therapists must wear a photographic ID badge issued by the London Borough of Bromley whilst working on the licensed premises in the Borough and have the certificate that is issued with the badge available at all times for inspection by an authorised officer of the Council.

### **LICENCE CHANGES**

- (a) Only treatments which are specified on the licence may be provided. If any alteration is required an application to vary the items, conditions or restrictions to the terms must be made to the Council and accompanied by the appropriate fee.  
Amendments to a licence will include additional treatments offered and alterations to the internal layout/structure of the premises or change of premises.  
structural alterations must be accompanied by an updated plan of the premises.
- (b). The licensee shall notify the Council in writing of any change in the name or private address of the licensee(s) or any other particulars of the company

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- (c). Any company (within the meaning of the Companies Act 2006) shall at once notify the council in writing of any changes to the registered companies address or acquisition.
- d). Proposed changes in the name or title of the premises licensed as a special treatment establishment shall be notified to the Council and shall not be put into effect until an amended licence is issued.
- (e). Application for transfer of the licence holder must be made to the Council accompanied by the appropriate fee.
- (f). The Licensee shall, on ceasing to carry on the business of special treatments, notify the Council, in writing within 7 days.

**RENEWAL OF THE LICENCE**

Application for renewal shall be made to the Council before the expiry date of the current licence. This must include the appropriate fee.

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**NOTICES AND ADVERTISEMENTS**

- (a). All notices and advertisements issued by or on behalf of the establishment shall bear the trade name, style or title specified in the licence.
- (b). The licensee shall not advertise in a public convenience
- (c). The licensee shall not publish or allow to be published on their behalf any advertising in words or pictures in publications of an erotic nature, or in any publication or other media which in themselves suggest that there is an erotic element in any treatment provided.
- (d) No poster, sketch, painting or any form of advertisement or display shall be displayed outside or within the premises if the Council regards it as unsuitable for exhibition to the public. If the licensee is notified in writing that the Council objects under this rule to any of items listed above, then the items must be removed from the premises or outside the premises.

**ADMISSION OF COUNCIL OFFICERS**

Authorised Officers of the Council may , shall be admitted to the premises at all reasonable times .

This includes Officers of the London Fire and Emergency and the Planning Authority (Section 15(1) London Local Authorities Act 1991 and the Police.

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**CONTROL OF WASTE**

**GENERAL WASTE**

- (a). Waste and other refuse must not be allowed to accumulate in the premises, except so far as is unavoidable for the proper functioning of the business.
- (b). Adequate provision must be made for the removal and storage of waste and other refuse.
- (c). Closable containers must be provided for this purpose, which are appropriately constructed, kept in sound condition, and where necessary easy to clean and disinfect

**CONTROLLED WASTE/CLINICAL WASTE**

- (a) Controlled waste must be disposed of appropriately & not placed within the ordinary refuse.

(b) Licensees must ensure that risks from it are properly controlled by developing suitable systems of handling, storage and disposal of controlled waste.

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### **STRUCTURE AND CLEANLINESS**

(a). All internal walls, doors, windows, partitions, floors and floor coverings ,ceilings, heating lighting and ventilation, in any part of the premises used by the client and operator must be able to be kept clean and be maintained in good repair and condition.

(b) All hand wash stations and shower facilities must be provided with materials for hygienic washing and drying.

(c) Animals are prohibited in the treatment rooms

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### **CLEANLINESS OF FURNITURE AND FITTINGS**

(a) All furniture and fittings in the treatment area shall be kept clean and in such good repair as to enable them to be cleaned effectively.

(b) All tables, couches and seats used by clients in the treatment area and any surface on which equipment is placed immediately prior to treatment shall have a smooth impervious surface that is wiped down regularly with a suitable disinfectant.

(c) Where tables or couches are used, they shall be covered by a disposable paper sheet /towel or similar which shall be changed for each client

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### **CLEANLINESS OF EQUIPMENT**

(a) A documented cleaning schedule shall be provided by the licensee and retained at the premises for inspection

(b) Where necessary, adequate facilities must be provided for the

i) cleaning, disinfecting and sterilization of work tools, equipment, protective clothing, gowns, towels etc.

ii) Adequate storage for all items must be provided so as to avoid, as far as possible the risk of contamination.

(c). Before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment:

i) Is clean and in good repair, and, so far as is appropriate, is sterile;

ii) Has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.

(d). A licensee shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment so far as is appropriate, is in a sterile condition and kept sterile until it is used.

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### **ELECTRICAL SAFETY**

(a) The electrical installation for the premises shall be inspected, tested and maintained in accordance with the British Standard 7671. A Periodic Inspection Report shall be obtained from a "competent person" at the appropriate intervals (e.g. up to a maximum of five years or a shorter period as specified on the Report) and submitted to the Council.

(b) The inspection certificate shall be signed by a person who shall be one of the following: -

(i) a professionally qualified Electrical Engineer;

(ii) a member of the Electrical Contractors' Association;

(iii) an approved contractor of the National Inspection Council for Electrical Installation Contracting, or

(iv) a qualified person acting on behalf of one of the above (in which event it shall be stated for whom he/she is acting).

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### **ELECTRICAL APPLIANCES**

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(a) An inspection and test shall be carried out on all portable electrical appliances within the premises in order to comply with the Electricity at Work Regulations 1989. The inspection shall also include fixed appliances used for treatment of the public. The tests shall ensure that the electrical appliances comply with these Regulations and the relevant parts of British Standard 7671.

(b) A certificate shall be submitted to the Council at the time of application by a competent person described under the **Electrical Safety section**.

### **GAS APPLIANCES**

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(a). All gas appliances and installations at the premises shall be inspected for safety at intervals not exceeding 12 months by a registered Gas Safe engineer.

(b). The inspection certificate shall be kept at the premises and made available for inspecting officers of the council.

### **PRESSURE SYSTEMS**

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Any equipment operating under pressure shall be inspected for safety by a competent person. All pressure systems shall be operated in accordance with the current version of the Pressure Systems (Safety) Regulations 2000.

### **FIRE SAFETY**

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The establishment must comply with any requirements of the Council or Fire Authority in respect of fire, including proper means of escape in case of fire and fire-fighting equipment. A fire risk assessment must be carried out in accordance with the Regulatory Reform(Fire Safety) order 2005.

The means of escape in case of fire shall be maintained and free from obstruction at all times when the public or staff are present on the premises.

### **WC FACILITIES**

The Licensee shall ensure that there are adequate WC facilities for both staff and public and they must be

(a) maintained in good order and kept clean.

(b) Each WC has easy access to washing facilities with the provision of hot and cold running water, soap and towels.

(c) There must be an intervening ventilated space between WCs and treatment rooms

### **WASH BASINS**

(a). An adequate number of wash-hand basins must be available and suitably located in every treatment room or adjoining room and toilet facility.

(b). Wash-hand basins must be properly drained and provided with hot and cold mains water. Soap and towel

### **SINKS**

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Provision for the cleaning of equipment must be made where necessary separate to the requirement for wash-hand basins.

## SHOWERS

In premises providing body treatments involving the application of heat by saunas, solarium, steam bath or other baths suitable and sufficient showering facilities shall be provided (or appropriately mixed) running water

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## VENTILATION

There must be suitable and sufficient means of natural or mechanical ventilation in each treatment room, and wherever practicable this should be direct to the external air.

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The ventilation system must be constructed to enable all parts requiring cleaning, or replacement to be readily accessible.

Extract units must be positioned so as not to cause noise or other nuisance to neighbouring properties.

## LIGHTING

Lighting must be suitable and sufficient to ensure safe operation of the premises.

## HEATING

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The licensee must ensure that suitable and sufficient heating is provided and maintained throughout the premises.

## INFECTION CONTROL

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(a) Procedures for the decontamination, disinfection and sterilisation of equipment shall be provided at the premises where necessary

(b) Glass bead sterilisers; UV light boxes; hot air ovens and water boilers **must not** be used for sterilisation purposes

(c) Autoclaves must be used for sterilisation where necessary. This must be strictly in accordance with manufacturers instruction and with the current version of Medical Devices Agency MDA DB2002 (6) MDA DB9804. Checking and maintenance in accordance with HTM 2010.

## PERSONAL HYGIENE

(a) Any person carrying out a treatment must ensure that: -

i) His/her hands are kept clean and washed immediately prior to carrying out any treatment  
ii) Maintain a high degree of personal cleanliness and shall wear suitable, clean and appropriate protective clothing.

iii)-No person shall be permitted to administer treatments while afflicted by either a known or suspected ailment, or being a carrier of a disease likely to be transmitted during treatment  
iv) Any open sores, cuts boils or other open wounds on the practitioners must be effectively covered with a waterproof impermeable dressing. )

v) He/she does not smoke or consume food or drink during the course of the treatment

### **PRIVACY OF CLIENTS**

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Separate male and female changing facilities shall be provided where both sexes are treated.

### **CONDUCT OF PERSONS AT PREMISES**

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All persons concerned in the conduct of the premises used for special treatments must be regarded as fit and proper persons to hold such a licence. In respect of this, the licensee must:

- i) Ensure that no indecent and/or sexual acts are carried out at the premises;
- ii) Exclude any persons who have committed such an act on the premises;
- iii) Ensure all therapists in the premises are decently attired;
- iv) Ensure that no persons under the influence of drink or drugs are allowed on the premises.
- v) The licensee shall not permit or suffer the door of any room or place in the premises to be locked whilst any person is within it.
- vi) The licensee shall not cause to be published any advertising in words or pictures suggesting that there is an erotic element in the treatment provided.
- vii) Unless prior written consent from the Council has been given, the licence holder shall not employ anyone to be involved in, or have an interest in, the running of the business:
  - a) Whose licence has been revoked, or to whom a licence has been refused on the grounds that such a person is unsuitable to hold a special treatments licence;
  - b) Who has had an application for a licence under other legislation concerning treatment of the public refused or revoked;
  - c) Who is not a fit and proper person.

### **RECORD KEEPING**

#### **Client records**

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A licensee shall keep client records obtained by means of a client consultation before each treatment and the following details recorded.

- i) Name and address of all persons receiving treatments,
- ii) The type of treatment given
- iii) The name of the person giving the treatment
- iv) Date the treatment was given
- v) Assessment of any contra-indications
- vi) Informed consent of the client

#### **Aftercare Advice**

Suitable and sufficient, written and/or verbal aftercare advice must be given to all clients for all treatments administered.

#### **General record keeping**

Records must be kept on the premises and available for inspection for two years.

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A record of consigned controlled waste shall be retained at the premises

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## STANDARD CONDITIONS MESSAGE AND REFLEXOLOGY

### 1.0 *Definitions*

#### 1.1 Massage:

To manually manipulate (someone's body), usually for medicinal or relaxation purposes.

#### 1.2 *Types of massage:*

Swedish massage (occasionally referred to as traditional massage)

Sports Massage

Aromatherapy Massage

Beauty Massage

Indian Head Massage

Shiatsu Massage

Rolfing

1.3 Reflexology: Uses of pressure and massage on the reflex points on the feet.

### 2.0 *Client consultation*

2.1 A full client consultation must be carried out at the time of a first visit, prior to any treatment.

This is to include the following:

Medical history

Does the client have:

- Eczema
- Psoriasis

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- Haemophilia
- Heart disorders/disorders
- High/low blood pressure
- Epilepsy
- Diabetes
- Allergies

Is the client:

- Taking medication or blood thinning agents
- Breast feeding
- Pregnant

Where any of the above conditions exist, written consent from the clients GP must be given before any electrolysis is carried out

2.2 Area to be treated

2.3 Treatment plan

2.4 Date of treatment

2.5 Date of birth of the client

2.6 Proof if ID shown where necessary

2.7 Explanation of the procedure involved

2.8 Record that aftercare advice/leaflet given

2.9 Name of therapist who carried out the treatment

2.10 This record should be signed by the client or parent/guardian where under 16 as a declaration of agreement to treatment having understood all the associated risks.

3.0 *Infection control*

3.1 Hands must be washed immediately prior to and after treatment

3.2 Couches, tables and trolleys must be wiped with a suitable disinfectant between clients. If towels are used a clean towel must be used for each client.

3.3 Couch roll should be changed between clients

4.0 Age

***Anyone under the age of 16 must be accompanied by a parent or guardian and the client record signed by the parent/guardian..***

## **5.0 Challenge 25 Policy**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

## **6.0 Training**

Only therapists approved and registered by the London Borough of Bromley can undertake massage and reflexology.

## **7.0 Information and Record keeping**

7.1 Records kept must include steps taken to verify the age of the client. E.g. photocopy of proof of age where appropriate

7.2 All records must be held on the premises for a period of two year and be available for inspection by an authorised officer.

## STANDARD LICENSING CONDITIONS NAIL TREATMENTS

### 1.0 Definitions

#### 1.1 Nail Treatments

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Defined as any, or all, of the following: manicure, pedicure, nail extensions or artificial nails of any kind. Any treatment of the hands, feet, finger nails or toenails which may include scrubbing, massage, cutting, filing, varnishing and cuticle removal.

For the purposes of this COP nail treatments do not include any form of Chiropody carried out by a Chiropodist.

### 2.0 Chemical usage

2.1 All substances held on the premises and used in the special treatments must be held in properly labelled containers.

2.2 The use of products containing Methyl methacrylate (MMA) is prohibited.

### 3.0 Electric drills/files

3.1 The use of electric drills/files on a client's natural nail is prohibited.

3.2 Electric drills/files may only be used on the surface of the artificial nail and must not be used to blend the artificial nail to the natural nail.

3.3 Only persons with specific training in the use of electric drills/files, and who are competent in their use, are permitted to use them.

### 4.0 Client consultation

4.1 A full client consultation must be carried out at the time of a first visit. This should establish any contra-indications to treatment and include a medical history and an assessment of the condition of the hands and nails or feet and toe nails as appropriate. Any reactions to treatment and advice should be noted. A record of subsequent treatments must be kept.

4.2 Aftercare/homecare advice appropriate to treatment must be given.

4.3 Consultation records must be held at the premises for two years and available for inspection by an authorised officer; copies of aftercare advice must be available for inspection.

## **5.0 Infection control**

5.1 All reusable metal equipment such as cuticle clippers and cuticle knives must be washed and scrubbed in general purpose detergent (e.g. washing up liquid) and water. The equipment must be dried and sterilized. Best practice is to sterilise equipment in an autoclave . Where an autoclave is not available chemical sterilisation ( but glutaldehyde is banned ) is acceptable, this must be carried out in accordance with the manufacturers instructions with regard to dilution of any solution and contact time. The equipment should be stored in a clean dry airtight container until use. Any equipment that cannot be either sterilised or disinfected is considered single use and must be disposed of after each client. Used equipment must be stored separate to clean sterilised equipment.

5.2 All work surfaces must be cleaned after each client with a suitable general purpose detergent or disinfectant.

5.3 Towels or couch roll must be changed between clients.

5.4 Nail technicians must wash their hands thoroughly before each client is treated and must either sanitise the clients hands prior to treatment with a suitable skin sanitising product or request them to wash their hands/feet.

## **6.0 Ventilation**

Where nail extensions are carried out suitable air filtering and extraction must be provided to remove dust and chemicals from the air and preferably fitted at work top level. Suitable dust and chemical filters should be fitted and the equipment operated and maintained in good working order in accordance with manufacturers instructions.

## **7.0 Qualifications**

Only therapists approved and registered by the London Borough of Bromley can undertake nail treatments.

## **8.0 Age**

No one under the age of 16 will be permitted to have nail treatments without a parent or guardian being present and signing the consent form.

## **9.0 Challenge 25 Policy**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

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Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

## STANDARD CONDITION FOR TANNING/UV LIGHT TREATMENTS

Separate

### **1.0 Definitions**

#### 1.1 Ultra Violet Light

Defined as 3 different wavelengths of ultraviolet radiation. UVA, UVB and UVC. UVC waves should not be present in sun tanning equipment.

#### 1.2 Sun Tanning Equipment

The use of ultraviolet light emitted from tubes to reproduce the effect of ultraviolet radiation from the sun on the skin in order to tan the skin. Includes sunbeds and upright tanning booths, face tanning and leg tanning equipment .

#### 1.3 Tanning accelerants and or amplifiers

Defined as any cream, lotion or other substance which increases or purports to increase the amount of U V light absorbed by the production of melanin within the skin.

#### 1.4 Remote facilities

All facilities shall be considered to be operated remotely where the therapist is out of audible range of the treatment room and the client would be unable to be summoned for help.

### **2.0. Qualifications**

Only Therapists approved and registered by the London Borough Bromley can operate a tanning salon

### **3.0 Health and Safety Procedures**

3.1 Sun tanning equipment must be in a separate room or area so that the light emitting from it does not shine into any other part of the establishment exposing staff or other clients to radiation.

3.2 Adequate Ventilation must be provided to treatment rooms and cubicles.

3.3 Shower or sink facilities must be available to allow the client to wash off any skin creams and make-up .

3.4 An automatic timer must be fitted to the equipment so that the user is unable to increase the time spent using the tanning equipment.

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3.5 An emergency device must be fitted within easy reach of a person using the equipment. This device will switch off the Ultra Violet lamps and audibly summon assistance .

3.6 The electrical safety, including the adequate earthing and insulation of all equipment, should be examined annually by a qualified engineer who should report in writing the result of his inspection. Equipment must be regularly serviced in accordance with the manufacturers instructions and a record of such services and copies of the electrical engineers report must be kept on the premises for inspection if required. In accordance with the latest Institute of electrical Engineers (IEE) requirements.

3.7 Suitable goggles for the protection of the eyes of users of the equipment must be provided

3.8 Fans must be adequately guarded.

3.9 A notice providing accurate information on the health risks from exposure to Ultra Violet light must be clearly displayed near each sunbed. (obtained from *the Health & Safety Executive document IND (G) 209 and also by ISRM*).

#### **4.0 Client Consultation Procedures**

4.1 All clients must fill out a consultation card prior to first sunbed use and any contra-indications identified. Clients whose skin is prone to UV damage must be advised not to use tanning equipment

4.2.No one under the age of 16 to use the equipment. (As from April 2011 no one under the age of 18 may use the equipment)

4.3 Client record cards must be kept detailing each and every sunbed session including duration of session.

4.4 Consultation records must be held at the premises for a period of two years and be available for inspection by an authorised officer.

#### **5.0 Challenge 25**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.



## **6.0 Tanning Accelerators**

6.1 Licence holders must hold product information for any tanning accelerators they sell.

6.2 Tanning accelerators must comply with the Cosmetic Products (Safety) Regulations 1996

## **7.0 Control of Infection**

7.1 The surface of the sunbed must be disinfected after each use in accordance with manufacturers instructions and with cleaning materials specified by the manufacturer.

7.2 All goggles must be disinfected between clients or single use disposable goggles provided.

## **7.0 Record Keeping**

7.1 Records must be kept of the hours of use of each machine and these records shall show any maintenance and details of when tubes are replaced. Tubes must be replaced at intervals recommended by the manufacturer, together with the Ultra Violet transmitting plastic sheet if fitted. Replacement tubes shall be compatible with those supplied by the manufacturer.

## **STANDARD CONDITIONS**

### **TATTOOING AND MICROPIGMENTATION**

#### *1.0 Definitions*

##### **1.1 Tattooing**

Is the process of permanently marking the skin by inserting ink into the lower layers of skin with a needle.

For the purposes of these conditions tattooing will include micro pigmentation also known as "semi permanent make-up".

#### *2.0 Client consultation*

2.1 A full client consultation must be carried out at the time of a first visit.

This is to include the following:

Medical history.

Does the client have:

- Eczema
- Psoriasis
- Haemophilia
- High/low blood pressure
- Epilepsy
- Diabetes
- Allergies

Is the client:

- Taking medication or blood thinning agents
- Breast feeding
- Pregnant

Where any of the above conditions exist, written consent from the clients GP must be given before any tattooing is carried out.

2.2 Area to be tattooed

2.3 Treatment plan

2.4 Date of tattoo and dates of subsequent visits to complete a tattoo

2.5 Date of birth of the client

2.6 Proof if ID shown where necessary

2.7 Explanation of the procedure involved

2.8 Record that aftercare advice/leaflet given

2.9 Name of tattooist who carried out the treatment

2.10 This record should be signed by the client as a declaration of agreement to treatment having understood all the associated risks.

2.11 Consultation records must be available for inspection by an authorised officer..

### 3.0 *Standard Infection control Procedures*

#### 3.1 *Staff and client health*

- **All tattooists must be vaccinated against Hepatitis B and proof must be made available to an authorised officer.**
- **Tattooing must not be carried out on or within 10cms of an infected area of skin, a rash, cut or other wound**

#### 3.2 *Blood Spillage*

**There must be a written procedure for dealing with blood spillages.**

**All staff must be made aware of the procedure**

#### 3.3 *Sharps Injury*

There must be a written procedure for dealing with needle/ sharps injuries.  
All staff must be made aware of the procedure.

#### 3.4 *Protective clothing*

- All staff should wear protective clothing when tattooing.
- Single use disposable plastic aprons should be worn for each client.
- Tattooists should wear disposable single use vinyl or latex gloves whilst carrying out the treatment. This should be replaced for each client.

### 4.0 *Qualifications*

Only Tattooists approved and registered by the London Borough of Bromley can undertake tattooing.

### 5.0 *Cleaning and Sterilising of Equipment*

In addition to the General Licence Conditions for all special treatment premises

- All surfaces that come into contact with staff equipment or clients must be disinfected daily.
- All needles must be single use and disposable...
- Any surfaces used during treatments must be disinfected prior to use.
- Any treatment chair/ couches must be disinfected after each client.
- Any equipment that has been contaminated with blood however small must be cleaned and sterilized.
- 

### 6.0 *Aftercare*

**6.1 Clients should be given verbal and written after care advice. This should also include advice of any possible complications.**

### 7.0 *Age*

***The Tattooing of Minors Act 1969 prohibits the tattooing of anyone in Great Britain under the age of 18 years.***

#### **Challenge 25**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

### 8.0 *Use of Anaesthetics*

Only operators who have attended an appropriate course on use of topical anaesthetics will be permitted to use them. The use of anaesthetic injections are not permitted.

## **STANDARD CONDITIONS**

### **EAR AND NOSE PIERCING**

#### **1.0 Definitions**

##### 1.1 Ear piercing

For the purposes of these conditions ear piercing refers to lower ear lobe piercing, upper ear cartilage piercing.

##### 1.2 Nose piercing

Refers to the piercing of the nasal cavity walls only.

##### 1.3 Nose piercing gun

Refers to a device, whether single use or reusable, specifically designed for the purpose and is capable of piercing the nasal cavity wall with the nose stud without the need for a clasp/butterfly clip. Ear piercing guns must not be used.

##### 1.4 Ear piercing gun

Refers to a device, whether single use or reusable, designed specifically for piercing ears.

#### **2.0 Client consultation**

##### 2.1 Does the client have

- Eczema
- Psoriasis
- Haemophilia
- High/low blood pressure
- Epilepsy
- Diabetes
- Allergies

Is the client:

- Taking medication or blood thinning agents.

Where any of the above conditions exist, written consent from the clients GP must be given before any piercing is carried out.

##### 2.3 Area to be pierced

##### 2.4 Treatment plan

##### 2.5 Date of piercing

##### 2.6 Date of birth of the client

##### 2.7 Proof and type of ID shown if client looks under 25

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Where client is under 16 provide proof that parent/ guardian was present at the time of the piercing.

2.8 Record that aftercare advice/leaflet given

2.9 Name of piercer who carried out the treatment

This record should be signed by either the client/parent/guardian as a declaration of agreement to treatment having understood all the associated risks.

**3.0 Infection control**

3.1 All piercers must wear disposable gloves and they should be disposed of after each client.

3.2 All work surfaces must be cleaned and disinfected after each client.

3.3 The client's skin must be cleaned prior to piercing using a solution containing alcohol or wipes.

3.4 Only pre-sterilised single use studs from undamaged packaging may be used.

***3.5 Studs must be opened immediately prior to use in front of the client.***

***3.6 There must be a written procedure for dealing with blood spillages . All staff must be made aware of this procedure.***

***3.7 There must be a written procedure for dealing with needle/ sharps injuries.***  
All staff must be made aware of the procedure.

**4.0 Training**

***Only piercers approved and registered by the London Borough Bromley may carry out ear and nose piercing.***

*5.0 Cleaning and Sterilising of Equipment*

5.1 All surfaces that come into contact with staff equipment or clients must be disinfected daily.

5.2 Any surfaces used during treatments must be disinfected prior to use.

5.3 Any equipment that has been contaminated with blood however small must be cleaned and sterilized.

## 6.0 Aftercare

**6.1 Clients should be given verbal and written after care advice. This should also include advice of any possible complications.**

## 7.0 Age

7.1 Anyone under the age of 16 who wants their ear or nose pierced must be accompanied by a parent or guardian who must sign the appropriate consent forms.

## 8.0 Challenge 25 Policy

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

## 9.0 Use of Anaesthetics

Only operators who have attended an appropriate course on use of topical anaesthetics will be permitted to use them. The use of anaesthetic injections are not permitted

## 10.0 Jewellery

10.1 All jewellery which may come into contact with broken skin or mucosa membranes must be sterile.

10.2 All jewellery must be of a suitable grade e.g. surgical stainless steel, solid 14K or 18K gold, niobium, titanium, platinum, or dense low porosity plastic. This is to minimise the risk of allergic reaction, harbouring of bacteria or adhesion to newly formed skin. Grade 316 stainless steel does not comply with the Dangerous Substances and Preparations (Nickel) (Safety) Regulations 2000) and is not to be used.

## **STANDARD CONDITIONS**

### **BODY PIERCING**

#### **1..0 Definitions**

##### 1.2 Body Piercing

For the purposes of these conditions, body piercing is when a hole is made through the skin, and a piece of jewellery is put into the hole. These conditions do not include ear or nose piercing as they are covered by other conditions

#### **2.0 Qualifications**

Body piercing may only be provided by persons, approved, registered and badged by the London Borough of Bromley

##### 3.0 *Client consultation*

3.1 A full client consultation must be carried out at the time of a first visit. Does the client have:

- Eczema
- Psoriasis
- Haemophilia
- High/low blood pressure
- Epilepsy
- Diabetes
- Allergies

Is the client

- Taking medication or blood thinning agents

Where any of the above conditions exist, written consent from the clients GP must be given before any piercing is carried out.

3.2 Area to be pierced

3.3 Treatment plan

3.4 Date of piercing

3.5 Date of birth of the client

3.6 Proof and type of ID shown if client looks under 25

3.7 Record that aftercare advice/leaflet given

3.8 Name of piercer who carried out the treatment

3.9 This record should be signed by either the client/parent/guardian as a declaration of agreement to treatment having understood all the associated risks.



#### **4.0 Standard infection control procedures**

4.1 All piercers must be vaccinated against Hepatitis B. Proof must be available to an Authorised Officer on request.

***4.2 There must be a written procedure for dealing with blood spillages . All staff must be made aware of this procedure.***

***4.3 Sharps Injury There must be a written procedure for dealing with needle/ sharps injuries. All staff must be made aware of the procedure.***

***4.4 All staff should wear protective clothing when piercing.***

4.5 Single use disposable plastic aprons should be worn for each client.

4.6 Piercers should wear disposable single use vinyl or latex gloves whilst carrying out the treatment. This should be replaced for each client.

#### **5.0 *Cleaning and Sterilising of Equipment***

5.1 All surfaces that come into contact with staff equipment or clients must be disinfected daily.

5.2 All needles must be single use and disposable..

5.3 Any surfaces used during treatments must be disinfected prior to use.

5.4 Any treatment chair/ couches must be disinfected after each client.

5.5 Any equipment that has been contaminated with blood however small must be cleaned and sterilized.

#### **6.0 *Aftercare***

***6.1 Clients should be given verbal and written after care advice. This should also include advice of any possible complications.***

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**7.0**     *Age*

7.1 Clients must be over the age of 18 for all types of body piercing other than ear, nose, Lip (labaret), eyebrow or navel.

7.2 Anyone under the age of 16 who wants ear, nose, lip, eyebrow or naval must be accompanied by a parent or guardian who must sign the appropriate consent forms.

7.3 Person's aged between 16 and 18 must provide identification which includes a photograph and date of birth. E.g. Passport or driving licence

**8.0 Challenge 25 Policy**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

**9.0**     *Use of Anaesthetics*

Only operators who have attended an appropriate course on use of topical anaesthetics will be permitted to use them. The use of anaesthetic injections are not permitted.

**1.0 Jewellery**

10.1 All jewellery which may come into contact with broken skin or mucosa membranes must be sterile Only operators who have attended an appropriate course on use of topical anaesthetics will be permitted to use them. The use of anaesthetic injections are not permitted.

.10.2 All jewellery must be of a suitable grade e.g. surgical stainless steel, solid 14K or 18K gold, niobium, titanium, platinum, or dense low porosity plastic. This is to minimise the risk of allergic reaction, harbouring of bacteria or adhesion to newly formed skin. Grade 316 stainless steel does not comply with the Dangerous Substances and Preparations (Nickel) (Safety) Regulations 2000) and is not to be used.

## **STANDARD CONDITIONS**

### **ELECTROLYSIS / ELECTRICAL EPILATION**

#### *1.0 Definitions*

##### Electrolysis or Electrical Epilation

For the purposes of these standard conditions, Electrolysis/ Electrical Epilation refers to a permanent method of hair removal using needle-like probes. Electrical Epilation works by passing a small amount of energy into the hair follicle through a very fine needle. This produces heat which destroys the cells that produce the hair at the base of the follicle. More than one treatment is necessary due to the fact that hair follicles have a specific growth cycle. There are four main methods of electrolysis

- Galvanism – the original form of electrolysis by direct current causing a chemical (as opposed to heat) reaction to take place in the follicle
- Diathermy: the use of short wave high frequency current which generates a small amount of heat within the hair follicle leading to cauterisation of the blood vessels which nourish hair growth
- Blend: a combination of diathermy and direct current (or galvanism)
- Laser/intense pulse light (IPL) hair removal introduces radiation that causes damage to the hair follicles.

#### *2.0 Client consultation*

2.1 A full client consultation must be carried out at the time of a first visit, prior to any treatment.

This is to include the following:

Medical history.

Does the client have

- Eczema
- Psoriasis
- Haemophilia
- Heat disorders/disorders
- High/low blood pressure
- Epilepsy
- Diabetes
- Allergies

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Is the client:

- Taking medication or blood thinning agents
- Breast feeding
- Pregnant

Where any of the above conditions exist, written consent from the clients GP must be given before any electrolysis is carried out

2.2 Area to be treated

2.3 Treatment plan

2.4 Date of treatment

2.5 Date of birth of the client

2.6 Proof if ID shown where necessary

2.7 Explanation of the procedure involved

2.8 Record that aftercare advice/leaflet given

2.9 Name of therapist who carried out the treatment

2.10 This record should be signed by the client or parent/guardian as a declaration of agreement to treatment having understood all the associated risks.

2.11 Consultation records must be available for inspection by an authorised officer.

2.12 A record of subsequent treatments must be kept

### **3.0 Age**

Anyone under the age of 16 must be accompanied by a parent or guardian. The parent/guardian must sign a consent form at the time of the treatment.

### **4.0 Challenge 25 Policy**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

### **5.0 Standard infection control Procedures**

### **5.1 Staff and client health**

Treatment must not be carried out on or within 10cms of an infected area of skin, a rash, cut or other wound.

### **5.2 Blood Spillage**

***There must be a written procedure for dealing with blood spillages.***

***All staff must be made aware of the procedure***

### **5.3 Sharps Injury**

There must be a written procedure for dealing with needle/ sharps injuries.  
All staff must be made aware of the procedure.

### **5.4 Protective clothing**

- All staff should wear protective clothing when carrying out the treatment.
- Single use disposable plastic aprons should be worn for each client.
- Therapists should wear disposable single use vinyl or latex gloves whilst carrying out the treatment. This should be replaced for each client.

### **6.0 Qualifications**

Only therapists approved and registered by the London Borough of Bromley can undertake electrolysis and advanced electrolysis.

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7.0 *Aftercare*

**5.1 Clients should be given verbal and/or written after care advice**

**5.2 This should also include advice of any possible complications.**

**8.0 Information and Record keeping**

All records must be held on the premises and available for inspection by an authorised officer.

9.0 *Use of Anaesthetics*

Only therapists who have attended an appropriate course on use of topical anaesthetics will be permitted to use them. The use of anaesthetic injections are not permitted.

**10.0 Care Quality Commission**

Any therapist who undertakes laser hair removal must not do so unless the premises where the treatments are being offered have been registered and approved by the Care Quality Commission for the uses of the lasers.

Approved by General Purposes and Licensing Committee 7 April 2010  
Appendix K

## STANDARD LICENCE CONDITIONS

### SAUNA AND STEAM ROOMS

#### 1.0 Definitions

*Saunas consist of an insulated enclosure usually made of wood, together with heat generating equipment usually in the form of a heat-generating stove. Benches are provided within the sauna enclosure. Saunas provide a dry heat and the temperature may range from 85<sup>o</sup>C to 100<sup>o</sup>C for up to a 10 minute treatment*

#### Steam room/bath

These consist of an enclosure made of an impervious material and steam generating equipment. They are designed to operate at temperatures of up to 50<sup>o</sup>C regulated by a thermostat with relative humidity of 80 to 100%. They produce a wet humid heat and are intended for indoor use. The treatment usually lasting 6 – 12 minutes .

#### 2.0 Client consultation

2.1 A full client consultation must be carried out at the time of a first visit, prior to any treatment.

This is to include the following:

#### Medical history

Does the client have:

- skin condition eg psoriasis/eczema
- High/low blood pressure
- Epilepsy
- Diabetes
- Allergies

Is the client:

- Taking medication or blood thinning agents
- Breast feeding
- Pregnant
- Suffer from heat disorders

Where any of the above conditions exist, written consent from the clients GP must be given before any electrolysis is carried out.

## **2.2 An explanation of the use of the sauna /steam room.**

### *3.0 Cleaning disinfection and infection control*

#### **3.1 Cleaning**

The sauna/steam room must be cleaned and disinfected each day, in accordance with manufacturer's instructions and with cleaning materials specified by the manufacturer.

#### **4.0 Age**

Only clients over the age of 16 are permitted to use a sauna/steam room.

#### **5.0 Challenge 25 Policy**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

#### **5.0 Qualifications**

Only Therapists approved and registered by the London Borough Bromley can operate / be in control of a sauna and steam room.

#### **6.0 Record Keeping.**

All records must be kept and made available to an authorised officer.



## STANDARD CONDITIONS FOR SPA POOLS AND JACUZZIS

### 1.0 Definitions

1.1 Spa Pool and Jacuzzi - for the purpose of these standard conditions a spa pool/ jacuzzi is defined as a pool full of warm water at approximately body temperature, designed for sitting in rather than swimming. It has jets of water, or air bubbles or combination of both to provide a warm water massage.

### 2.0 Qualifications

Only therapists approved by the London Borough or Bromley are able to control spa pool /Jacuzzi use.

### 3.0 Health and Safety Procedures

3.1 For the management of Spa pools/Jacuzzis all operators must refer to the Health and Safety Executive Approved Code of Practice and Guidance L8, "The Control of Legionella Bacteria in Water Systems".

3.2 Records must be available for inspection by an authorized officer of the free chlorine levels and the pH levels of the spa

3.3 The licensee must be able to demonstrate that the microbiological quality of the spa pool water complies with the Public Health Laboratory Service 1994 Guidance on Hygiene for Spa Pools or later Guidance from the Health Protection Agency or HSE.

3.4 The licensee must have a written policy of action to be taken in the event of an unsatisfactory microbiological result or other health concerns associated with use of the pool.

3.5 There must be a non-verbal alarm system in the vicinity linked to a manned reception area for summoning help when users are left unattended. The alarm should continue to sound until it is manually switched to the 'off' position in order to silence it. The user must be made aware of the alert mechanism and how to use it.

3.5 The licensee shall have a written policy detailing the action to be taken in the event of the alert mechanism being used. This shall be communicated to all relevant personnel.

3.6 All equipment shall be of sound mechanical construction and regularly maintained. Records of maintenance should be held for inspection by authorised officers

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3.7 The electrical safety, including the adequate earthing and insulation of all equipment, should be examined periodically by a qualified engineer who should report in writing the result of his inspection. Equipment must be regularly serviced in accordance with the manufacturers instructions and a record of such services and copies of the electrical engineers report must be kept on the premises for inspection if required. In accordance with the latest IEE (institute of Electrical Engineers) requirements.

3.8 The licensee shall have a written procedure detailing steps taken to ensure the maximum bather load for the facility is not exceeded.

3.9 A notice providing information on the use of the spa pool must be clearly displayed near each unit.

3.10 A rest area for users should be provided.

3.11 The spa pool must be emptied and refilled at regular intervals in accordance with the manufacturers guidance and usage but in any event at least every week

3.12 The water circulation system must be run for a minimum of 3 hours/day and preferably continuously.

3.13 Water jets must be operated for a minimum of 1 hour/day.

3.14 The pool must be drained and refilled if left unused for 5 days or more.

#### **4.0 Client Consultation Procedures**

All clients must complete a client consultation card before their first use of the spa pool to ascertain any issues for concern. These would include:

- a.) Currently Pregnancy
- b.) Suffering from heart disease, circulatory problems, high or low blood pressure
- c) Diabetes
- d) Suffering from infectious skin disease, sores and wounds
- e.) Taking antihistamines, anticoagulants, vasoconstrictors, vasodilators, stimulants, hypnotics, narcotics or tranquillisers or any other medication which makes the therapist or licence holder unsure as to the advisability of using the spa pool.
- f.) Have consumed a heavy meal within one and a half hours
- g.) Have consumed alcohol within one and a half hours.

If the client has answered yes to any of these then they should be advised to consult their GP before using the spa/Jacuzzi.

## **5.0 Record Keeping**

5.0 All records required in 3.0 must be made available to an authorized officer .

5.1 Client consultation records must be held on the premises and be available for inspection by an authorised officer.

5.2 Daily, weekly, monthly and periodical check records must be available for inspection by an authorised officer.

5.4 Maintenance and electrical safety records must be available for inspection by an authorised officer.

## **6.0 Age**

No one under the age of 16 must be allowed to use the spa/Jacuzzi .

## **7.0 Challenge 25 Policy**

Any person wishing to receive a licensable treatment will need to provide proof of their age if they look under 25 .

Licencees must advertise this policy so that all clients are made aware that they may be challenged about their age if they look under 25.

Acceptable forms of ID are a photo driving licence, passport or the PASS hologram proof of age card. In addition Bromley Trading Standards have developed a BIZ proof of age card (with PASS hologram) which has been issued to participating schools in the Borough.

Where a challenge is made, it must be recorded and proof age also noted on the client record card.

**NOMINATIONS FOR APPOINTMENT**

**AS HONORARY ALDERMEN**

<b>NAME</b>	<b>LENGTH OF SERVICE AS A COUNCILLOR</b>	<b>POSITIONS HELD</b>
Mrs Ingrid A Buckley	May 1994 – May 2006 Represented Bickley Ward	Mayor; Deputy Mayor
Mrs Jenny Hillier	July 1974 – May 2010 Represented Farnborough/Farnborough and Crofton Ward	Mayor; Deputy Mayor; Deputy/Acting Leader of the Council
Mrs Carole Hubbard	March 1992 – May 2010 Represented West Wickham North/West Wickham Ward	Mayor
Gordon Jenkins	April 1996 – May 2010 Represented Bickley Ward	Chairman of Development Control Committee
Maurice B Kenward	May 1967 – March 1985 Represented Bickley Ward	Mayor; Chairman of General Purposes/Recreation/Social Services Committees
Arthur J Wilkinson	May 1974 – May 1990 Represented Plaistow and Sundridge Ward	Deputy Mayor; Chairman of Finance and Staff (Scrutiny)/ Social Services Committees