

Application for Licence for Special Treatment Premises

To be read in conjunction with all other forms and information supplied.

CHECKLIST

TO BE COMPLETED AND ATTACHED		YES/NO	Office use
1	The Correct Fee (see attached fee scale)		
2	Annual Licence Application and Directors' Details		
3	Treatments Offered		
4	Individual Qualifications & Particulars		
5	Equipment Register		
ADDITIONAL DOCUMENTATION TO BE ATTACHED			
6	Copies of Practitioners' Qualification Certificates		
7	Recent, signed passport size photographs of practitioners		
8	Submit plans and specifications to council		
9	Electrical installation report submitted (Include Portable appliance test)		
10	Gas installation report submitted		
11	Water system installation report		
12	Sterilisation equipment spore test (Tattooing and autoclaving only)		
13	Professional insurance		
ADDITIONAL ACTION TO BE TAKEN			
14	Hepatitis B vaccination (for tattooing and piercing)		
15	Exhibited notice at premises		
16	Copy of newspaper notice		

Completed application pack:

Please contact 0207 926 6109 to arrange an appointment to submit your completed application form

Special Treatment Licensing Annual Fees 2011/2012

(from 1st April)

1

Part II section 4 of the London Local Authorities Act 1991 defines a special treatment as follows:

Massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric, or other special treatment of like kind or vapour, sauna or other baths.

Fees for grant and renewal of licences	£
Tattooing and/or Body Piercing	720.00
All Other Treatments.....	400.00
One Day Event	200.00
Transfer licensee or alter person in control of the premises.....	182.00
Duplicate licence	83.00
<u>Licence variation fees for practitioner (during licence period)</u>	
Add a new Practitioner	57.50
(fee of £10.50 included for new badge)	
New Treatment to be offered on the premises	47.00
PLUS	
Badge amendment (please add this fee for each new badge).....	10.50
Badge renewal (every three years	10.50

If you require a list of treatments that are classed as Special Treatments please call 0207 926 6109

Special Treatment Licensing Premises Annual Licence Application

2a

I hereby apply to the **London Borough of Lambeth**, under the provisions of Part II of the London Local Authorities Act 1991, for the granting of a licence to carry on an establishment for massage and special treatments as follows

I **enclose** herewith the sum of £....., being the amount of the fee payable on the GRANT / RENEWAL / TRANSFER of the licence applied for. (Delete as applicable).

1. Full name of Applicant
2. Private Address
3. Place of Birth (town & country) Date of Birth
- Name at birth (if different)
4. Trading Name (if any)
- Full Address of premises
- Telephone no. of premises
5. Name of person on the premises in charge of the practice
6. *If application is made by limited company*
Company name and registered office
7. *If application is made by limited company, complete **Directors' Details** below (Section 2b)*

I give our consent for the details given on this form to be divulged to the police and other outside agencies solely in connection with this application. I declare that the above and attached particulars are complete and true in every respect and that I am over the age of 18 years.

Signed Date

Directors Details *(if more directors please continue on a separate sheet)*

2b

Print Full Name..... Maiden Name (if applicable).....

Private Address

..... Postcode.....

Date of Birth..... Place of Birth (Town and Country).....

Convictions / refusal / revocation

Lambeth Licensing Police will undertake a basic police check

Have you ever been convicted of any offence under the law controlling massage and special treatments? **YES/NO**

If YES give details

.....

Have you ever been refused a licence or had a licence revoked on the grounds of not being a suitable person to carry on an establishment for massage and/or special treatments? **YES/NO**

If YES give details

.....

I declare that the above particulars are true in every respect.

Signed Date

Special Treatment Licensing Treatments Offered

Trading Name of Business

Please list **all** treatments and the like, offered or intended to be offered on the premises during the period of validity of the licence (including massage, UV tanning, sauna, waxing, electrolysis, cosmetic piercing, acupuncture, tattooing etc.)

Description of Treatment

- | | | | |
|---------|-----|-----|-------|
| 1. | 9. | 9 | |
| 2. | 10. | 10. | |
| 3. | 11. | 11. | |
| 4. | 12. | 12. | |
| 5. | 13. | 13. | |
| 6. | 14. | 14. | |
| 7. | 15. | 15. | |
| 8. | 16. | 16. | |

All persons offering Treatments Full Name	Treatment number(s) (as indicated above)
.....
.....
.....
.....
.....

Please continue on a separate sheet if necessary

Complete the attached form **Individual Qualifications & Particulars** (Form 4) for each person named in Form 2a part 1, 5 and Form 3 as above

The above treatments are the only treatments offered as part of the business. I understand that a condition of licence is that the licensee must notify the Council of any changes of treatments offered during the period of the licence. I will ensure that all Practitioners will wear their named badges whilst carrying out treatments

Print Name

Signed Date

On behalf of the applicant/licensee. (Delete as appropriate)

Special Treatment Licensing Individual Qualifications and Particulars

(Please complete a separate copy of this form for each person named in Form 2)

4

Trading Name of Business

Applicant / Licence holder / Practice Manager / Practitioner (delete as appropriate)

Please enclose two signed passport sized pictures for each practitioner

Print Full Name

Private Address

..... Postcode

Date of Birth Place of Birth (Town and Country)

Contact Number Email Address

Treatment(s) to be offered

College / Place of Instruction

Print Full Name

Address

Period of Tuition

Certificates – please enclose copies of any certificates gained

1. Title of Award

Awarding Body

Treatments covered

Date of certificate Candidate No

2. Title of Award

Awarding Body

Treatments covered

Date of certificate Candidate No

3. Title of Award

Awarding Body

Treatments covered

Date of certificate Candidate No

4. Title of Award

Awarding Body

Treatments covered

Date of certificate Candidate No

Individual Qualifications and Particulars (continued)

4

Current membership of professional bodies

1. Title and address of body
Category of Membership Membership number Years of membership
2. Title and address of body
Category of Membership Membership number Years of membership
3. Title and address of body
Category of Membership Membership number Years of membership

Other establishments

Have you ever held an interest in or been employed in any other establishment used for massage or special treatments? **YES/NO**

If YES, please state:

- name and address of establishment
- nature and extent of your interest

1. Establishment
Your interest
2. Establishment
Your interest
3. Establishment
Your interest
4. Establishment
Your interest

Convictions / refusal / revocation

Lambeth Licensing Police will undertake a basic police check

Have you ever been convicted of any offence under the law controlling massage and special treatments? **YES/NO**

If YES give details

Have you ever been refused a licence or had a licence revoked on the grounds of not being a suitable person to carry on an establishment for massage and/or special treatments? **YES/NO**

If YES give details

I declare that the above particulars are true in every respect.

Signed Date

Special Treatment Licensing Equipment Register

Trading Name of Business

Please list **all** electrical or autoclaving equipment used or intended to be used on the premises (sunbed, electrolysis etc.)

	Description of Equipment	Qty	Location
1.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.
16.
17.
18.
19.
20.

Signed Date

NOTE: You are required under the Electricity at Work Regulations 1989 to ensure that all electrical equipment is installed and maintained in a safe and serviceable condition.

**LIST OF BODIES OF HEALTH PRACTITIONERS GRANTED EXEMPTION
UNDER SECTION 4 AS AT May 2010**

ACUPUNCTURE

- * The British Acupuncture Council
- * The Acupuncture Society
- * The Acupuncture Association of Chartered Physiotherapists
- * Association of Traditional Chinese Medicine
- * Zhong Shan Chinese Medicine and Acupuncture Association
(Formerly Association of Chinese Medicine and Complimentary Medicine)
- *Federation of Traditional Chinese Medicine Practitioners

AROMATHERAPY

- * International Federation of Professional Aromatherapists
(Inc. the Register of Qualified Aromatherapists)
- * Aromatherapy and Allied Practitioners Association
- * International Society of Professional Aromatherapists & Int Federation of Aromatherapists)

AYURVEDIC MEDICINE

- * The British Association of Accredited Ayurvedic Practitioners
- * Ayurvedic Practitioners Association (APA)

BOWEN THERAPY

- * Bowen Practitioners Association
- * The Bowen Therapists European Register

EAR PIERCING

- * Royal Pharmaceutical Society of GB (ear piercing only)

MANUAL LYMPHATIC DRAINAGE

- * Manual Lymphatic Drainage UK

REFLEXOLOGY

- * Association of Reflexologists inc the International Institute of Reflexology
- * British Reflexology Association
- * International Federation of Reflexologists

SHIATSU

- * Shiatsu International
- * Shiatsu Society UK
- * Zen Shiatsu Society

SPORTS MASSAGE

- *Sports Massage Association
- * Institute of Sports & Remedial Massage
- * BASRAT – British Association of Sport Rehabilitator’s and Trainers

TRICHOLOGY

- * Institute of Trichologists

MISCELLANEOUS

- * Association of Naturopathic Practitioners
- * Complementary Medical Association
- *The Complimentary Therapists Association (formerly known as IGPP and ITEC Professionals)
- * Federation of Holistic Therapists
- * The Institute for Complimentary Medicine inc the British Register of Complimentary Practitioners
- * British Complementary Medicine Association
- * Association of Physical and Natural Therapists
- * LCSP Register of Remedial Masseurs and Manipulative Therapists
- * Health Professionals Council
- * Independent Professional Therapists International
- * Massage Training Institute

Skin Piercing Consent Form

Aged 18+ for all types of piercing

To be filled in clearly and correctly by person wishing to be pierced

Details of Skin Piercing Establishment

Name

Address

.....

.....

Details of person wishing to be pierced

Name

Address

.....

.....

Telephone

Age

Type of Piercing

.....

Proof of identification seen

This is to certify that I, the above named and undersigned, today gave my correct name, address and age when asked to do so.

I fully understand that I must be 18 years of age to have, or to attempt to obtain, any body piercing.

I give my permission to be pierced and I am fully aware of the process involved and understand the importance of the daily aftercare procedure.

Sign..... Date.....

Skin Piercing Consent Form (aged 16+) for ear lobes, nose and navel piercing only

To be filled in clearly and correctly by person wishing to be pierced

Details of Skin Piercing Establishment

Name

Address

.....

.....

Details of person wishing to be pierced

Name

Address

.....

.....

Telephone

Age

Type of Piercing

.....

Proof of identification seen

This is to certify that I, the above named and undersigned, today gave my correct name, address and age when asked to do so.

I fully understand that I must be 16 years of age to have, or to attempt to obtain, ear lobe, nose or navel piercing.

I give my permission to be pierced and I am fully aware of the process involved and understand the importance of the daily aftercare procedure.

Sign..... Date.....



London Borough Of Lambeth
London Local Authorities Act 1991

**Special Treatment Licensing
Notice of Application for New
Licence**

Date of application 2011

NOTICE IS GIVEN THAT

Full name(s)
of applicant

.....
.....

**has applied to the LONDON BOROUGH OF LAMBETH
for a SPECIAL TREATMENTS LICENCE
to carry out the following treatments**

Full list of treatments to
be carried out
(see treatment list for
guidance)

.....
.....
.....
.....
.....

at the premises

Full name and postal
address of premises

.....
.....
.....
.....

**Anyone wishing to oppose the application must give notice in writing to:
Lambeth Consumer Protection, 2 Herne Hill Rd, London SE24 0AU,
WITHIN FOUR WEEKS OF THE DATE OF THIS NOTICE,
specifying the grounds of opposition.**

**Persons objecting to the grant of a licence must be prepared to attend in
person at a public hearing before a committee of the Council. Letters of
objection will be sent to the applicant inviting comments.**

Within 7 days of the date on which the application is made for a new licence, notice of the application in the form required by the Council shall be published (at the expense of the applicant) in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagent.

Rules Governing Applications

Made under section 7(4) of London Local Authorities Act 1991

(1) Interpretation

In these rules:

"Act" means Part II of the London Local Authorities Act 1991.

"Licence" means any special treatment licence which the Council can grant under the Act. This includes any associated consent or permission.

"Licensee" means the holder of a special treatment licence.

"Applicant" means an applicant for or the holder of a Licence as appropriate.

"Objector" means any person who is objecting to an application specified in rule 7 and who has complied with its terms.

"Occupier" means a person with an immediate leasehold interest in the premises or with a licence to occupy the premises.

"Premises" means the place for which a licence is sought or for which a licence is in force.

"Revocation" means a proposal to revoke the licence under Sections 9 and 14 of the Act.

"Head of Consumer Protection" means the Council's Head of Consumer Protection, his deputy or other representative.

"Council" means the London Borough of Lambeth

"Committee" means the Control and Licensing Committee of the Council, or other specially authorised Group of Councillors which has been set up to determine an application or consider a revocation.

(2) Plans and specifications

Applicants shall submit such plans and specifications of the premises concerned as may be required by the Council within two months of being advised of the Council's requirements unless an extension of time is granted by the Head of Consumer Protection.

NOTE: When the licence application forms are submitted to the Council, the Head of Consumer Protection will arrange for a survey to determine the suitability of the premises concerned with a view to ensuring public safety. Four copies of plans and specifications will subsequently have to be submitted by the applicant for formal approval and record purposes.

(3) Application forms

An application for a licence shall be made on the form provided by the Council and if required shall be advertised in accordance with numbers 4 and 5 of these Rules. If an application which has been required to be advertised has not been determined within twelve months of its submission to the Council it shall be re-advertised in accordance with rules numbers 4 and 5 unless an extension of time is granted by the Council. The form of application shall be signed by the applicant, or a solicitor or other duly authorised agent acting on behalf of the applicant.

(3a) Copies of the application form will be sent by the council to:

- (i) London Fire and Civil Defence Authority,
London Fire Brigade
Lambeth Borough Team
- (ii) The Licensing Officer,
Metropolitan Police Licensing Unit

(4) Exhibiting notices at the premises

On the date on which the application is made the applicant for a new licence shall arrange for a notice or (if the premises are large or front more than one street) notices of the application to be put up at the premises using the form provided by the Council.

The notice(s) must be put up and kept exhibited for not less than 28 days on the premises where it can easily be seen and read by persons in the street or any adjoining public place. With the consent of the Council the notice(s) may, if necessary, be exhibited near the premises.

The 28 days shall start on the date the application is delivered to the Council or, if posted, on the date shown on the postmark of the envelope addressed to the Council, and the notice shall bear this date.

If this rule is not strictly complied with, the Council will require the notice to be re-dated and kept exhibited at the premises for 28 days from this date.

(5) Newspaper advertisements

- (a) Within 7 days of the date on which the application is made for a new licence, notice of the application in the form required by the Council shall be published (at the expense of the applicant) in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagents.

NOTE: A London wide newspaper, such as 'Evening Standard' is **NOT** regarded as a local for the purposes of this rule.

- (b) Within 14 days of the date on which the application was made the applicant shall send one complete copy of the newspaper containing the advertisement to the Council.

- (c) In the event of either or both of the time limits specified in (a) and (b) above not being complied with, the last day for lodging objection to the application shall be extended to 21 days from the date of the newspaper advertisement, or to the date by which the complete copy of the newspaper has been received by the Council, whichever is the later.

This rule shall not apply to an application for a transfer or renewal of a licence unless the Council specifically so requires.

(6) Modification or waiver of conditions of licence or extension of licensed area.

A licensee applying for the modification, or waiver of any of the terms, conditions or restrictions of a licence, or for an amendment of a licence relating to an extension of a licensed area (whether or not at the same time as an application for transfer or renewal) shall comply where appropriate with numbers 2, 4 and 5 of the rules as required by the Council.

(7) Objections

A person who wishes to object to:

- the grant, transfer or renewal of the licence; or
- the modification or waiver of a licence condition; or
- the amendment of the licence where this would extend the licensed area

shall, within the time specified in the notice put up at the premises, or contained in the newspaper advertisement relating to the application, write to the Head of Consumer Protection giving in detail the reasons for objection. The Head of Consumer Protection shall forward to the applicant a copy of every valid written objection.

- (a) A late objection will only be accepted by the Council in the most exceptional circumstances.
- (b) The Council will not accept an objection where it considers the grounds of objection contain matters which it cannot take into account.
- (c) An opposed application shall be decided at a hearing where evidence is given orally and in public unless the Committee or Sub-committee decide otherwise.
- (d) At any oral hearing in public of an application an objector shall not be allowed to raise any matter not referred to in the written objection.
- (e) At any oral hearing in public of an application the applicant and the objector shall attend in person or, if the application or objection is made by a body corporate, business firm, society, associated or other group, a duly authorised representative shall be present.
- (f) If any person who has written to the Head of Consumer Protection objecting to the grant etc. of a licence fails to attend the oral hearing in public, the Licensing Sub-committee will hear and consider any evidence and arguments put forward by, or on behalf of, the applicant in relation to the written objection received. In considering the

importance of the objection, the Sub-committee will take into account that the objector was not available to be questioned about his statements.

(8)

Waiver of the rules

In any particular case, any of these rules may be waived, altered or modified by the Committee, Sub-committee or their Chair, or in the case of Rules 2, 3, 4, 5, 6, 7, 8 and 9, by a duly authorised officer of the Council.

To be read in conjunction with all applications forms.

A. What fee is payable?

A list of the current fees is attached to the second page of this application or available on request from the above address and contact number. All licences issued start from the 1st April – 31st March, however a reduce fee is payable for all new premises from June.

B. Do my premises/establishment need to be licensed?

Any premises/establishment used, intended to be used or represented as being used for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment of a like or vapour, sauna or other bath. To carry out any of these treatments without a current licence is illegal. A list of currently licensable treatments is available on our website.

C. Is my establishment exempt from the need to hold a licence?

There are exemptions for premises where **all** treatments are carried out or supervised by members of the professional bodies listed in the attached list of **exempt bodies**.

The exemption applies **only if**:

– **every** treatment offered is carried out or supervised by a member of a listed body.

and

– for **every** treatment the listed body is relevant to the treatment

and (*where exemption by supervision applies to a treatment*)

– supervision is **completely effective at all times**.

Otherwise, an Annual Licence is required. Practice without a current licence is an offence.

Restricted Membership

Some professional bodies allow membership to persons qualified for some, but not all, categories of treatments covered by the professional body.

If you think your practice is exempt for **all** the treatments that you offer, check all the treatments offered against the list of exempt bodies. If the relevant professional body allows restricted membership for some treatments, you **must obtain a letter from the body** naming the member, membership number and listing the treatments that the body has registered the member for.

Confirmation of exemption

If you are unsure you should apply for Confirmation of Exemption. Complete an annual licensing form and mark **exemption application** clearly on it. Please ensure full details are supplied. An assessment of Exempt status cannot be confirmed without this. Officers will check your eligibility for exemption and send a letter of Confirmation of Exemption.

PLEASE NOTE:

Any premises or establishment providing special treatments without a licence, or not *fully* supervised by members of a relevant listed exempt body and are liable to prosecution.

Information to be supplied on the application forms

Form 2

1) Full name of applicant

Where bodies corporate apply, Section 2b **must** be completed.

One application is required for each premise offering special treatments.

Adequate supervision of the establishment must be exercised locally on the premises by a person in charge of the premises named in question 5 on Form 2a. This may be the applicant, or somebody else.

The applicant, any directors or other persons in charge of the premises are liable for the maintenance of standards and compliance with the conditions of licence.

Each and every treatment must be offered or supervised by competent practitioners who may be different from the applicant.

2) Private address

The private residential address of individual applicants **must** be given.

If the address of the establishment (or another address) is given that is not the private residence of the applicant the application is invalid and the application will be refused.

The address given will be taken to be the notified address for formal correspondence and proof of delivery of formal correspondence to this address will be construed accordingly. Any changes of address must be notified to the Council.

3) Date and place of birth

Without date and place of birth details the application is not valid. Give your name at birth if different from your current one.

4) Trading name and full address of premises

Any Licence granted will relate to the premises or part premises used for special treatments. Only these areas will be licensed and any extension of special treatments outside of the licensed area must be applied for and approved in writing by the Council.

5) Name of person on the premises in charge of the practice

The named person must be able to exercise effective control over the establishment at all times.

For **massage and sauna treatments**, the named person must be present on the premises at all times during which the treatments are offered. For **all other treatments**, the person in charge must be able to exercise effective control and supervision of the practice at all times.

Notice of the person in charge must be prominently displayed on the premises. Written nomination of the person in charge must be made and be available to inspectors.

6) Name of the Limited Company and Registered Office.

7) Names and private addresses of the present directors

The requirements noted above for questions 1 and 2 apply here.

Form 3

All persons offering treatments

This includes the applicant and person in charge, where they offer treatments. For each person it is essential that treatments numbered in the description of treatments are entered against the name of the person offering the treatment.

Form 4

Qualifications and particulars

It is essential that a separate copy of Form 4 is completed for **every person** named in question 1, question 5 and question 5 on Form 3 section b.

Form 4 contains declarations that are relevant, **even if the person does not offer any treatments.**

Changes of Practitioner or changes to treatments offered by Practitioners during the period of licence must be notified in writing and a separate fee is payable. (See fee list form 1)

What qualifications and experience must practitioners have?

All persons administering treatments must be suitable qualified and competent persons. No person shall give any treatment unless they and the treatment being administered are named in the current special treatment licence.

All treatments must be safely applied and be offered or supervised by a COMPETENT PERSON.

Suitable qualifications and membership of appropriate professional bodies may be used to show that competence is likely, but licence holders must be aware that they have an overriding duty to check that the treatments are in fact currently applied with competence in the establishment.

COMPETENCE means familiarity with:-

- The hazards of the treatment and associated equipment;
- The method of application of the treatment;
- Checks that associated equipment operates correctly;
- A knowledge of what maintenance is required;
- Cases where, and reasons why, persons should be excluded from the treatment;
- Situations requiring urgent action and what action should be taken.;
- Verification and consideration of all qualifications will be carried out by the Council. Where verification is not possible or the qualification claimed is not appropriate, the person concerned may be required to undergo assessment by an independent organisation acceptable to this Authority to establish competence. All costs arising out of this assessment will be borne by the applicant or person concerned. The Council will not be liable for any costs.
- A list of acceptable qualifications is attached.

10) Important Information

Form 2 See notes on question 5 above

Form 3 List all treatments offered even if you think they are exempt. Complete the name of establishment. A separate signature is necessary.

Form 4 One form must be completed for each of the following persons

- (i) Applicant / Licence Holder
- (ii) Practice Manager
- (iii) Each Practitioner

Where one person fulfils more than one of these roles this should be indicated on the form by deleting the roles that do not apply.

Regulations for Annual Special Treatment Licences

Made by the London Borough of Lambeth under Sections 10(1) of the London Local Authorities Act 1991 prescribing Standard Conditions.

Notes

- (i) Except where the context demands otherwise, the singular includes the plural and the masculine includes the feminine.
- (ii) Nothing in these rules shall be construed as interfering with (a) the discretion of the licensee or his representative regarding the admission of any person, or (b) the need to strictly comply with all relevant statutory requirements.
- (iii) These rules are divided into two parts as follows:

Part I – General

Part II – Rules Which Apply To All Premises

- (iv) In these rules, all references to a British Standard shall be deemed to refer to the current standard.

Disabled People

It is the policy of the Council that there should be access and facilities for disabled people at premises for special treatment. Licensees are therefore encouraged in the strongest possible terms to provide such facilities so as to enable the admission of disabled people. To this end Council Officers will be pleased to discuss and advise on the best ways to achieve this.

PART I – GENERAL

1. Definitions

In these rules, unless the context otherwise requires:

"Approval of the Council" or **"Consent of the Council"** means the approval or consent of the Council as Licensing Authority in writing.

"Approved", "Accepted" or "Permitted" means **Approved, Accepted** or **Permitted** by the Council in writing.

"Approved arrangements" means the arrangement of the premises, fittings, installations and all other things in connection therewith as approved by the Council.

"Council" means the appropriate licensing authority.

"Escape lighting" (safety lighting) means lighting, obtained from a source independent of the general supply for the building, provided to assist the public and staff to leave the premises without the aid of normal lighting.

"Establishment for Special Treatment" has the meaning set out in Section 4 of the London Local Authorities Act 1991.

"Licence" means a special treatment licence granted under Section 6 of the London Local Authorities Act 1991.

"Licensee" means the person or corporate body licensed under Section 6 of the London Local Authorities Act 1991.

"Non-combustible material" means material which is deemed to be non-combustible when tested in accordance with the provisions of the current edition of British Standard 476: Part 4 or such other material or combination of materials as this council accepts as being non-combustible for the purpose of these rules.

"Officer" means any person authorised in writing by the Council. (This may include officers of the London Fire and Civil Defence Authority).

"Public" means any person other than a member of staff or person with an interest in the business admitted to the licensed premises.

"Premises" means any premises or part-premises within the Council's area that are licensed for special treatment, and includes all installations, fittings and things in connection therein, all parts of any building that are connected with the conduct of the special treatment business, and access and egress from the premises.

2. Dispensation or Modification of the Rules

- (a) These rules may be dispensed with or modified by the Council in any special case.
- (b) Where in these rules there is any reference to the consent of the Council being required, such consent may be given on such terms and conditions and subject to such restrictions as may be so specified.

- (c) 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 so requires the application must be advertised.

PART II – RULES WHICH APPLY TO ALL PREMISES

1. Type of Business

The establishment shall be run only for the treatment(s) and in the trade name specified in the licence and at the address mentioned therein.

2. Exhibition of Licence

The licence, or a clear copy, shall be prominently displayed at all times to all persons using the premises.

3. Responsibility of Licensee

- (a) The licensee shall take all reasonable precautions for the safety of the public and employees, and ensure compliance at all times with the relevant provisions of the Health and Safety at Work etc. Act 1974.

- (b) The licensee shall at once notify the Council in writing of any change in the name or private address of the licensee, or in the treatments provided or in the nature of the business run at the establishment, or in the trade name specified in the licence at the address mentioned therein.

4. Persons in Charge of Premises

- (a) The licensee, or some responsible person nominated by him in writing for the purpose, shall be in charge of, and upon the licensed premises during the whole time that they are open to the public. Such written nomination shall be continuously available for inspection by any officer authorised in writing by the Council.

- (b) A notice showing the name of the person in charge of the premises at the time they are open under the Licence shall be conspicuously exhibited in a position where it can easily be seen by customers entering the premises.

5. Conduct of Premises

- (a) The licensee shall maintain good order in the premises.

- (b) The licensee shall ensure that no parts of the premises are used by prostitutes, for soliciting or any other immoral purposes.

- (c) The licensee, or any other person concerned in the conduct or management of the premises, shall not seek to obtain custom by means of personal solicitation or touting from the premises, immediately outside the premises, or in the vicinity of the premises.

- (d) The licensee shall not commit or permit any act of an indecent or disorderly character in the establishment, and shall take all necessary steps to exclude from the establishment a customer or any other person who has committed such an act. The licensee shall ensure all persons in his employ at the establishment to be decently and properly attired, and he shall not permit the door of any room, or place in the establishment, being used for massage or special treatment to be locked during the period that the client is therein.

- (e) The licensee shall ensure that, with the exception of those persons receiving treatment in accordance with the conditions of the licence, all clients present in any part of the establishment shall be decently and properly attired and separate changing accommodation for males and females shall be provided.

- (f) Except with the written consent of the Council, the licensee shall not employ at the licensed premises, or permit to be directly or indirectly interested in the business carried on, any person:

- (i) whose licence has been revoked or to whom a licence has been refused on the ground that such person is unsuitable to hold a licence for massage or special treatments; or
- (ii) who has been convicted for sexual offences or for contravention of massage and special treatment legislation; or
- (iii) who has been notified in writing that the Council considers unsuitable to be employed in such premises.

6. Persons who can give treatment

- (a) Except as provided by 6(c) below, treatment shall only be given by qualified persons who have been approved by the Council.

- (b) Any certificates of qualification (or true reproductions) of such approved persons shall be displayed in the reception area so that all persons who wish to receive treatment may easily examine them.
- (c) Treatment may also be given by other persons provided:
 - (i) the person giving treatment is under the personal supervision of a person approved by the Council; and
 - (ii) the consent in writing has first been obtained and is current at the time of treatment.

7. Tanning and other treatments

The licensee shall comply with the requirements of all relevant statutory instruments and relevant codes of practice published by, or under the auspices of the Health and Safety Executive, or with the requirements of any Code of Practice issued by the Council during the time that it is in force.

8. Records

Records of persons receiving treatment shall be kept at the premises in a form approved by the Council. The record shall include the treatment given, name of the person receiving treatment, the time of admittance for treatment, the real name of the person giving treatment, and the date of screening interview. In the case of staff approved under Condition 6(c) the entry shall include both the name of the person giving treatment and of the person supervising.

9. Display of Tariff

There shall be prominently and legibly displayed a comprehensive tariff of charges which shall, where necessary, be illuminated and be placed in such a position that it can easily and conveniently read by persons before entering the premises. Where this is impossible, the tariff may, with the consent of the Council, be displayed in the reception area.

10. Change of Use

No change of use of any portion of the premises from that approved by the Council shall be made until the Council's consent has been obtained thereto.

11. Maintenance

The approved arrangements shall be at all times in full working order.

12. Alterations

No alterations (including temporary alterations) shall be made to the premises without the prior consent of the Council. This condition shall not require notice to be given in respect of routine maintenance works.

Where works necessitate the premises being closed for a period of time, the premises shall not re-open for the purpose of the licence until the licensee has been notified in writing by the Council.

13. Maintenance of Means of Escape

- (a) All ways out of the premises shall be unobstructed, maintained free of trip hazards and available for immediate use at all times.
- (b) All lighting (including escape lighting, where provided) shall be maintained in full working order.
- (c) The escape lighting installation (where provided) shall be tested every six months by a qualified engineer and a certificate for each test retained at the premises.
- (d) All exit doors shall be available for immediate use, without use of a key or similar, the whole time the public are in the premises.
- (e) All fire doors shall be maintained effectively self-closing, and not be wedged open.

14. Curtains

Where approval is given for curtains to be used, the curtains shall be periodically re-sprayed to maintain their fire-resistance. Curtains shall be arranged so as not to obstruct EXIT notices and/or fire extinguishers or other fire fighting equipment.

Curtains where permitted across doors shall be in two halves, on a free running rail to enable them to be parted easily. Such curtains shall have a clearance of at least 75mm between the bottom of the curtain and the floor.

- 15. Fire Appliances**
All fire extinguishers and fire fighting equipment shall be checked yearly by a competent person and the test date recorded on the equipment.
Any extinguisher discharged shall be replaced or recharged immediately.
Any fire alarm system shall be checked to ensure it is fully operational. In addition the system shall be serviced yearly by a qualified engineer and all results recorded in a log book to be retained on the premises.
- 16. Outbreaks of Fire**
The Fire Brigade shall be called to any outbreak of fire, however slight. Suitable notices shall be displayed indicating how the Brigade can be summoned
- 17. Sanitation**
The licensee shall ensure that:
- (a) Sanitary accommodation is available in the premises for the free use of both staff and public.
 - (b) In the sanitary accommodation there are suitable basins provided with an adequate supply of hot and cold water, or hot water at a suitably controlled temperature, and an adequate supply of soap and suitable hand drying facilities.
 - (c) The premises are so constructed with the adequate provision of efficient drains, suitable wall, floor and ceiling finishes etc. so that satisfactory sanitation can be maintained.
- 18. Treatment Room**
- (a) Each treatment room shall be provided with a suitable wash-hand basin with a supply of hot and cold water, soap, a nail brush, and either a supply of disposable towels or a clean towel at all times.
 - (b) Where more than one person is being treated in a room, it shall be provided with suitable screening to maintain privacy.
- 19. Cleanliness**
Proper means to the satisfaction of the Council shall be provided for securing the cleanliness of all instruments, towels, materials and equipment used in the establishment and for their safe disposal.
- 20. Waste**
A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises.
Where disposable needles, scalpels, blades, other sharps or clinical materials are used (or these non-disposable items are disposed) they must be kept in purpose designed sharps containers and disposed of as clinical waste. Non-sharp clinical waste e.g. swabs must be disposed of as clinical waste. You should contact a commercial clinical waste company to arrange a contract, to ensure safe dispose of this material and it **must not be put in the domestic refuse.**
- 21. Electrical Installation**
The electrical installation for the premises, and any equipment used therein, shall be maintained in a safe working condition. Any upgrade, alteration, additions or changes shall comply with the current edition of the *Regulations for Electrical Installations* issued by the *Institute of Electrical Engineers* and as prescribed by the Electricity at Work Regulations 1989.
- 22. Electrical Certificate**
An Inspection and Test Certificate as prescribed in the current edition of the *Regulations for Electrical Installations* issued by the *Institute of Electrical Engineers* to these regulations shall be submitted to the Council on first application, and at least annually or at such other such time as is specified on the certificate. The certificate shall be signed by a qualified engineer, and shall be in respect of the electrical installation and apparatus used on the premises. Any defects identified should be remedied as in regulation 24 and a clearance certificate obtained.
NOTE: The Council requires that any such certificate shall be signed by a corporate member of the Institute of Electrical Engineers, a member of the Electrical Contractors Association, a contractor currently enrolled with the

National Inspection Council for Electrical Contracting or, with the prior approval of the council, other persons deemed competent.

23. Gas Installation

An Inspection and Test Certificate as prescribed and issued by the Council for Registered Gas Installers (Gas Safe) shall be submitted to the Council on first application and at least annually or at such time as is specified on the certificate. The certificate shall be signed by a qualified engineer who is registered with Gas Safe as a class of person approved by the HSE, and be in respect of the gas installation and apparatus used on the premises. Any defects identified should be remedied and a clearance certificate obtained.

24. Water System Installation

For premises offering facilities such as spa baths, jacuzzis and showers, where there is the possibility of water aerosol generation, you will be required to supply a report from an independent and accredited water management firm that confirms that the water system is managed and maintained, so as to prevent the existence of potentially harmful bacteria such as Legionella Pneumophila.

25. Portable Heating and Gas Fired Appliances

Portable heating and gas fire appliances shall not be used at the premises except with the prior consent of the Council.

26. Photograph of Qualified Persons

- (a) Two identical full face passport photographs of all qualified persons giving treatment(s) taken within the past 12 months preceding application must accompany the application submitted to Council.
- (b) A recent full-face photograph of such persons shall be displayed in the reception area so that all persons who wish to receive treatment may easily examine them.

27. Identification of Staff

All staff engaged in receiving patrons, or in giving treatment, or in managing the premises, shall wear a name badge in a manner approved by the Council. The name shown shall correspond with the name shown on any certificate displayed under condition 6(b).

All persons carrying out treatments must be suitably qualified

Below is list of awarding bodies that Council will accept from the UK.

CIBTAC

ITEC

VTCT

BTEC

IHBC

City and Guilds

CIDESCO

BABTAC

STUDEX

CAFLON

The table below shows some examples of special treatments and the Level of qualification accepted by the council to allow these treatments to be administered.

Treatment	Level Of Qualification
Manicure, Pedicure, Nail Treatment, Facial, Waxing,	NVQ Level Two
Massage , Atomotherapy	NVQ Level Three
Sun Bed, Tanning Electrical Epilation	NVQ Level Three
Ear Piercing	NVQ Level Two
Tattoo/Micro-pigmentation	No Approved Awarding Body – Approval based on Syllabus/Apprenticeship assessment and Infection Control Audit Inspection carried out by the Infection Control Nurse

The council do not accept certificates issued from overseas training establishments.

Holders of overseas certificates need to submit further information sufficient to satisfy the council of their qualifications such as being assessed by an independent body such as UKNARIC who act as an information provider who compare international qualifications from over 180 countries worldwide. They can be contacted at ECCTIS Ltd, Oriol House, and Oriol Road, Glos GL50 1XP. www.naric.org.uk Tel: 0871 330 7033

All costs arising out of this assessment will be borne by the applicant or persons concerned.