

# Licensing Committee Agenda



To: Councillor Chris Clark (Chair);  
Councillor Pat Clouder (Vice-Chair) and Councillor Michael Neal  
(Vice-Chair);

Councillors Patricia Hay-Justice, Maddie Henson, Karen Jewitt, Andrew  
Pelling, Niroshan Sirisena, Margaret Bird, Steve O'Connell, Badsha Quadir  
and Robert Ward

Reserve Members: Reserve Members: Robert Canning, Sherwan  
Chowdhury, Nina Degrad, Jerry Fitzpatrick, Felicity Flynn, Pat Ryan, David  
Wood, Sue Bennett, Simon Brew, Oni Oviri, Helen Redfern and Scott Roche

A meeting of the **Licensing Committee** which you are hereby summoned to attend,  
will be held on **Wednesday, 20 March 2019** at **6.30 pm** in **Council Chamber -  
Town Hall**

JACQUELINE HARRIS BAKER  
Council Solicitor and Monitoring Officer  
London Borough of Croydon  
Bernard Weatherill House  
8 Mint Walk, Croydon CR0 1EA

Kieran Pantry-Melsom  
020 8726 6000 x63922  
kieran.pantry-melsom@croydon.gov.uk  
[www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)  
Tuesday, 12 March 2019

Members of the public are welcome to attend this meeting.  
If you require any assistance, please contact the person detailed above, on the  
righthand side.

N.B This meeting will be paperless. The agenda can be accessed online at [www.croydon.gov.uk/meetings](http://www.croydon.gov.uk/meetings)

## **AGENDA – PART A**

### **1. Apologies for Absence**

To receive any apologies for absence from any members of the Committee.

### **2. Minutes of the Previous Meeting (Pages 5 - 10)**

To approve the minutes of the meeting held on 24 January 2019 as an accurate record.

### **3. Urgent Business (if any)**

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

### **4. Disclosure of Interests**

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

### **5. Application for Street Designation Order - London Local Authorities Act 1990 (Pages 11 - 34)**

### **6. Rescinding Designation of Licensed streets/parts of streets - London Local Authorities Act 1990 (Pages 35 - 46)**

### **7. Revision to Standard Licensing Conditions for Premises offering Special Treatments - London Local Authorities Act 1991 (Pages 47 - 102)**

**8. Special Treatments Licensing Fee Setting - London Local Authorities Act 1991 (Pages 103 - 124)**

**9. Exclusion of the Press and Public**

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

**PART B**

## Licensing Committee

Meeting held on Thursday 24 January 2019 at 6.33pm in the Council Chambers, Croydon Town Hall, Katharine Street, Croydon, CR0 1NX

### MINUTES

**Present:** Councillor Chris Clark (Chair);  
Councillor Pat Clouder (Vice-Chair) and Councillor Michael Neal (Vice-Chair);  
Councillors Patricia Hay-Justice, Andrew Pelling, Niroshan Sirisena and Margaret Bird, Jerry Fitzpatrick and Helen Redfern

**Also Present:** Michael Goddard (Licensing Manager)  
Fiona Woodcock (Market and Street Trading Compliance Officer)  
James Derby (Solicitor and Legal Advisor to the Committee)  
Michelle Ossei-Gerning (Democratic Services)

**Apologies:** Councillors Maddie Henson, Karen Jewitt, Steve O'Connell, Badsha Quadir and Robert Ward

### PART A

#### 1/19 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 December 2018 were approved as a true and accurate record of the decisions taken.

#### 2/19 **Minutes of the Last Sub-Committee Meeting**

The minutes of the meeting held on 20 December 2018 were approved as a true and accurate record of the decisions taken.

#### 3/19 **Urgent Business (if any)**

There were no items of urgent business.

#### 4/19 **Disclosure of Interests**

There were no disclosures of interests.

**Application for Street Designation Orders - London Local Authorities Act 1990**

The Committee considered the application to designate a section of public highway outside **17 Central Parade, New Addington, CR0 0JB (Appendix B)**.

The Licensing Manager introduced the item, explaining the process of designation for street trading, applying for street trading licences and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press; no representations had been received.

The section of highway in question was Croydon Council maintained.

The Applicant was present and informed the Committee that the tables and chairs would be brought out every morning and packed away inside the shop every night.

In response to questions from the Committee it was confirmed by the Licensing Manager that the site was not within the saturation area for street trading.

The Committee **RESOLVED**:

1. To designate 17 Central Parade, New Addington for the purposes of street trading.
2. To grant a street trading licence to the Applicant.

The Committee considered the application to designate a section of public highway outside **210A Selhurst Road, South Norwood, SE25 6XU (Appendix C)**.

The Licensing Manager introduced the item, explaining the process of designation for street trading, applying for street trading licences and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press; no representations had been received.

The section of highway in question was Croydon Council maintained.

The Applicant was present and provided further comment on the application.

In response to questions from the Committee it was clarified by the applicant that external food providers would only provide or sell the food within the licensed area as food was prepared off site; also safety glass was used for drinking on match days.

In response to questions from the Committee, it was confirmed by the Licensing Manager that the applicant would need to communicate with the caterers and the food team, as they would need to know where the food was being cooked and how it was being transported.

The Committee **RESOLVED**:

1. To designate 210A Selhurst Road, South Norwood for the purposes of street trading.
2. To grant a street trading licence to the Applicant.

The Committee considered the application to a street trading licence for **208-210 Brighton Road, Coulsdon, CR5 2NF (Appendix D)**.

The Licensing Manager introduced the item, explaining the process of designation for street trading, applying for street trading licences and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press; no representations had been received.

The section of highway in question was Croydon Council maintained.

The applicant had sent their apologies and was not able to be present to provide any comment on the application.

In response to questions from the Committee it was clarified by the Licensing Manager that there would be a request for the applicant to position the A board away from being directly outside the shop to provide a two metre flow for pedestrians.

The Committee **RESOLVED**:

1. To designate 208-210 Brighton Road, Coulsdon for the purposes of street trading.
2. To grant a street trading licence to the Applicant.

The Committee considered the application to a street trading licence for **Dingwall Road (near the j/w Caithness Walk), Croydon (Appendix E)**.

The Licensing Manager introduced the item, explaining the process of designation for street trading, applying for street trading licences and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press.

One representation had been received and details were in the bundle but the objector had sent their apologies and was unable to attend the meeting. In

addition, the Committee was informed that the objector had sent in some further correspondence in support of their objections and this had been provided to the Committee Members before the hearing started.

The section of highway in question was Croydon Council maintained.

The Applicant was present and informed that since they had the trailer they have made improvements to the health and safety of the generator and issues around the residences and commuters. In response to questions from the Committee on health and safety, the applicant stated that the generator, which was now in a box, was fuelled and packed safely away every night.

The Committee **RESOLVED**:

1. To designate the specific area of Dingwall Road requested in the application (near the j/w Caithness Walk), Croydon for the purposes of street trading.
2. To grant a street trading licence to the Applicant.

The Committee considered the application to a street trading licence for **17 High Street, Thornton Heath, CR7 8RU (Appendix F)**.

The Licensing Manager introduced the item, explaining the process of designation for street trading, applying for street trading licences and the details of the application before the Committee. The Committee was informed that the application had been sent to responsible authorities and advertised in the local press; no representations had been received.

The section of highway in question was Croydon Council maintained.

The Applicant was present and provided further comment on the application.

In response to the questions from the Committee the applicant highlighted that there had been no past disputes with the residences either side, and they were satisfied with the application.

The Licensing Manager advised the Committee that the application site fell within the saturation area in the Council's street trading policy. However, it was also pointed out that the site had been previously designated for street trading in 2013, albeit for a smaller area.

Councillor Clouder proposed a motion to refuse the application. Councillor Pelling seconded the motion.

The motion to refuse was put forward to the vote and was carried with five Members voting in favour and four Members voting against.

The Committee **RESOLVED**:



1. To refuse to designate 17 High Street, Thornton Heath for the purposes of street trading.
2. To refuse a street trading licence to the Applicant for the increased area.

6/19      **Sex Establishment Licensing Fee Setting - Schedule 3 Local Government (Miscellaneous Provisions) Act 1982**

The Committee received the attached report from the Executive Director - Place and the item was introduced by the Licensing Manager. The Committee was informed that there was no application to consider, the matter for consideration was the fee structure as stated in Appendix 1 to the report.

Sex establishment licensing fees should cover the reasonable costs to the authority of providing the service. The fees should not cover the costs of external matters such as enforcement against unlicensed traders. The fee structure proposed was based on an hourly 'on costed' rate for officers involved in the process. It was a reflection of the amount of time certain tasks would take and that had been required for previous applications. The fees had on this occasion been slightly reduced. Costs for sex establishment licenses were the same regardless of what type of establishment was being applied for; all follow the same process.

The Chair invited Members' questions on the report and presentation.

The legal advisor for the Committee advised that the statutory requirement was for the local authority to set a "reasonable" fee; benchmarking against other authorities was not a legal requirement.

Councillor Clouder proposed, and Councillor Neal seconded, that the Committee adopt the fees set out in Appendix 1 of the attached report for the grant, renewal or transfer of a sex establishment licence; and also to delegate authority to the Director of Public Realm to undertake reviews and fee settings under the provisions of Schedule 3 of the Local Government (miscellaneous Provisions) Act 1982.

The motion was put to the vote and was carried with eight Members voting in favour of the motion. One Member abstained their vote.

The Committee **RESOLVED** to agree the recommendations of the report and the setting of licence fees under the provisions of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982.

7/19      **Exclusion of the Press and Public**

This was not required.

The meeting ended at 8.49pm

**Signed:**

**Date:**

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# Agenda Item 5

<b>REPORT TO:</b>	<b>LICENSING COMMITTEE</b> <b>20 March 2019</b>
<b>AGENDA ITEM:</b>	
<b>SUBJECT:</b>	<b>London Local Authorities Act 1990</b> <b>Application for Street Designation Order</b>
<b>LEAD OFFICER:</b>	<b>Executive Director, Place Department</b>
<b>CABINET MEMBER:</b>	<b>Councillor Hamida Ali, Cabinet Member for Safer Croydon &amp; Communities</b>
<b>WARDS:</b>	<b>Thornton Heath</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> This report is specific to this application and has no implications on the Council's Corporate Policies	
<b>FINANCIAL SUMMARY:</b> There are no direct financial implications arising from this report.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b> N/A	

**For general release**

## **1. RECOMMENDATIONS**

- 1.1 The Committee is asked to determine whether to designate the site detailed at Appendix A for the purposes of street trading and if designated to then determine whether to grant a street trading licence to the site.

## **2. EXECUTIVE SUMMARY**

- 2.1 The purpose of this report is to seek the Committee's decision on the proposal to designate a site in the Borough as 'licence street' for street trading and the granting of a street trading licence under the provisions of the London Local Authorities Act 1990 (as amended).

## **3. DETAIL**

- 3.1 The London Local Authorities Act 1990 (as amended) (The Act) provides a legislative framework to control street trading in the Borough. Trading in respect of services as well as goods comes within the scope of the Act.
- 3.2 Licensed street trading may only take place in streets or parts of streets which have been formally designated as "licence streets".
- 3.3 Appendix A to this report provides details of the designation application. The applicant has been invited to attend the meeting.
- 3.4 If the site outlined in Appendix A is formally designated as 'licence street' by the committee then the committee will decide whether to grant a street trading licence.
- 3.5 The measurements of the proposed display area as outlined in Appendix A will allow for the required 2 metre clear distance between the edge of the display and the kerb or the nearest item of street furniture which is the requirement for roads maintained by Croydon Council or the required 2.8 metre clear distance for roads maintained by Transport for London (TfL), whichever is applicable.

## **4. CONSULTATION**

- 4.1 The application was duly advertised in the Croydon Guardian and brought to the attention of the police, planning, highways/TfL (as applicable), parking services and the food & safety team.

## **5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

### **5.1 The effect of the decision**

There are no direct financial implications as a result of this report.

### **5.2 Risks**

If an applicant is refused a licence on any of the grounds mentioned in paragraph 7.2 (a) - (g) he/she will have the right of appeal to the Magistrates' Court against the decision. The decision of the Committee may also be subject to Judicial Review.

An appeal against a decision of the Committee or a Judicial Review of the application process may present financial risks to the Council with regard to any award of costs against it.

### **5.3 Options**

The options available are: to grant the application, to vary the application, with or without further conditions, or to refuse the application.

### **5.4 Future savings/efficiencies**

There are no savings or efficiencies arising directly from the recommendations in the report.

**5.5** Approved by: Flora Osiyemi, Head of Finance, Place Department.

## **6. COMMENTS OF THE SOLICITOR AND MONTORING OFFICER**

### **LICENCE STREET**

- 6.1 If the borough council considers that street trading should be licensed in an area, they may pass a resolution designating any street within the borough as a “licence street” in accordance with Section 24 of the Act.
- 6.2 The first decision which has to be made is whether to designate the particular location as a “licence street”, which in turn would permit the consideration of a licence application.
- 6.3 Under Section 24 of the Act, the designation of a location as a “licence street” is at the discretion of the Committee and this decision is not subject to any direct appeal.
- 6.4 Each application must be considered on its own merits.

### **6.5 STREET TRADING LICENCE**

If a site has been designated as a ‘licence street’, the committee must then decide whether to grant a licence to trade at that site – a ‘street trading licence’.

## **7. GROUNDS FOR REFUSAL**

7.1 Under Section 25(4) of the Act, a street trading licence:

- (a) shall not be granted:
  - (i) to a person under the age of 17 years; or
  - (ii) except where the application is made by a company incorporated under the Companies Acts, or by a partnership, for a licence to carry on ice- cream trading to a person, on a corresponding day, days or time, who holds a street trading licence in any other licence street granted under this Part of the Act but nothing in this paragraph shall prevent the renewal of such a licence; or
  - (iii) except where the application is made by a company incorporated

under the Companies Acts, or by a partnership, for a licence to carry on ice-cream trading to a body corporate or to an unincorporated association;

- (iv) in respect of an application for a licence which is not a temporary licence to trade in a street which is not a licence street; or
- (v) where the street to which the application relates is a street in respect of which the borough council have by resolution passed under Sub-Section 1) (b) of Section 24 of this Act, specified a class of articles or things, or services which they will not prescribe in any street trading licence and the grant of the licence would be contrary to any of the terms of that resolution;
- (b) shall not be granted unless the borough council are satisfied that there is enough space in the street for the applicant to engage in the trading in which he desires to trade without causing undue interference or inconvenience to persons or vehicular traffic using the street.

7.2 Under Section 25(6) of the Act, the Council may refuse an application on any of the following grounds:

- (a) that there are enough traders trading in the street or in any street adjoining the street in respect of which the application is made in the goods in which the applicant desires to trade;
- (b) that the applicant is on account of misconduct or for any other sufficient reason unsuitable to hold the licence;
- (c) that the applicant is an individual who has without reasonable excuse failed personally to avail himself of a previous street trading licence;
- (d) that the applicant has at any time been granted a street trading licence by the borough council which was revoked or could have been revoked on the grounds that he had refused or neglected to pay fees or other charges due to them in respect of the licence;
- (e) that the applicant has failed to provide or to identify suitable or adequate premises for the storage of any receptacles or perishable goods in which he proposed to trade when street trading is not taking place;
- (f) that the application is for the grant (but not the renewal) of a street trading licence; and
  - (i) the only available position is in that part of the street which is contiguous with the frontage of a shop; and
  - (ii) the articles, things or services mentioned in the application are sold or provided at the shop;

- (g) that
  - (i) the application is for the grant (but not the renewal) of a street trading licence; and
  - (ii) the only available position in the street is within the curtilage of a shop; and
  - (iii) the applicant is not the owner or occupier of the premises comprising the shop.

7.3 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that there are no additional legal implications arising from the recommendations in the report other than those already set out within the body of the report.

(Approved by Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy Monitoring Officer).

## **8. HUMAN RESOURCES IMPACT**

8.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.

8.2 (Approved by: Jennifer Sankar, Head of Human Resources, Place Department)

## **9. CUSTOMER IMPACT**

9.1 There are no specific customer services issues relating to these applications.

## **10 EQUALITIES IMPACT ASSESSMENT (EIA)**

10.1 The arrangements for the Licensing Hearings seek to ensure that all applicants and other interested parties receive a fair hearing and that the process is accessible to all groups within the community.

## **11. ENVIRONMENTAL AND DESIGN IMPACT**

11.1 There are no perceived environmental and design impacts relating to these applications.

## **12. CRIME AND DISORDER REDUCTION IMPACT**

12.1 The Police Licensing Officer has been consulted on these applications.

## **13. HUMAN RIGHTS IMPACT**

13.1 The Human Rights 1998 (HRA) requires public bodies to ensure everything they do is compatible with Convention Rights and makes it unlawful for a

public authority to act incompatibly with those Rights. **Article 6 (A6)** of the European Convention on Human Rights (ECHR) is the right to a fair trial. The key elements of this include

- The right to a *fair* hearing;
- The right to a *public* hearing;
- The right to a hearing before an *independent and impartial tribunal*;
- The right to a hearing *within a reasonable time*.

13.2 When hearing an application, the proceedings of a non-judicial body such as the Licensing Committee, as opposed to an actual Court, need not meet the full requirements of A6 where there is a right of appeal from the Licensing Committee to a Court that does meet the full A6 standards and can consider all aspects of the case (even if that does not include a full re-hearing of the facts).

13.3 So, while it is good practice to make a hearing before the Licensing Committee as A6 compliant as possible, it will not be a breach of the HRA if it is not. Further, the hearing of all applications are subject to the principles of Natural Justice and the requirement for decisions to be 'Wednesbury reasonable'.

#### **14. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

14.1 Protocols agreed in relation to Licensing Hearings are within the Council's Constitution and will be accessible as part of the Council's Publication Scheme maintained under the Freedom of Information Act.

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**CONTACT OFFICER:** Michael Goddard, Licensing Manager, Place  
Department, ext. 61838.

**BACKGROUND DOCUMENTS:** Application Forms



## **APPENDIX A**

**Applicant:** Shakeel Mohammed

**Location:** On the highway outside 32-34 High Street, Thornton Heath, CR7 8LE.

**Measurements:** The application seeks a trading area of total length 7.1m (LHS 2.1m & RHS 5m), width 1.4m and height 2m. This area of highway is maintained by LB Croydon and these measurements would give a clear pavement width of 2.6m from the edge of the proposed display to the nearest item of street furniture (the telephone box in the photograph). The Council's policy requires a minimum clear passageway width of 2m.

Appendix A1 shows photographs of the display and available pavement space. Appendix A2 is a diagram of the site with relevant measurements marked on it.

### **Proposed Times of Trading:**

Monday to Sunday 8am to 8pm

**To Display:** Fruit & Vegetables

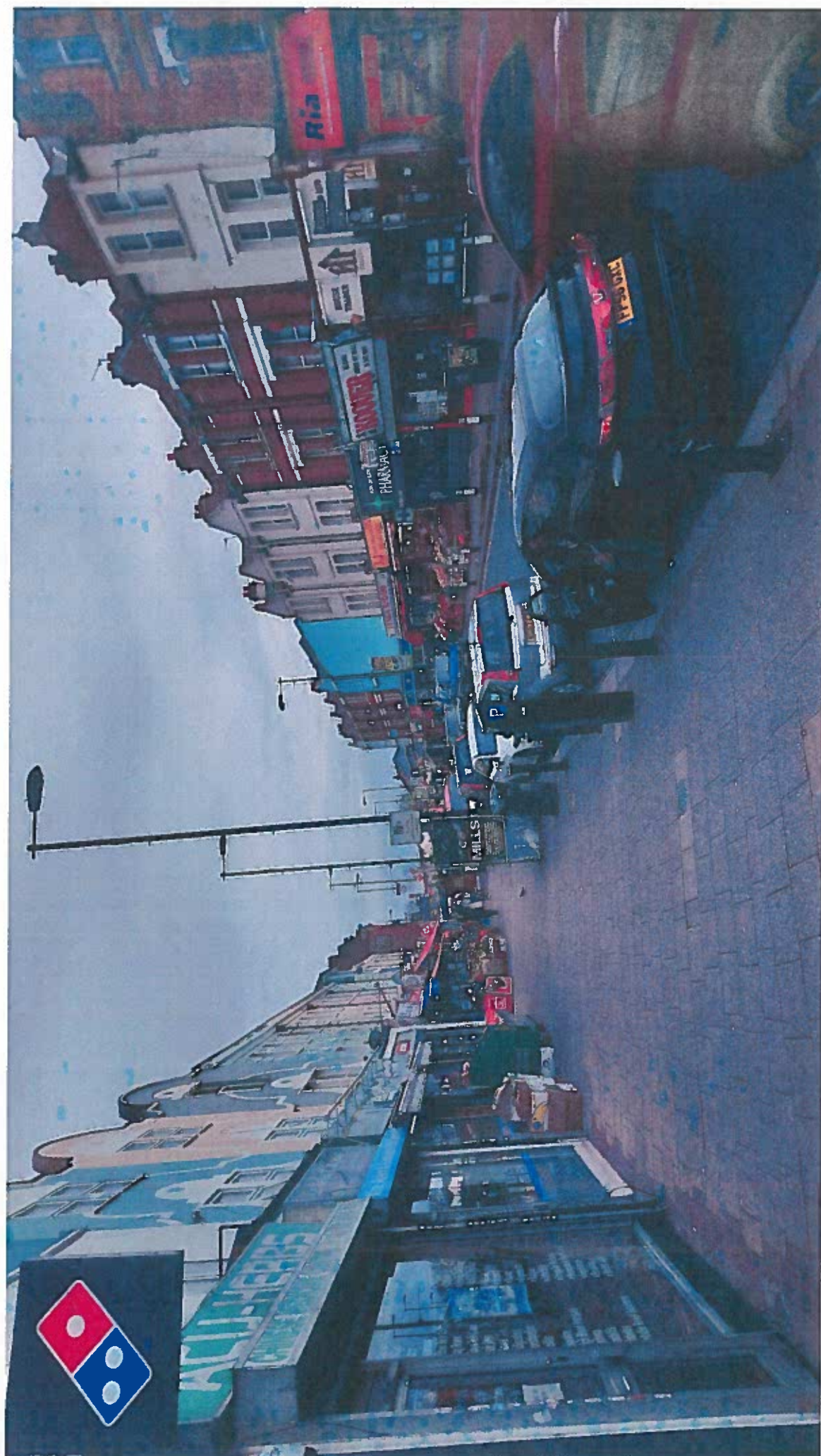
#### **1. Detailed Considerations**

- 1.1 A copy of the application is attached at Appendix A3.
- 1.2 The application was advertised in the Croydon Guardian. No comments/objections have been received.
- 1.3 The Police Licensing Officer, Food Safety Team, Planning, Highways and Parking Services were invited to comment on this application. No objections have been received to this application.
- 1.4 The measurements outlined above have been checked and agreed by an Enforcement Officer during a site visit.
- 1.5 A temporary licence was made available to the applicant which is valid until 27.03.2019 pending the committee's decision. A copy is attached as Appendix A4.
- 1.6 Would committee members please note that the application premises fall within the Council's street trading policy saturation area. The applicant has been made aware of this in writing. A copy of that letter is attached at Appendix A5.

- 1.7 There are 8 other premises nearby already licensed for street trading, though three do not currently display. The relevant premises are marked on the map at Appendix A6.
- 1.8 If the application for a street designation order is granted the applicant will be invited to apply for a Street Trading Licence which will then be valid for a year







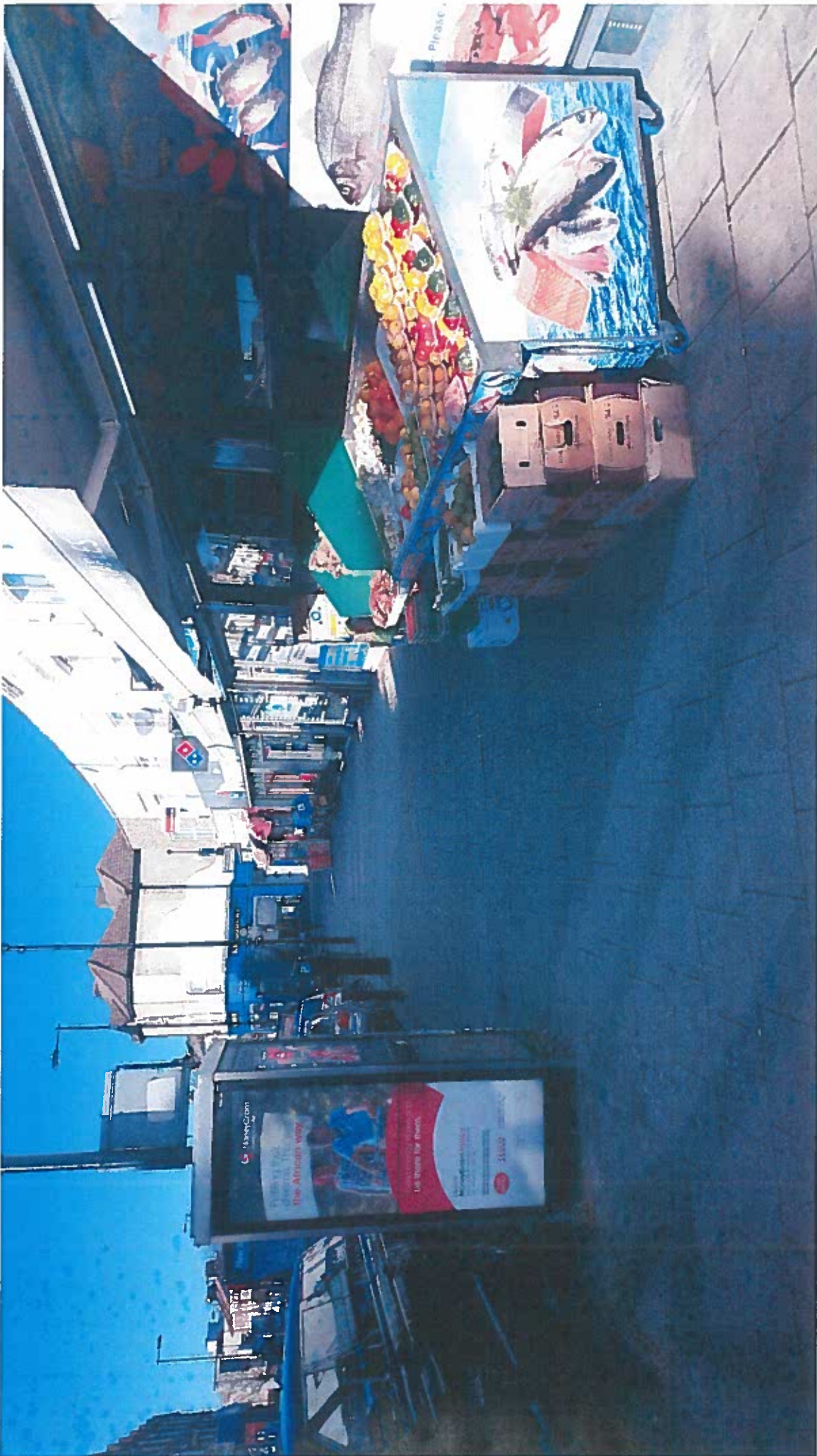








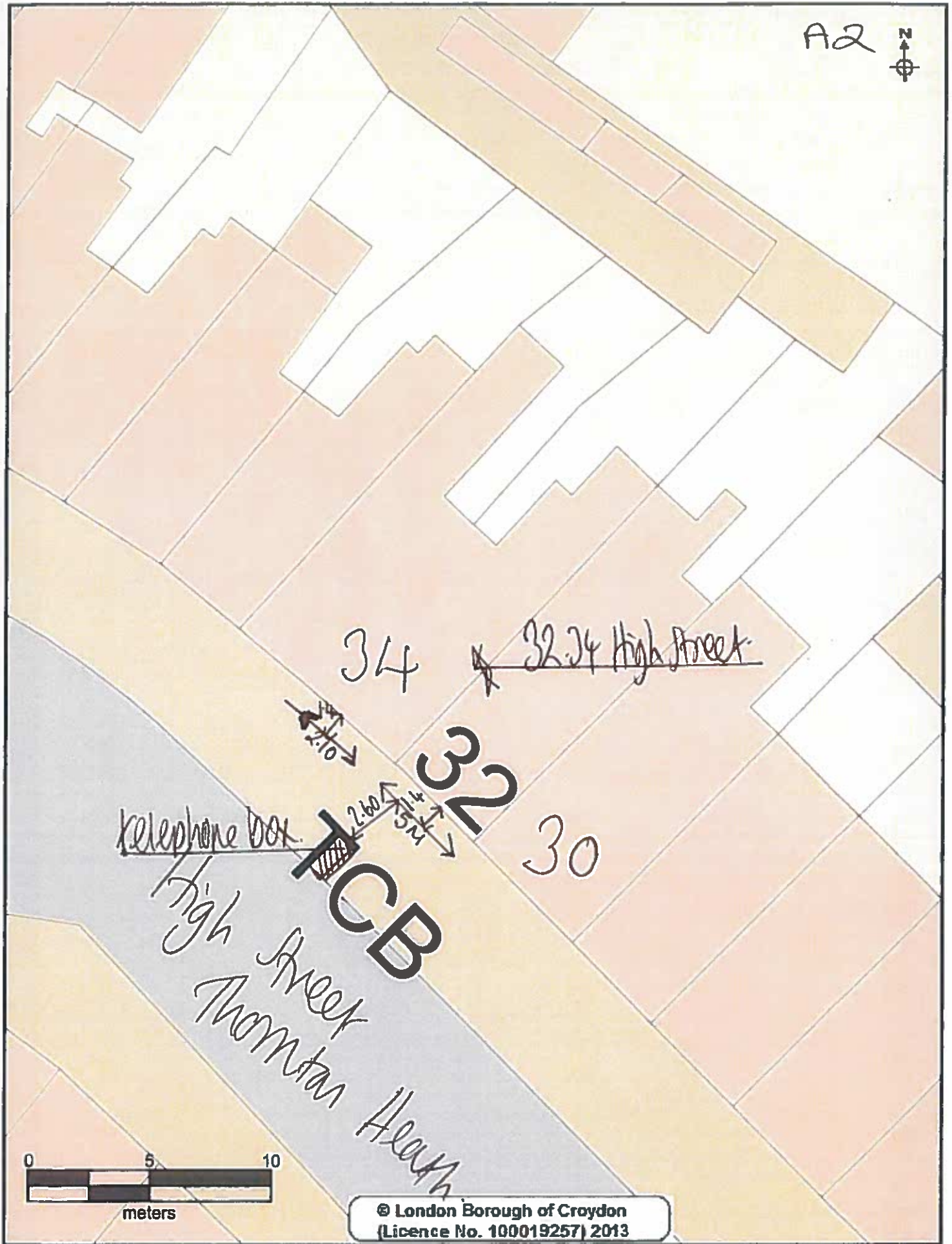












# APPLICATION FOR A STREET DESIGNATION ORDER

Return completed form to Place Department, Licensing Team, 6<sup>th</sup> Floor, Zone A, Bernard Weatherill House, 8 Mint Walk, Croydon, CR0 1EA Telephone: 020 8760 5466 .Fax no :0208 633 9410

PLEASE READ THE GUIDANCE NOTES ATTACHED BEFORE COMPLETING THIS FORM

1. APPLICANT (see note A)

- a) First Name ..... MOHAMMED
- b) Last/Family Name ..... SHAKEEL
- c) Full Home Address of Applicant .....  
.....
- d) Home Tel No ..... e) Mobile No .....
- f) E mail address: .....
- g) Date of Birth ..... 11/02/2003

**2. SITE TO BE DESIGNATED (see Note B) For Mobile Vehicles/Trailers go to section 4**

- a) Trading Name of Premises: Heath Supermarket
- b) Trading Address: 32-34 HIGH STREET, THORNTON HEATH  
Surrey CR7 8LE
- c) Business Tel No: 02086659282

## 3. DISPLAY AREA (see note C)

- a) Dimensions of display area (state whether measured in feet or metres )

Length 2.10 m Width 1.40 Height 2 m

total paved space from shop to  
phone box = 420 m. - 2.60 Clear

b) Hours that you would like to display the goods/services on the highway.

Sunday from 8am to 8pm Thursday from 8am to 8pm

Monday from 8am to 8pm Friday from 8am to 8pm

Tuesday from 8am to 8pm Saturday from 8am to 8pm

Wednesday from 8am to 8pm

c) Type of goods or services to be displayed Fruit & Vegetables.

#### 4. MOBILE VEHICLE/TRAILER (See note D )

a) Address of proposed pitch

b) Approx dimensions of vehicle/trailer (state whether measured in feet or metres)

Length Width Height

c) Registration No

d) Proposed hours and days of trading

If you propose to sell hot food and drink after 2300 hours then you will require a premises licence under the Licensing Act 2003 ( see note D)

Office Use only Premises Licence No

I declare that all the information given on this form is accurate to the best of my knowledge

I enclose a fee of £ 365.

Please make cheques payable to Croydon Council. Alternatively payment can be made by debit or credit card on 0208 760 5466. There is an additional surcharge of 1.65% for credit card payments. There is no additional charge for debit card payments.

Signature of applicant(s) or applicant's Solicitor or other duly authorised agent



Date 27/01/2019.

I understand that by signing this application form I confirm that I have been made aware of the 'Council's Street Trading Policy' in relation to the saturation areas in London Road and High Street Thornton Heath (see Note E on the attached guidance notes)

If you require any assistance with the completion of this form please contact the Licensing Team on 0208 760 5466

Office Use Only Uniform No:

## GUIDANCE NOTES

A3

You are required to apply for a street designation order if you propose to display goods or services on the public highway, or trade from a mobile vehicle on the public highway. A street designation order is only required if no one else has previously traded from the proposed site/pitch.

You should also contact the Planning Department on 0208 726 6800 or by email [development.management@croydon.gov.uk](mailto:development.management@croydon.gov.uk) as a change of use application may be required.

All applications will be referred to the Council's Licensing Committee for a decision, you will be notified of the date of the next hearing once your application is made.

If you are taking over a site/pitch from someone who has previously traded then you should apply for a street trading licence – contact 020 8760 5466 for the appropriate form

Applications made for displays at fixed sites rather than a mobile vehicle are also required to apply for a temporary licence which will be valid for 6 months and which will allow you to display goods pending the Committee's decision.

Mobile vehicles/trailers may not trade until the Committee have made their decision on the application.

Note : Goods or services include – display of goods for sale, tables and chairs to which food and drink will be served or a mobile vehicle selling hot food etc from a fixed position.

Please note that all fees paid are non refundable.

- A. Applicants must be aged over 17.
- B. Details of the premises where the goods or services are to be displayed.
- C. The roads listed below are maintained by TFL who require a 2.8m clearance from the edge of the kerb or any street furniture before any display may start, therefore the measurements submitted on the application form must allow for this clearance.

**London Road numbers 758 and 737 upwards, Thornton Road, Purley Way, Coulsdon, Addiscombe Road, Godstone Road and Wickham Road.**

All other roads in the Borough are maintained by Croydon Council who require a 2m clearance from the edge of the kerb or any street furniture before any display may start , therefore the measurements submitted on the application form must allow for this clearance.

- D. If you intend to sell hot food and or drink after 2300 hours you will also need to apply for a premises licence please contact the Licensing Team on 0208 760 5466 who will be able to assist you.
- E. Please note that the Council has a 'Saturation Policy' in place for London Road and High Street Thornton Heath which states the Committee will generally be minded to refuse any further requests for designation in these areas, due to 'additional sites would have a detrimental impact on the safe and convenient passage of pedestrians in that part of the street'. If you decide to make an application in this area you are reminded that all fees are non refundable.



Receipt No : .....Date received:.....

## TEMPORARY LICENCE – STREET TRADING

The Council of the London Borough of Croydon being the Local Authority for the purposes of the London Local Authorities Act 1990

**HEREBY LICENCE  
TO USE SITE KNOWN AS**

**MR SHAKEEL MOHAMMED**  
Heath Supermarket  
32-34 High Street  
Thornton Heath  
CR7 8LE

**TO DISPLAY  
SIZE OF DESIGNATED DISPLAY**

Fruit & Vegetable  
Length - 5 metres, Width 1.40, Height 2 metres  
(Right Hand Side)  
2.10 metres, Width 1.40 metres, Height 2 m  
(Left Hand Side)

**PERMITTED DAYS & TIMES**

Monday - Saturday 0800 Hours - 2000 Hours  
Sunday 0800 Hours - 2000 Hours

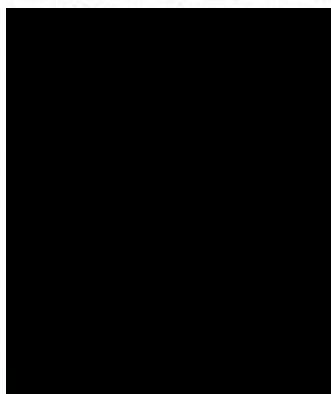
**This licence is issued subject to compliance with the licence conditions attached**

**Please note that the person named on the licence and whose photograph appears on the licence is responsible for the premises at all times.  
This licence may not be transferred to any other person.**

**Date Licence Valid From: 27.01.2019**

**Date Licence Expires: 27.03.2019 or (on date of Committee decision)**

**Licence Number: 19/00394/STT**



**Issued on Behalf of : Licensing Manager  
Place Department**

### **Licence Conditions**

#### **Non Transport for London Maintained Roads**

1. The Licence shall ensure that there is a minimum clear passage of **2.0 metres** between the front edge of their display and the edge of the kerb or any item of street furniture (railings/lamp posts etc) – whichever is the nearer to the display
2. A clear copy of the licence shall be displayed in the front window of the premises at all times and should be visible to passers – by.
3. Please note that the person named on the licence and whose photograph appears on the licence is responsible for the premises at all times.  
This licence may not be transferred to any other person.
4. The right to trade from the designated site will be temporarily suspended when Utility Companies or the Highway Authority require access to the footway to carry out necessary works, until the completion of those works.
5. The limits of the designated area may be marked on the footway/roadway by the Council to enable verification by Council & Highway Officers.
6. If the application for a street designation order and the subsequent application for a full licence are granted then premises displaying tables and chairs must then enclose the display area with a suitable barrier material e.g. rope.
7. The licence holder is responsible for removing all litter from the licensed area and adjacent footway at regular intervals during the day and at the close of business each day.

Tel/Typetalk: 0208 726 6000 x 62457  
Fax: 020 8760 5786  
Minicom: 020 8760 5797  
Please ask for/reply  
to:licensing@croydon.gov.uk

Mr Shakeel Mohammed



Your Ref:

Our Ref:

Date: 11 February 2019

Dear Sir

**Subject: Street Designation Order**

**Address: 32-34 High Street Thornton Heath CR7 8LE**

I acknowledge receipt of your recent application for a street designation order and temporary licence to display goods on the highway at the above premises.

Your attention is drawn to the Council's Street Trading Policy which states;-

***'In relation to the parts of the streets listed below the Council, having consulted with the officers responsible for food safety, planning, parking, street scene and district centre managers, the Highway Authority, Transport for London, Police and licence holders in those streets or trade bodies representing them, are of the view that there are enough existing designated sites. This is on the basis that any addition to the number of existing designated sites would have an overall detrimental impact on the safe and convenient passage of pedestrians in that part of the street. The Committee will therefore generally be minded to refuse any further requests for designation but will consider each request on its merits.'***

***- Entire length of London Rd***

***-Entire length of High St Thornton Heath***

***Where the Licensing Committee considers that, in any other parts of streets in the borough, there are enough existing designated sites it may, subject to a similar process of consultation, decide to include these additional parts of streets with those listed above. Similarly the Licensing Committee may from time to time determine that due to a change in circumstances parts of streets may be removed from that list. '***

Your application will be heard by the Licensing Committee at a meeting to be arranged and as your application falls within the specified area outlined in the policy, the committee will be minded to refuse the application. You should therefore attend the meeting to explain to the committee the particular reasons why you consider that your application should be granted.

**Please note that all fees paid are non refundable should the application be refused**

Yours sincerely



  
Licensing Officer





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\* f+v = fruit + vegetables  
Scale 1:1250m, f+v = MEAT, fruit + veg.

11-Mar-2019  
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APPLICATION ADDRESS = X = 32-34 HIGH STREET



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<b>REPORT TO:</b>	<b>LICENSING COMMITTEE</b> <b>20 MARCH 2019</b>
<b>AGENDA ITEM:</b>	
<b>SUBJECT:</b>	<b>London Local Authorities Act 1990</b> <b>Rescinding designation of licensed streets/parts of streets</b>
<b>LEAD OFFICER:</b>	<b>Executive Director, Place Department</b>
<b>CABINET MEMBER:</b>	<b>Councillor Hamida Ali, Cabinet Member for Safer Croydon &amp; Communities</b>
<b>WARDS:</b>	<b>Waddon, Fairfield, Broad Green, New Addington South, Coulsdon Town</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> This report is specific to this matter and has no implications on the Council's Corporate Policies.	
<b>FINANCIAL SUMMARY:</b> There are no direct financial implications arising from this report.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.: N/A</b>	

**For general release**

<b>1. RECOMMENDATIONS</b>
The Committee is recommended to -
1.1 Give notice of its intention to rescind the designation of the sites listed at Appendix 1 to this report for the purposes of street trading and if so, authorise officers to proceed with the necessary statutory consultation and notices as required by the London Local Authorities Act 1990 (as amended).
1.2 Resolve that, in the absence of any representations being made within the statutory period, the designation of those sites listed in Appendix 1 to this report be rescinded and that the Executive Director of Place be given delegated authority to publish notice of the resolution to come into force no earlier than 28 days after the end of the statutory notice period.
1.3 Note that if representations to the statutory consultation are received they will be brought to this committee for consideration as to whether or not the designation will be rescinded.



## **2. EXECUTIVE SUMMARY**

- 2.1 The purpose of this report is to seek the Committee's views on whether the designation for the purposes of street trading of the sites listed in Appendix 1 to this report, should be rescinded. All the listed sites have been previously designated for street trading and have been occupied by licensed street traders but are all currently unoccupied and have been for some time.

## **3. DETAIL**

- 3.1 The London Local Authorities Act 1990 (as amended) (the Act) provides a legislative framework to control street trading in the Borough. Trading in respect of services as well as goods comes within the scope of the Act. The Act permits the Council to designate a street or part of a street for street trading and it may also rescind such a designation. The following sites, listed again at Appendix One to this report have previously been designated by the committee for the purposes of street trading and licence holders have traded from those sites. However, all the sites are currently unoccupied and this report recommends that the committee authorise officers to commence the process for rescinding the particular designations.

- 3.2 The relevant sites are –

- Outside Angell Welding, King Henry's Drive, New Addington
- Outside Martek Engineering, King Henry's Drive, New Addington
- Outside 15/17 Imperial Way, Waddon
- Slip Road, Dingwall Road, near the j/w George Street, outside Amp House and the former Lloyds Bank premises
- Ampere Way, Waddon, near Ampere Way tram stop
- Ullswater Crescent, Coulsdon, at the j/w Redlands

## **4. CONSULTATION**

- 4.1 The council shall not rescind unless –
- (a) they have published notice of their intention to do so in a local newspaper circulating in their area;
  - (c) when appropriate, they have obtained the necessary consent.

The notice shall–

- (a) contain a draft of the resolution to which it relates; and
- (b) state that representations relating to it may be made in writing to the council within such period, not less than 28 days after the publication of the notice, as may be specified in the notice.

## **5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

### **5.1 The effect of the decision**

There are no direct financial implications as a result of this report.

## **5.2 Risks**

There are no perceived financial risks involved in this decision.

## **5.3 Options**

There are no other options arising from this report

## **5.4 Future savings/efficiencies**

None identified

(Approved by: Flora Osiyemi, Head of Finance Place, Residents & Gateway)

## **6. LEGAL CONSIDERATIONS**

### **Rescission of Designation**

6.1 The Head of Litigation and Corporate Law comments that under s.24 of the Act, having passed a resolution designating a site for the purposes of street trading the Council may by further resolution rescind that designation. Prior to doing so it must consult with the Police and if applicable, the licence holders trading in the street in question or a body or bodies representative of them. Notice of the intention to do so must also be published in a local newspaper and notified to the highway authority. There is a period of 28 days for making representations.

6.2 If any representations are received, as soon as reasonably practicable after the above period has expired, the Act provides that these must be considered. In this case the matter will come back to the Committee. They may then pass a resolution rescinding the designation. After which they shall for two consecutive weeks publish notice of that resolution which cannot come into force before the expiry of 28 days from the date of the resolution.

6.3 Approved by: Sandra Herbert, Head of Litigation and Corporate Law, for and on behalf of Jacqueline Harris-Baker, Director of Law and Governance and Monitoring Officer.

## **7. HUMAN RESOURCES IMPACT**

7.1 The Human Resources impact of supporting the Licensing Hearings will be contained within the budgeted establishments of the Democratic and Legal Services and Licensing Teams.

## **8. CUSTOMER IMPACT**

8.1 There are no specific customer services issues relating to these applications

## **9. EQUALITIES IMPACT ASSESSMENT (EIA)**

9.1 This report does not require a separate Equality Impact Assessment.

## **10. ENVIRONMENTAL AND DESIGN IMPACT**

10.1 There are no perceived environmental and design impacts relating to these applications

## **11. CRIME AND DISORDER REDUCTION IMPACT**

11.1 If the committee authorise officers to proceed with the necessary statutory consultation, the Police Licensing Officer will be consulted as part of that consultation.

## **12. HUMAN RIGHTS IMPACT**

12.1 There are no perceived human resources implications associated with this report.

## **13. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

13.1 There are no direct freedom of information/data protection considerations associated with this report.

---

**CONTACT OFFICER:** Michael Goddard, Licensing Manager, Place  
Department, ext. 61838

**BACKGROUND DOCUMENTS:** Application Forms

**1. Outside Angell Welding, King Henry's Drive, New Addington –**

Reason for proposal to de designate:

The area around this site has changed significantly since original designation in 2011, with bus terminus stops placed in 2016 in the slip road (which was also made one way at the same time) parallel with the designated area. There has also been an increase in parked cars. The presence of a mobile trader in situ added to a reduction of available, safe parking for those working in the area and for customers visiting the trader. This site was last occupied in 2016.

See map attached at A1A with relevant site marked X.

**2. Outside Martek Engineering, King Henry's Drive, New Addington –**

Reason for proposal to de designate:

This site was originally designated in 2011. This site is some 20 metres from the above site (outside Angell Welding) and the same issues apply. This site has never actually been occupied by a licensed trader.

See map attached at A1B with relevant site marked X.

**3. Outside 15/17 Imperial Way, Waddon –**

Reason for proposal to de designate:

Usage of this site has been infrequent since it was first designated in 2006. It has been unused since 2015. The area has become congested with parked cars due to new businesses and it is considered impractical & unnecessary to keep it as a designated site.

See map attached at A1C with relevant site marked X.

**4. Slip Road, Dingwall Road, near the j/w George Street, outside Amp House and the former Lloyds Bank premises –**

Reason for proposal to de designate:

This site was first designated in 2006 and has previously been occupied by a burger van and then a fish and chips vendor. This site has not been occupied since 2015 though. There is a higher volume of food premises in the area now, which may be a factor. There is also the possibility, in the future of the tram being run along Dingwall Road.

See map attached at A1D with relevant site marked X.

#### **5. Ampere Way, Waddon, near Ampere Way tram stop –**

Reason for proposal to de designate:

This site was last occupied by a mobile food trader 2017 in a part of the highway designated for street trading where commuters also parked. There has previously been a vehicle collision and concerns over parking near the site. The last trader ceased trading and the last licence lapsed in August 2017. It is considered impractical & unnecessary to keep it as a designated site.

See map attached at A1E with relevant site marked X.

#### **6. Ullswater Crescent, Coulsdon, at the j/w Redlands –**

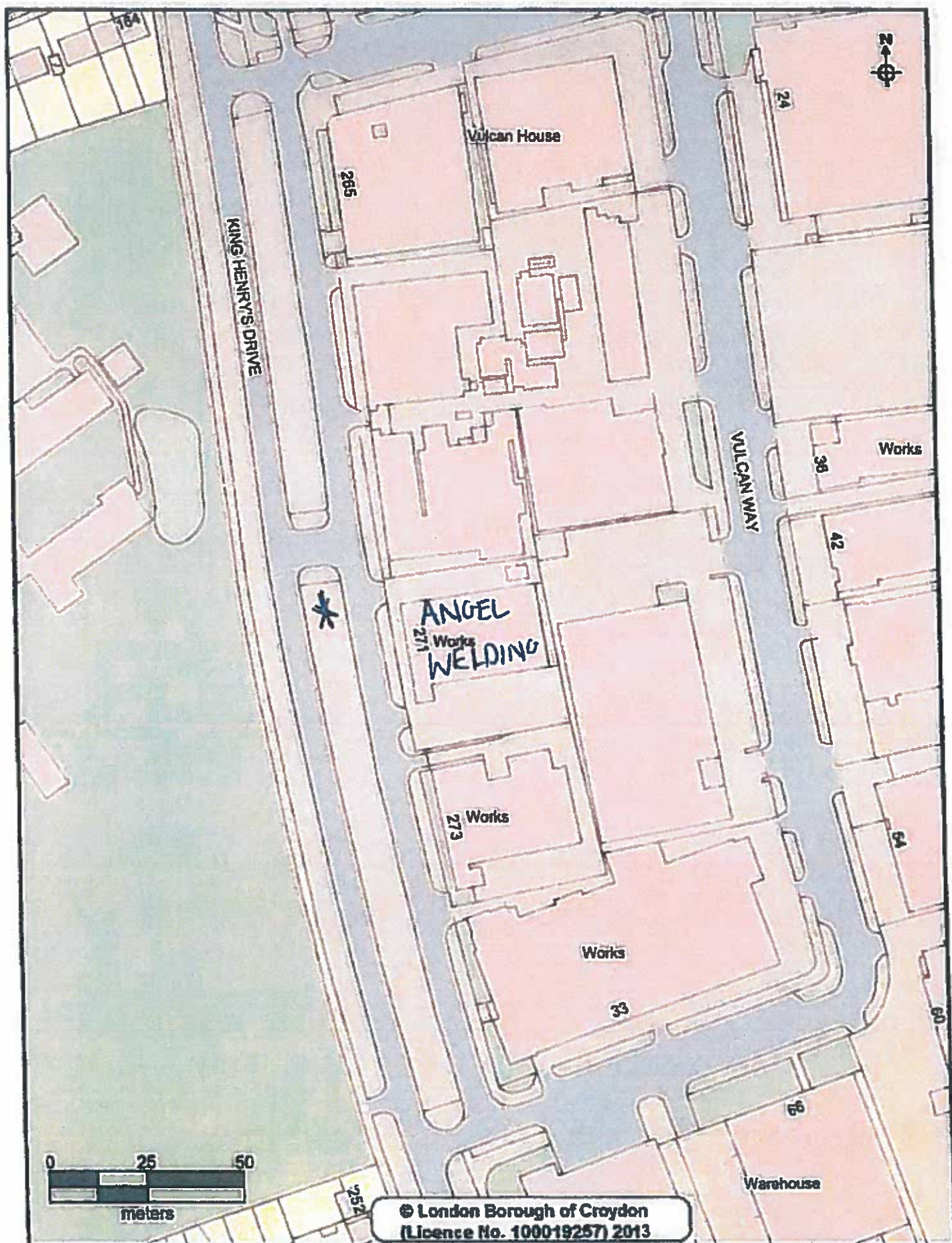
Reason for proposal to de designate:

This site was partly on private land, partly on the highway in front of a large wall that fell into disrepair. The last trader left the site mainly due to a lack of parking for customers and concerns over the state of the wall. This site is not suitable with an increase in businesses and the lack of parking. It is considered impractical & unnecessary to keep it as a designated site.

See map attached at A1F with relevant site marked X.

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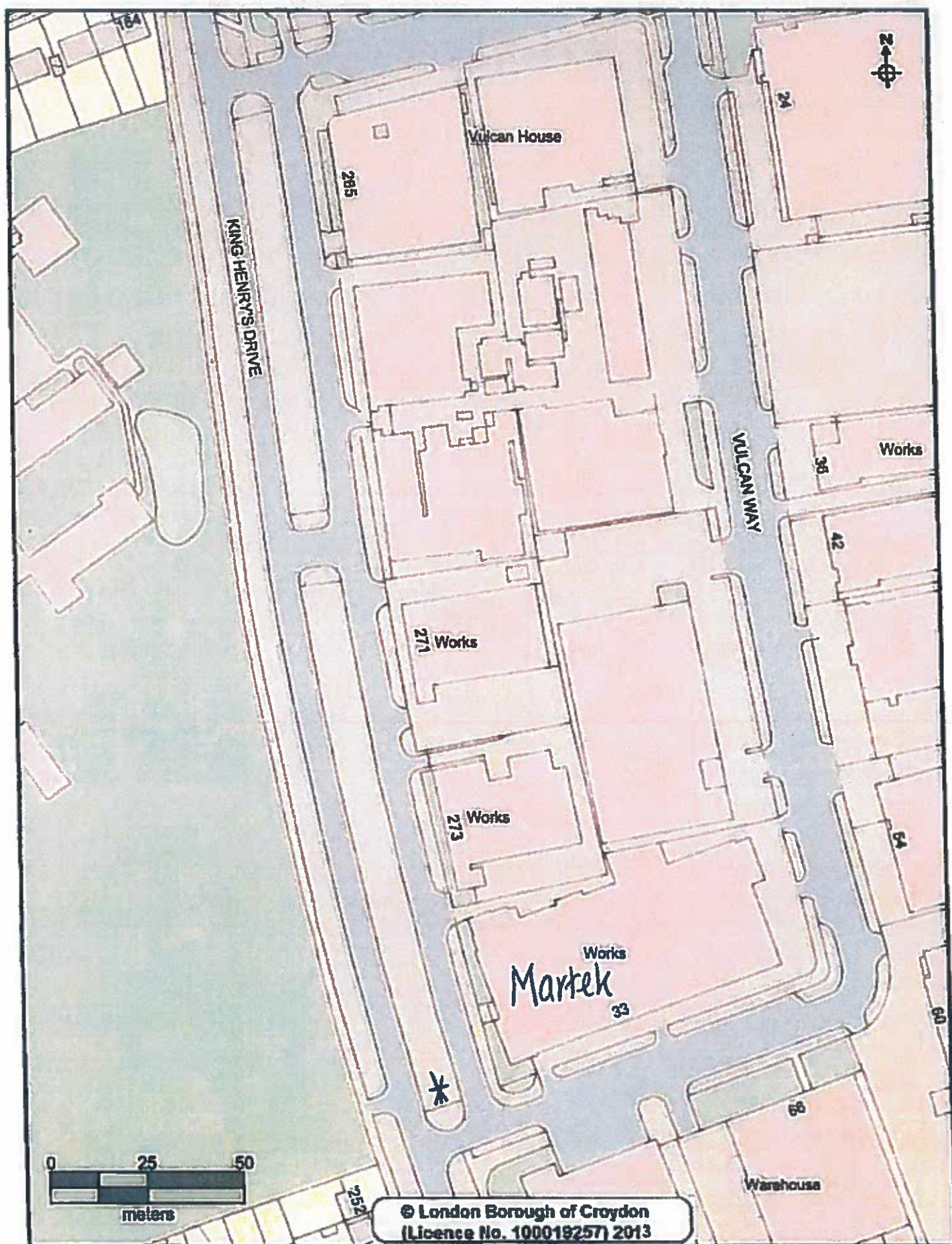
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X = DESIGNATED SITE O/S ANGEL



A1 B



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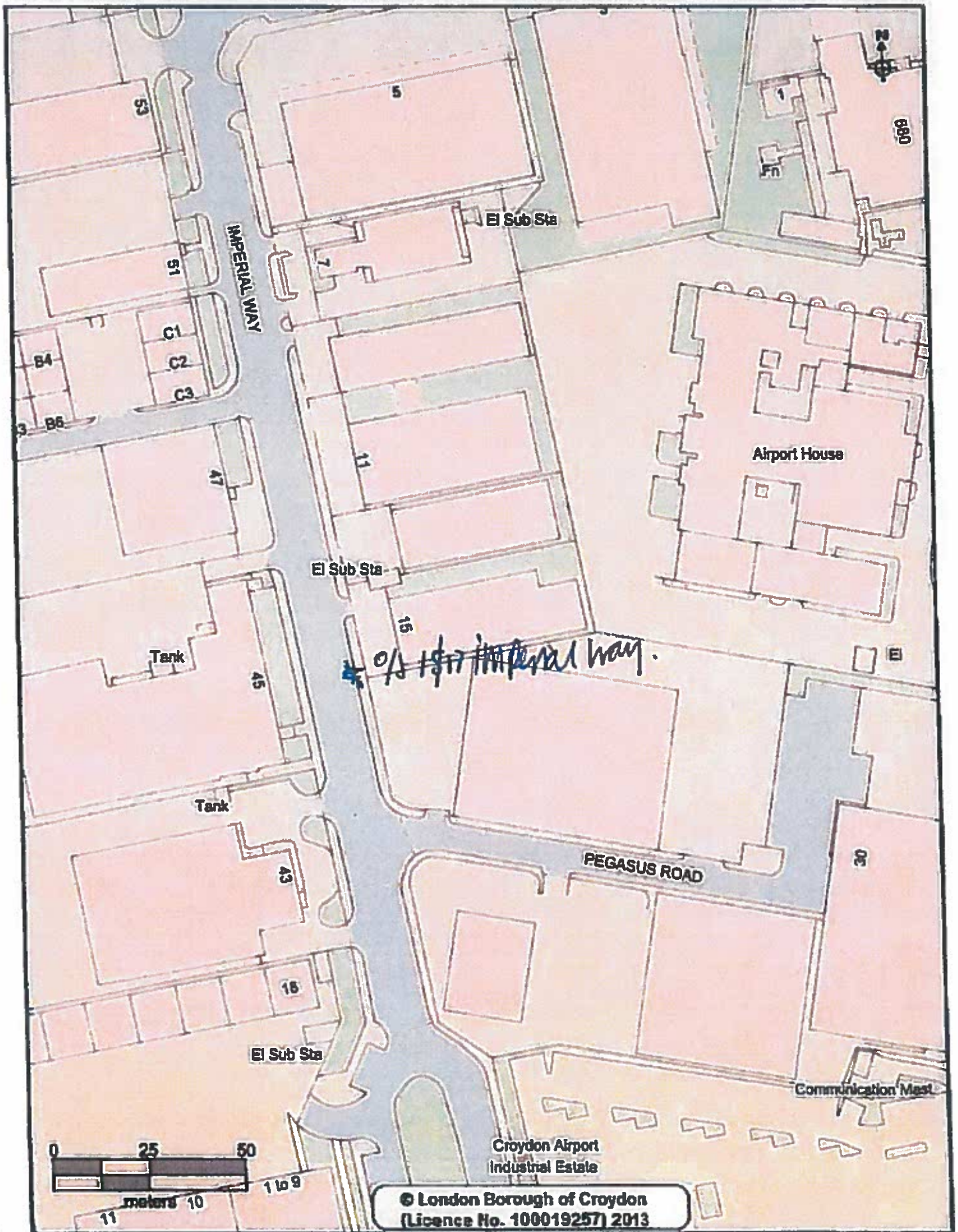
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X = DESIGNATED SITE O/C MARTEK





A1C



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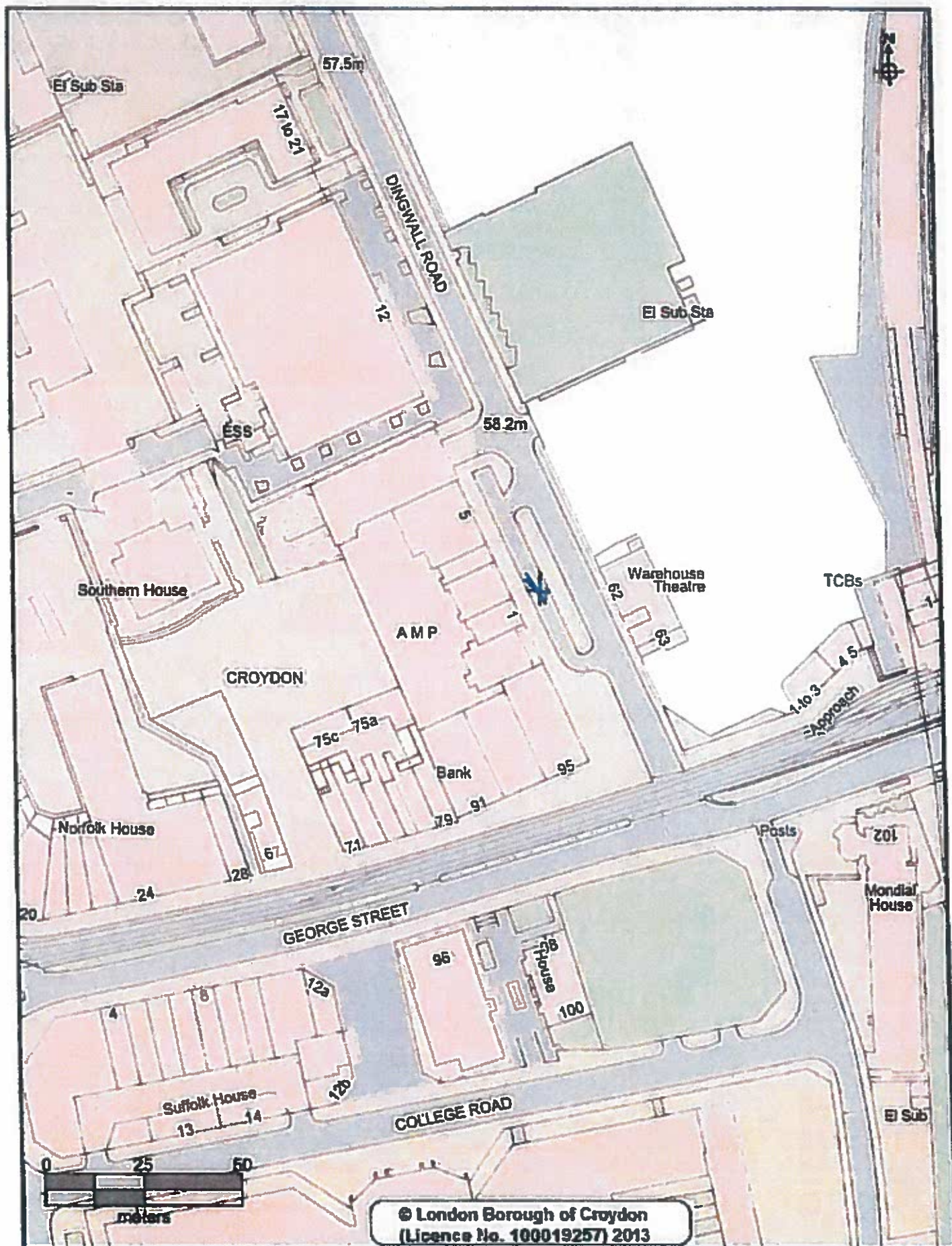
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X = DESIGNATION CITA O/S 15/17 Imperial Way





A1D



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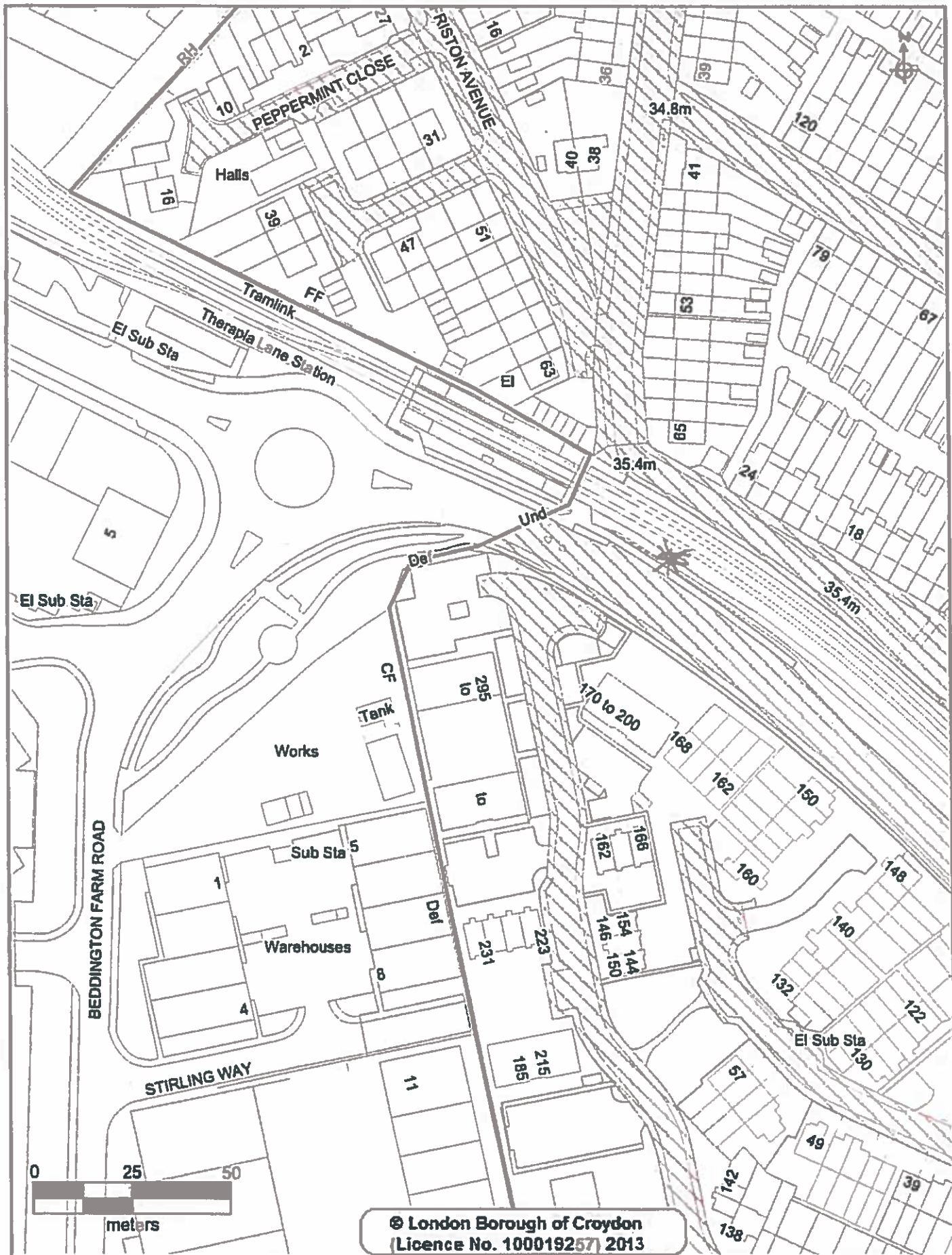
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X = DESIGNATED SITE FOR OWN DEVELOPMENT





ME



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**London Borough Croydon**

Scale 1:1250

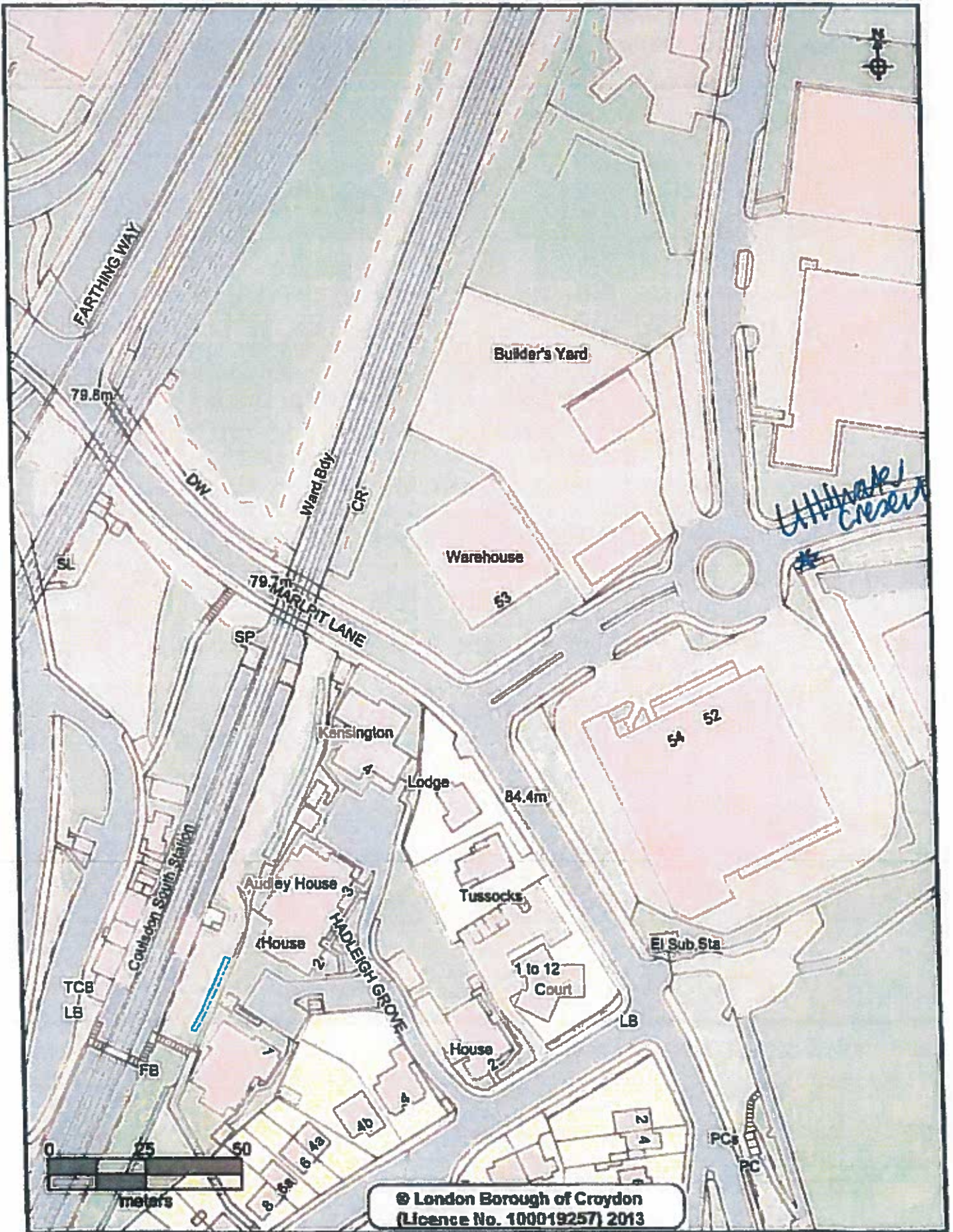
11-Mar-2019

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X = DESIGNATED CITY AMPLIFY WAY



AIF



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Scale 1:1250

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X = DESIGNATED SITE ULLSWATER CREEK

<b>REPORT TO:</b>	<b>LICENSING COMMITTEE</b> <b>20 MARCH 2019</b>
<b>AGENDA ITEM:</b>	
<b>SUBJECT:</b>	<b>London Local Authorities Act 1991</b> <b>Revision to Standard Licensing Conditions for Premises</b> <b>offering Special Treatments</b>
<b>LEAD OFFICER:</b>	<b>Executive Director, Place Department</b>
<b>CABINET MEMBER:</b>	<b>Cllr. Hamida Ali,</b> <b>Cabinet Member for Safer Croydon &amp; Communities</b>
<b>WARDS:</b>	<b>ALL</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT:</b> <b>This report is specific to this application and has no implications on the Council's Corporate Policies</b>	
<b>FINANCIAL SUMMARY:</b> There are no direct financial implications associated with this report. This matter is being processed as part of normal duties and therefore the work associated with it is contained within the departmental budget.	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.: N/A</b>	

**For general release**

## **1. RECOMMENDATIONS**

The Committee are recommended to:

- 1.1 Note that the Leader has delegated authority to the Director of Public Realm, to adopt revised/updated 'Standard Conditions for Places offering Special Treatments' under the London Local Authorities Act 1991.
- 1.2 Recommend to the Director of Public Realm, that he adopt the revised/updated 'Standard Conditions for Places offering Special Treatments' attached at Appendix One to this report.

## **2. EXECUTIVE SUMMARY**

- 2.1 The purpose of this report is to seek the Committee's views in relation to the adoption of revised 'Standard Conditions for Places offering Special

Treatments'. The Standard Conditions were originally produced in 2004 and was last revised in 2011.

### **3. DETAIL**

- 3.1 Section 10 of the London Local Authorities Act 1991(The 1991 Act)` provides a legislative framework for the local authority to make 'licence conditions' to control the standard terms, conditions and restrictions which apply to premises offering 'special treatments' in the Borough.
- 3.2 The current 'licence conditions' were approved on 20 January 2011 and are applied to all special treatment licences granted by the Council.
- 3.3 Under Part II of the Act, 'establishment for special treatment' means any premises in the borough 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 kind or vapour, sauna or other baths but does not include —
- (a) any premises which are not used for gain or reward;
  - (b) any premises where the special treatment is carried out by or under the supervision of —
    - (i) a medical practitioner duly registered by the General Medical Council; or
    - (ii) any bona fide member of a body of health practitioners which has given notice in writing to the borough council that it—
      - (A) has a register of members;
      - (B) requires as qualification for membership qualifications by way of training for, and experience of, the therapy concerned;
      - (C) requires its members to hold professional indemnity insurance;
      - (D) subjects its members to a code of conduct and ethics, including a prohibition of immoral conduct in the course of their practice; and
      - (E) provides procedures for disciplinary proceedings in respect of its members; and has supported that notice with satisfactory documentary evidence, if required by the council; or
    - (iii) in the case of acupuncture, a dentist registered under the [1984 c. 24.] Dentists Act 1984.
- 3.4 There are a range of treatments offered under the definition of "special treatments", many of which have emerged since the Act was written and therefore the Act does not list them all. A Working Group of professional officers from the London boroughs has been in place for a number of years and this group assesses all treatments and decides, collectively as to whether a specific treatment should be defined as a special treatment and therefore requires licensing. As a result of updated guidance from the London Special Treatment Group, it is felt appropriate to revise & update the existing Standard Conditions for Places offering Special Treatments, which are applied consistently across London by the majority of other boroughs. A copy of the existing conditions with the proposed amendments highlighted in bold and italics are attached to this report as Appendix One.
- 3.5 The focus of the revisions to the Conditions is to –



- provide more detail and greater clarity on the qualifications required by operatives to provide the different treatments
- make licence holders/applicants aware that licence holders and their treatment(s) providers will be issued with identification badges along with their licence and will be required to wear them whilst working at the licensed premises. This is to provide assurance to customers that the person delivering the treatment is the person who is authorised to do so.
- provide more detail and clarity on the exemption provision in the Act
- greater clarity on the certification to be available at licensed premises and this relates to both operatives training and to the structure/fabric of the premises itself.

3.6 All the suggested amendments are considered 'best practice' standards by the London Local Authorities who attend the London Special Treatments Group.

3.7 To assist Members, a list of current licensable special treatments is attached at Appendix Two.

3.8 The Council is aware of the aims and requirements of the Modern Slavery Act 2015 with regard to human trafficking, slavery, servitude and forced or compulsory labour and in its compliance & enforcement duties in relation to licensed premises. The Council will seek to ensure that officers are suitably trained to spot any indicators of such activity.

#### **4. CONSULTATION**

4.1 There is no requirement on the Council within the Act to consult on amendments/revisions to standard conditions attached to special treatments licenses. That said, the Licensing Team wrote to all current licence holders on 28 January 2019 concerning the renewal process for 2019 and in that letter, included a Council website link that would take the reader to a list of current minimum qualifications for providing specific treatments which will apply to any new licenses or renewals in future. To assist the committee, a copy of that letter and a list of the current acceptable qualifications is attached at Appendix Three.

#### **5. FINANCIAL CONSIDERATIONS**

##### **1 Revenue and Capital consequences of report recommendations**

There are no direct financial implications associated with this report. This matter is being processed as part of normal duties and therefore the work associated with it is contained within the departmental budget.

##### **2 The Effect of the Decision**

There are no direct financial implications associated with this report.

##### **3 Risks**

There are no direct risks associated with the recommendations in this report.

##### **4 Options**

There are no other options available to the Council.

##### **5 Savings/Future Efficiencies**

None identified.

(Approved by: Flora Osiyemi, Head of Finance Place, Residents & Gateway)

## **6. COMMENTS OF THE SOLICITOR AND MONITORING OFFICER**

- 6.1** The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that the Council is authorised to make regulations under Section 10 (1) of the London Local Authorities Act 1991, prescribing standard conditions applicable to all Special Treatment premises located in the London Borough of Croydon.

(Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer)

## **7. HUMAN RESOURCES IMPACT**

- 7.1** There are no perceived human resources implications associated with this report.

## **8. CUSTOMER IMPACT**

- 8.1** The London Local Authorities Act 1991 impacts on existing and potential licence holders. Well managed licensed premises attract customers and contribute to a vibrant local economy.

## **11. EQUALITY ANALYSIS (EA)**

- 11.1** This report does not require a separate Equality Analysis to be undertaken.

## **12. ENVIRONMENTAL AND DESIGN IMPACT**

- 12.1** Fee setting in respect of premises in Croydon licensed for special treatments are not considered to adversely impact on the local environment.

## **13. CRIME AND DISORDER REDUCTION IMPACT**

- 13.1** There are not considered to be any local crime and disorder implications associated with this report.

## **14. HUMAN RIGHTS IMPACT**

- 14.1** Article 1 of the First Protocol provides a right to peaceful enjoyment of possessions. Both a person's business and an existing licence are a possession and cannot be taken away or interfered with unless the law allows it and the action is justified.

Further, when determining applications under the London Local Authorities Act 1991, it is necessary to ensure that, as far as possible, the Council's procedures are compliant with the principles in Article 6 of the Convention – the right to a fair trial.

## **15. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

- 15.1 Information that is provided to or held by the Council in relation to applications must only be processed and disclosed strictly in accordance with the Freedom of Information Act 2000 and Data Protection Act 2018 and other appropriate legislation including the provisions of the General Data Protection Regulations.
- 

**CONTACT OFFICER:** Michael Goddard, Licensing Manager, Place  
Department, ext. 61838

**BACKGROUND DOCUMENTS:**

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# **LONDON BOROUGH OF CROYDON SPECIAL TREATMENT LICENSING**

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

## **STANDARD LICENSING CONDITIONS FOR PREMISES OPERATING SPECIAL TREATMENTS**

**STANDARD CONDITIONS IN FORCE *FROM* 1 APRIL 2019 FOR  
PREMISES OPERATING SPECIAL TREATMENTS LICENCED BY THE  
LONDON BOROUGH OF CROYDON**

## Standard Conditions for Premises Operating SPECIAL TREATMENTS

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## STANDARD CONDITIONS FOR PREMISES OFFERING SPECIAL TREATMENTS

*Revised conditions for premises licensed by the London Borough of Croydon in force from 1 April 2019.*

**INTRODUCTION** These Standard Conditions are applicable to all premises offering special treatments. Their application does not in any way however, replace or reduce the underlying statutory duty of employers and self-employed persons to comply with the requirements of the Health and Safety at Work etc. Act 1974 and any associated regulations and codes of practice which may be applicable to these premises. ***It is an offence to use premises or part of premises for special treatments except under and in accordance with a special treatment licence.***

### Part I – GENERAL

#### Definitions

In these rules, unless the context otherwise requires:-

**Act** means Part II of the London Local Authorities Act 1991 (as amended).

**Approval of the Council or Consent of the Council** means the written 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.

**Council** means the London Borough of Croydon.

**Special Treatment** means massage, electric treatments, light treatments, water treatments, skin piercing, **tattooing** and other treatments of a like kind.

**Establishment for Special Treatment** has the meaning set out in section 4 of the London Local Authorities Act 1991 (as amended).

**Fire Authority** means the Chief Officer and Chief Executive of the London Fire and Civil Defence Authority.

**Licence Holder/Authorised Person** means a person who is responsible for compliance with the standard conditions at all times that the premises are open for business.

**Licence** means a special treatment licence granted under section 6 of the London Local Authorities Act 1991 (as amended).

**Premises** means any premise within the Council's area licensed for special treatments and includes all installations, fittings etc.

**Operative** - the person carrying out any special treatment including tattooing and body piercing premises, is an approved operative as named on the licence.

**Authorised Officer** means an Officer appointed by the Place Department.

### Dispensation or Modification of Rules

- 1) These rules may be dispensed with or modified by the Council if there is a health and safety risk at which time the Licensee will be notified in writing.
- 2) The Council may, in granting a licence or giving any written approval or consent under these rules, impose such terms, conditions, or restrictions as it shall specify in writing.
- 3) If the Licensee wishes any licence terms, conditions or restrictions to be varied, an application (Appendix I) must be made to the Council, and if the Council so requires, the application must be advertised.

### References

- 1) Tattooing and Body Piercing Guidance Toolkit dated 8 August 2013 endorsed by CIEH, PHE, HSL and TPIU
- 2) ***Where premises refer to being a member of professional body and therefore consider they are exempt from a special treatment licence, the onus is placed on the premises to provide such evidence by completing an Exemption Form (Appendix H).***



## PART II - Conditions applicable to all premises

### 1) The Licence

- a) The current licence or a clear copy shall at all times be prominently exhibited at the premises in a position where it can easily be read by customers.
- b) The licence is personal to its holder. The licence cannot be transferred to any other person unless the procedure prescribed in the Act has been followed, and the Council has granted the application.
- c) The licence is only valid in respect of the premises named on the licence.
- d) Licences are granted for a maximum period of twelve months. This being the period from the 1st April - 31st March of the following year. ***A renewal application must be made before the current licence expires in order that it can run consecutively. If the licensee fails to apply, and continues to offer licensable treatments, this is an offence under London Local Authorities Act 1991 (c. xiii) 14 Enforcement of Part II (1).***
- e) A licence will be issued in the name of the applicant and will include the names of individual operatives approved by the Council.

### 2) Responsibility of the Licence Holder/Authorised Person

- a) The licence holder may authorise a responsible person to be in charge of the premises during opening hours.
- b) The licence holder/authorised person shall take all reasonable precautions for the safety of all persons using the premises and ensure compliance at all times with the relevant provisions of the Health and Safety at Work etc. Act 1974, and other associated legislation.
- c) The licence holder/authorised person shall be accountable for all activities in the premises at all times.
- d) The licence holder shall take out employer's liability (where applicable) and public liability insurance cover. A copy of the current certificate(s) shall be displayed in a prominent position in the premises.
- e) ***The licence holder shall ensure that all special treatment practitioners have attained the minimum level of qualification and/or training before permitting them to provide treatments on their premises.***
- f) ***The licence holder must ensure that Section F of the Councils application form is completed for all therapists/operatives practitioners offering a special treatment on the premises.***
- g) ***The licence holder must advise the Council of any new therapists/operatives or practitioners before they commence working on the premises.***
- h) ***For all special treatment premises, including tattooing and body piercing premises, the Council shall list the names of all operatives on the licence following their approval. Trainee/Apprentices shall appear on the licence named as such. No other persons other than those named on the licence are permitted to carry out special treatments.***
- i) The licence holder/authorised person shall ensure that no nuisance arises from the business, e.g. odours, noise etc.
- j) ***The licence holder/authorised person shall ensure that opening times are displayed in a prominent position.***
- k) ***No alterations (including temporary alterations) shall be made to the premises, without prior consent of the Council. This condition shall not require 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.***

- l) *Qualifications for all operatives providing a special treatment must be sent to the Local Authority for verification to enable a licence to be processed or for the individual to be placed on the licence.*
- m) *Licence holders and operative/therapists will be issued with ID Cards. These are to be displayed at all reasonable times whilst working at the licensed premises for which it is issued.*
- n) *Licence holder to display for a stated duration, a Notice as provided by the Council on the outside of the premises which will state the intended use of the premises.*
- o) *An Application will not be considered until the Application Fee has been paid in full.*
- p) *Licence holder to provide all documentation as requested on the Application Form within 28 days. Failure to provide these will result in the Application being rejected and returned to the applicant. An administration fee will be retained.*
- q) *If on Inspection of New Applications conditions are not being complied with, a licence will not be granted until such conditions have been rectified.*

### **3) Conditions of Licensed Premises**

- a) The licence holder/authorised person shall be familiar with all the conditions contained in this document and take responsibility for any breaches of said conditions.
- b) The licence holder shall ensure that all persons carrying out special treatments in the licensed premises are familiar with all the conditions contained in this document.

### **4) Conduct of the Premises**

- a) No poster, advertisement etc. shall be displayed which is unsuitable for general exhibition.
- b) The licence holder/authorised person shall ensure that no part of the premises is used by persons, for soliciting or other immoral purposes.

### **5) People with Disabilities**

It is the policy of the Council that access for disabled people should be provided at business premises licensed for special treatments. Licensees are, therefore strongly encouraged to provide such facilities so as to enable the admission of disabled people and are reminded of the duties imposed by the Equality Act 2010.

### **6) Authorised Officers**

On presentation of their written authorisations and proof of identity shall be admitted at all reasonable times to all parts of the premises.

### **7) Electricity**

- a) The licence holder shall ensure that all portable electrical appliances used within the licensed premises are maintained regularly in accordance with the Electricity at Work Regulations 1989. Records of this maintenance must be available at the premises.
- b) The licence holder shall ensure that the fixed electrical installation is inspected by a competent electrical engineer in accordance with the Electricity at Work Regulations 1989 and a copy of the current certificate is available at the premises.

### **8) Personal Hygiene**

- a) If an operative has any open boil, sore, cut or other open wound it must be effectively covered by an impermeable dressing.
- b) A wash hand basin shall be provided in all treatment rooms

### 9) Cleaning

- a) All floor surfaces must be made of suitable washable material.
- b) Mop heads used for cleaning the floor should either be disposable or washed in a washing machine at the end of each day.

### 10) Refuse

- a) Any waste produced in connection with the business that is classified as 'hazardous' including sharps must be collected and disposed of by a licenced contractor. A waste transfer document shall be available at the premises for inspection.
- b) Any 'hazardous' waste bags shall be suitably marked and whilst awaiting collection shall be stored in a secure area.

### 11) Record Keeping

- a) ***Records including name, address and age of customer receiving the treatment(s) plus date & type of treatment received shall be kept for all treatments, for a period of at least 3 years.***
- b) Any contra-indications e.g. Heart conditions, diabetes, epilepsy etc. for each treatment shall be discussed with the ***client/customer*** prior to any treatment, and the client shall sign a record card to say that they have been made aware of the risks involved.

### 12) Maintenance

All systems i.e. fire safety equipment, boilers, sterilisers etc. provided in the premises shall be serviced/maintained regularly by competent persons in accordance with the manufacturers/suppliers recommendations. Records shall be available on site for inspection.

### 13) Qualifications/Training

- a) ***All persons carrying out special treatments shall hold suitable qualifications in the treatments they carry out. Suitable qualifications means those listed on the Croydon Council website under Special Treatment Licence or those deemed suitable by the Council. Training in the use of specific on site equipment shall also be undertaken with the manufacturer/supplier and where applicable relevant certificates etc. shall be submitted to the Council for approval.***

- b) ***Verification and consideration of all qualifications and certificates will be carried out by the Council.***

- c) ***If no National Qualifications are available (e.g. tattooing) -***

***Where there are no nationally recognised qualifications for a special treatment, therapists/operatives must provide references and evidence of past work and proof of when and where their apprentice or training was undertaken.***

- d) ***Working towards a Qualification (In Training) -***

***The Council require evidence of relevant training that is or will be undertaken for any specific treatment including when and where an apprenticeship or training was/is being undertaken.***

*It will be the responsibility of the licence holder to ensure trainees are supervised at all times and are competent to carry out the treatments.*

*Trainees should complete Section F of the application form, indicating the training programme and expected course completion date. Evidence of training, e.g. a letter from the college, must be sent with the application.*

*Trainees will only be registered for a maximum period of 1 year in the first instance. After successful completion of training the therapist/operative may be included on the licence upon sending the final qualification awarded to the Council.*

**e) Trainee Practitioner Supervision**

*The council understands that due to the nature of some of the special treatments it will be necessary for trainee special treatment practitioners to provide treatments to demonstrate that they can meet the minimum level.*

- f)** *The requirement of this condition is to allow trainees to learn and gain experience but only under the supervision of a practitioner who has firstly attained the required qualification and/or training for the treatment that the trainee is giving and secondly will directly supervise that trainee whilst the treatment is being conducted.*
- g)** *The licence holder should also, as best practice, instruct one of their most experienced and knowledgeable special treatment practitioner's to undertake the supervision role for trainees. The supervisor must have direct supervision over the trainee whilst the treatment is being carried out. It is also good practice for the licensee to monitor the supervision that is being given on occasions to ensure that the supervisor is providing adequate guidance, instructions and support to the trainee.*
- h)** *There is a requirement that the licensee specifies the supervising special treatment practitioners name and the treatments that they are supervising on the trainee special treatment practitioner's personal training and qualification record.*
- i)** *Public Liability Insurance must cover any treatment delivered by a trainee.*

**14) Anaesthetic**

- a)** *The administration of local anaesthetic by injection other than by medically qualified practitioners is an offence.*
- b)** *Lignocaine based creams or Ametop gels are available at pharmacies and may be purchased by the client and administered to themselves prior to treatment if so desired. It is an offence for any anaesthetic substance to be applied to the client by the operative under any circumstances.*

**15) Control of Substances Hazardous to Health Regulations 2002**

- a) Substances which fall under the above Regulations e.g. Barbicide, bleach, nail monomers etc. shall be assessed in accordance with the requirements of those Regulations and all the necessary precautions taken to ensure their safe use and storage.
- b) The safety data sheets for all products used in connection with the business, shall be available at the premises.

#### **16) Aftercare**

- a) Each client shall be provided with written aftercare advice for each treatment they receive and confirmation of this shall be recorded on their client record card.
- b) Clients shall sign for receipt of this advice.

#### **17 First Aid**

- a) It is recommended that one person working in the premises is trained in basic first aid techniques in accordance with the First Aid at Work Regulations 2010.
- b) A first aid box shall be available in the premises in accordance with the First Aid at Work Regulations 2010.

#### **18 Language**

At least one person shall be present in the premises at all times who has an acceptable level of spoken and written English in order to satisfactorily discuss client records, aftercare advice etc.

#### **19) Emergency Assistance Device**

All special treatment equipment e.g. uv tanning beds, sauna's and spa's shall have fitted either on or close by to the equipment a device to summon assistance in an emergency. The device shall be connected to a staffed area.

#### **20) Exempt from Licence**

*Members of some professional bodies and certain health practitioners are exempted under the London Local Authorities Act 1991/2000. If you feel you may be exempt from licensing or registration you will need to complete an Exemption Form and supply us with a copy of the membership certificate for your professional body. We will then determine your exemption status.*

#### **21) New Licensable Activities**

- a) *Where either a new treatment or the status of a listed treatment changes to become licensable, any operative that offers such treatment in the borough will require to complete the necessary training to the level required by the Council.*
- b) *Depending on the treatment and the level of training required, the Council will advise the length of time that the training must be undertaken within.*
- c) *Operatives must refer to the "In Training" Section of this document and follow the guidelines as set out.*

## PART III – Additional conditions for specific treatments

### 1) Sauna

- a) A thermometer shall be provided indicating the temperature inside the sauna.
- b) An emergency assistance device shall be provided on or adjacent to the sauna, in accordance with **Part II condition 19**
- c) A clock shall be visible to users, from inside the sauna.
- d) The temperature control device shall not be accessible to users of the sauna.
- e) The hot coals in the sauna shall be protected by a guard rail or barrier.
- f) Shower facilities shall be provided close to the sauna.
- g) A supply of fresh drinking water shall be available close to the sauna.
- h) The following Safety guidelines on the use of the sauna shall be displayed nearby.
  - Children under 15 shall not use the sauna
  - All jewellery to be removed
  - Drink plenty of water before using the sauna
  - No eating or drinking in the sauna
  - Avoid use if suffering from high blood pressure or heart problems
  - Do not eat immediately before using the sauna
  - Maximum time spent in sauna 15-20 mins
  - Drink plenty of water after use

### 2 Heated Spa Baths

- a) The spa water shall be suitably treated to prevent the growth of legionella bacteria by means of automatic dosing equipment in accordance with the Approved Code of Practice L8 entitled 'Control of Legionella Bacteria in Water Systems' produced by the Health and Safety Executive.
- b) Water tests shall be carried out at 4 hourly intervals to ascertain the chlorine, Ph. etc. levels of the water. Written records of the results shall be kept on the premises.
- c) The spa shall be fitted with an automatic close down device, which operates approx. every 15 minutes for a period of 5 minutes.
- d) The following Safety guidelines on the use of the spa shall be displayed nearby.
  - Children under 15 shall not use the spa
  - Maximum time in the spa is 15 minutes
  - Do not use the spa if you are pregnant
  - Do not use the spa if under the influence of drugs, alcohol or medication
  - Persons suffering from obesity or with a medical history of heart disease, low or high blood pressure, circulatory system problems should consult a doctor before using the spa
  - Persons using medications should consult a doctor before using the spa
  - Persons with sores or open wounds should not use the spa
  - Take care when entering and exiting the spa. Wet surfaces may be slippery
- e) Shower facilities shall be provided close to the spa.
- f) A supply of fresh drinking water shall be available close to the spa.
- g) An emergency assistance device shall be provided on or adjacent to the spa, in accordance with **Part II condition 19**.

### 3) Ultra Violet Tanning Equipment

- a) No persons under the age of 18 shall be permitted to use tanning equipment. Photographic ID should be requested if there is any doubt concerning age.
- b) All persons operating sunbeds shall be suitably trained by the supplier in the operation of the equipment and hold a relevant certificate which shall be kept at the licensed premises.
- c) Prior to the use of tanning equipment a record card shall be completed & signed by the user to acknowledge that they have been made aware of and understand the contra-indications associated with ultra violet radiation, particularly with regard to drugs and medical conditions. A record of the frequency of visits shall also be recorded.
- d) The length of time that a client uses the tanning equipment shall be controlled by the management and based on the users' skin type, power of the sunbed, and age of the tubes etc.
- e) To comply with Conditions 3 (c) and (d) a trained member of staff shall be present at all times at the licensed premises therefore unstaffed tanning premises are prohibited.
- f) The maximum permissible output for all new uv tubes from the 23rd July 2010 is 0.3w/m<sup>2</sup>.
- g) An emergency assistance device shall be provided on or adjacent to each tanning cubicle, in accordance with **Part II condition 19**.
- h) Each tanning unit shall be fitted with an emergency stop button.
- i) All users shall be provided with protective eye equipment free of charge
- j) Arrangements shall be made to ensure that the tanning equipment is cleaned between clients.
- k) The length of exposure time shall be reduced when the tubes have been replaced and suitable warning signs to that effect displayed.
- l) HSE guidelines IND (G) 209 on UV tanning shall be displayed in each tanning cubicle.
- m) Regular maintenance shall be carried out, to include replacement of tubes. Records of all maintenance visits shall be available at the premises at all times.
- n) The HSE recommend a maximum of 20 ultra violet tanning sessions per year, clients shall be advised when they have reached this number and made aware of this recommendation. If the client still wishes to continue with further exposure then their written consent shall be recorded on their client record card.

### 4) Tattooing

- a) No tattoo shall be carried out on a client who has not reached their 18th birthday in accordance with the Tattooing of Minors Act 1969.
- b) A tattoo may only be performed by an approved person who is named on the licence, in accordance with Part II 2 (f) of these conditions. Guest tattooists shall not carry out treatments unless they have been previously notified to the Council and are named on the licence.
- c) The administration of local anaesthetic is prohibited in accordance with Part II condition 14.
- d) It is recommended that each operative is vaccinated against Hepatitis B. Records of the Hepatitis B status of all operatives shall be kept at the premises.
- e) Prior to treatment every client shall read and sign a consent form, which contains details of medical history, name, address, age. Photographic proof of age i.e. driving licence or passport may be requested and the details of this should be entered onto the consent form. An example of consent form is attached in Appendix B. These forms shall be kept on the licensed premises for a period of at least 3 years, and be available for inspection at all times
- f) Disposable paper towel shall be used on the couches in the treatment room which shall be changed between clients.

- g) All operatives shall wear non sterile, non powdered, low protein latex, vinyl or nitril gloves.
- h) Disposable plastic aprons shall be provided for use in the premises.
- i) A blood spillage kit which is in date shall be available in the treatment room and all operatives aware of the correct procedure for dealing with a spillage.
- j) The skin shall be cleaned with 70% isopropyl alcohol wipes prior to the piercing
- k) Needles, pigment caps, stencils, razors and wooden spatulas are single use only and shall be disposed of as hazardous waste after use.
- l) Tattoo motors and clip cords shall be covered with clear plastic during a tattoo and changed between clients.
- m) Elastic bands used on the motors shall be changed between clients.
- n) Any waste generated by the treatment which is classified as hazardous must be secured in appropriate waste bags and stored in a secure area whilst awaiting collection. A waste transfer note shall be available on site when waste is removed.
- o) Sharps containers shall comply with British Standard BS7320/UN3291. The label on the container shall be completed with the address or postcode of the premises. Sharps containers shall be sited above floor level and below shoulder level.
- p) The sharps container shall be collected when it is  $\frac{3}{4}$  full. A waste transfer note shall be available on site for each container collected.
- q) An accessible wash hand basin shall be fitted within each treatment room provided with hot and cold running water, preferably by mixer taps. Liquid soap and a paper towel dispenser shall also be fitted in this area.
- r) In addition to the wash hand basin, a deep sink with hot and cold running water shall be provided exclusively for washing used equipment; this should be fitted in a separate 'dirty' area away from the clean operating area.
- s) Used instruments shall be manually cleaned in the sink before undergoing the ultrasonic process, cleaning shall occur below water level rather than under running water. Staff shall wear a suitable disposable plastic apron during this process.
- t) Reusable instruments shall then be put through a cycle in an ultrasonic cleaner in accordance with Appendix C. The verification tests outlined in Appendix C shall be undertaken at the specified intervals and results shall recorded in the site logbook.
- u) Following Ultra Sonic cleaning any reusable instruments etc. shall then be sterilised in a bench top autoclave.  
If a non-vacuum type autoclave is used then the instruments should be sterilised in accordance with Appendix D.
- v) The verification tests outlined in Appendix D shall be undertaken at the specified intervals and results recorded in the site logbook
- w) If a vacuum type steriliser is used then the instruments should be sterilised in accordance with Appendix E.
- x) The verification tests outlined in Appendix E shall be undertaken at the specified intervals and results recorded in the site logbook.
- y) Non sterile cling film shall be used to cover the tattoo.
- z) A written aftercare leaflet shall be given to each client in accordance with general condition 16.

##### **5) Semi-permanent make up/micropigmentation**

- a) A consultation with the client shall take place prior to the treatment, this shall include medical history, and a patch test may be carried out.
- b) A blood spillage kit which is in date shall be available in the treatment room and all operatives aware of the correct procedure for dealing with a spillage
- c) All walls, floors, surfaces, seating etc. shall be made of washable material.



- d) An accessible wash hand basin should be fitted within the treatment area provided with hot and cold running water, preferably by mixer taps. Liquid soap and a paper towel dispenser should also be fitted in this area.
- e) All operatives shall wear non sterile, non powdered, low protein latex, v vinyl or nitril gloves.
- f) The administration of local anaesthetic is prohibited in accordance with Part II condition 14.
- g) Needles, needle housing/cap/tubes/needle bars etc. shall be single use disposable.
- h) Sharps containers shall comply with British Standard BS7320/UN3291. The label on the container shall be completed with the address or postcode of the premises. Sharps containers shall be sited above floor level and below shoulder level.
- i) The sharps container shall be collected when it is  $\frac{3}{4}$  full. A waste transfer note shall be available on site for each container collected.
- j) It is recommended that each operative is vaccinated against Hepatitis B. Records of the Hepatitis B status of all operatives shall be kept at the premises.
- k) In addition to the wash hand basin, a deep sink with hot and cold running water shall be provided exclusively for washing used equipment; this should be fitted in a separate 'dirty' area away from the clean operating area.
- l) Used instruments shall be manually cleaned in the sink before undergoing the ultrasonic process, cleaning shall occur below water level rather than under running water. Staff shall wear suitable disposable plastic aprons etc. during this process.
- m) Reusable instruments shall then be put through a cycle in an ultrasonic cleaner in accordance with Appendix C.
- n) The verification tests outlined in Appendix C shall be undertaken at the specified intervals and results shall recorded in the site logbook.
- o) Following Ultra Sonic cleaning any reusable instruments etc. shall then be sterilised in a bench top autoclave.
- p) If a non-vacuum type is used then the instruments should be sterilised in accordance with Appendix D.
- q) The verification tests outlined in Appendix D shall be undertaken at the specified intervals and results recorded in the site logbook
- r) If a vacuum type steriliser is used then the instruments should be sterilised in accordance with Appendix E.
- s) The verification tests outlined in Appendix E shall be undertaken at the specified intervals and results recorded in the site logbook.
- t) A logbook must be kept on site which contains details of manufacturer's instructions and results of all tests carried out on the ultrasonic and autoclave, the logbook must be available for inspection at all times by an authorised Council officer.
- u) A written aftercare leaflet shall be given to each client in accordance with Part II condition (16)

## 6) Electrolysis

Individual pre-wrapped sterilised needles shall be used and disposed of in a sharps box after each client.

## 7) Body Piercing

- a) A piercing may only be performed by an approved person who is named on the licence, in accordance with Part II 2 (f) of these conditions. Guest piercers shall not carry out treatments unless they have been previously notified to the Council and are named on the licence
- b) Piercings with the exception of nipple and genitals may be carried out with written parental consent under the age of 16.

- c) Piercings with the exception of the genitals may be carried out on 16-18 year olds with either parental consent or a valid photographic identification e.g. passport or driving licence.
- d) Genital piercing may be carried out on anyone over 18 years of age with a valid photographic identification e.g. passport or driving licence. Details of ID shall be entered on the consent form.
- e) Prior to treatment **every** client or parent/guardian shall complete and sign a consent form in accordance with Appendix B. Photographic ID shall be requested and recorded on the consent form for anyone who appears to be under 18.
- f) The following guns are approved for ear piercing, **Inverness, Blomdahl, Caress 2000, Caflon, Studex, Tripps, Perfex, Medisept**
- g) The following guns are approved for nose piercing, **Studex, Blomdahl, Coren, Medisept, Inverness Dr Pierce**. Jewellery fitted with a stud shall not be used in nose piercing.
- h). The administering of local anaesthetic is prohibited in accordance with Part II condition 14.
- i) Any waste generated by the treatment which is classified as hazardous must be secured in appropriate waste bags and stored in a secure area whilst awaiting collection. A waste transfer note shall be available on site when waste is removed.
- k) Sharps containers shall comply with British Standard BS7320/UN3291. The label on the container shall be completed with the address or postcode of the premises. Sharps containers shall be sited above floor level and below shoulder level.
- l) The sharps box shall be collected when it is  $\frac{3}{4}$  full. A waste transfer note shall be available on site for each box collected.
- m) An accessible wash hand basin shall be fitted within each treatment room provided with hot and cold running water, preferably by mixer taps. Liquid soap and a paper towel dispenser shall also be fitted in this area.
- n) In addition to the wash hand basin, a deep sink with hot and cold running water shall be provided exclusively for washing used equipment; this should be fitted in a separate 'dirty' area away from the clean operating area.
- o) Used instruments shall be manually cleaned in the sink before undergoing the ultrasonic process, cleaning shall occur below water level rather than under running water. Staff shall wear suitable disposable plastic aprons etc. during this process.
- p) Reusable instruments shall then be put through a cycle in an ultrasonic cleaner in accordance with Appendix C.  
The verification tests outlined in Appendix C shall be undertaken at the specified intervals and results shall recorded in the site logbook.
- q) Following Ultra Sonic cleaning any reusable instruments etc. shall then be sterilised in a bench top autoclave.  
If a non-vacuum type is used then the instruments should be sterilised in accordance with Appendix D.
- r) The verification tests outlined in Appendix D shall be undertaken at the specified intervals and results recorded in the site logbook
- s) If a vacuum type steriliser is used then sterilised in accordance with Appendix E. the instruments should be
- t) The verification tests outlined in Appendix E shall be undertaken at the specified intervals and results recorded in the site logbook.
- u) A written aftercare leaflet shall be given to each client in accordance with general condition 16.
- v) Any jewellery which contains more than 0.05% nickel shall not be used, as this may cause an allergic reaction.
- w) All jewellery shall be sterilised in the autoclave prior to use in the piercing.

### 8) Artificial Nails

- a) Written records containing clients name, address, telephone number, date of treatments and operatives name shall be kept for each client. These shall be kept for a period of at least 3 years and be available at the premises for inspection.
- b) The condition of the client's nails should be examined prior to any treatment and if there is any presence or suspicion of any infection etc. they should be referred for medical treatment.
- c) All operatives shall be qualified to NVQ level issued by one of the OFQUAL/CQF recognised awarding bodies. Copies of qualifications shall be available for inspection at the premises.
- d) An assessment shall be carried out of all products used in connection with the treatment e.g. Acetone, Ethyl Methacrylate etc. under the Control of Substances Hazardous to Health Regulations 2002. Copies of safety data sheets for all products used shall be available on the premises.
- e) Products containing Methyl Methacrylate (MME) shall not be used.
- f) All products used in the premises shall be stored in suitably labelled containers, specifying details of contents, supplier etc.
- g) Floor coverings shall be made of impervious material which can be easily cleaned.
- h) Any cotton wool etc. which has come into contact with nail liquids shall be disposed of in suitably covered receptacles.
- i) Dispensed nail liquids shall be kept in covered containers at all times when not in use.
- j) The use of electric drills/files on a clients natural nail is prohibited.
- k) Electric drills/files shall only be used on the surface of the artificial nail and must not be used to blend the artificial nail to the natural nail.
- l) Electric files/drills shall only be used by operatives who have had specific training in their use.
- m) File/drill bits etc. shall be cleaned between use on each client.
- n) In rooms where nail extensions are carried out suitable air filtering and extraction shall be provided to remove dust and chemicals from the air and preferably fitted at the nail table.

### 9) Non Surgical Lasers/IPLS

- a) The licence holder shall employ the services of an Expert Medical Practitioner to produce the 'treatment protocol' document which must be kept on site. (Appendix F outlines the information required in this document)
- b) The Licence holder shall employ the services of a certificated Laser Protection Advisor who will assist in the production of the 'local rules' document (A specimen laser local rules document is attached as Appendix G). The 'local rules' shall be updated if there are any changes made to the equipment in use, changes in procedure or treatment room if these affect the safe use of the laser/IPL.
- c) All authorised users of laser/IPLS shall be trained to at least the Core of Knowledge Certificate level and records of such training shall be kept on site with the local rules. Any training on the specific equipment in use at the premises shall also be recorded. Such training should be refreshed every 3-5 years.
- d) A suitably qualified member of staff on the premises shall be identified as the laser protection supervisor. The laser protection supervisor will have day to day to responsibility of ensuring the local rules are followed.
- e) A treatment register shall be completed every time the laser/IPLS is operated, including the following information:
  - the name of the person treated including the details of the identification shown
  - the date and time of treatment;
  - the name and signature of the laser/IPLS operator;

- the nature of the laser/IPLS treatment given
- the treatment parameters
- any accidents or adverse effects.

#### **Laser/IPL Controlled Area**

- f) The area around working lasers/IPLS shall be controlled to protect other persons while treatment is in progress. The controlled area shall be clearly defined and not used for other purposes.  
A suitable safety warning sign or light entry system which complies with current British Standards shall be in place on the door of the controlled area.
- g) All lasers/IPLS shall comply with current standards BS EN 606012-22 for medical lasers and BS 60601-2-57 and shall display labels identifying them, their wavelength or range of wavelengths and the maximum output power of the radiation emitted. The labels shall be clearly visible on the front or side of the machine.
- h) The door to the controlled area shall be fitted with a suitable device which can be operated from the outside in an emergency
- i) Any windows in the controlled area shall be fitted with opaque blinds approved by the Laser Protection Advisor.
- i) The controlled areas shall be kept clear of clutter, mirrors shall be avoided and jewellery shall not be worn.
- k) Surfaces within the controlled area shall be of a matt or eggshell Finish.
- l) Protective eyewear shall be worn by everyone within the controlled area whenever there is a risk of exposure to laser/IPLS. All protective eyewear shall be marked with the wavelength range and protection offered as detailed in the local rules document. They shall be in a clean serviceable condition.
- m) The laser protection supervisor shall ensure that the key to any laser/IPLS equipment is kept in a secure and separate area when not in use and that only authorised users have access to the key.
- n) Lasers/IPLS shall be serviced annually and a record kept of servicing and repairs with the local rules document.

## APPENDIX A

### CERTIFICATION REQUIRED TO BE AVAILABLE AT THE LICENSED PREMISES

#### 1) Electricity

All applicants and licence holders are required to hold valid documentation confirming the safety of the fixed wiring throughout the premises. All works must be carried out by a competent electrical engineer in accordance with the Electricity at Work Regulations 1989, e.g. NICEIC 'Periodic Inspection Report for an Electrical Installation'.

#### 2) Sterilisers/*Electrical Equipment*

Valid documentation confirming the safety/calibration of all sterilisers and the safety of electrical equipment connected with the business e.g. autoclaves, ultrasonic cleaners, ultra violet cabinets, sunbeds, lasers, electrical light equipment etc.

#### 3) *Fire Risk Assessment and additional Fire Certificates*

*A copy of the Fire Risk Assessment, Fire extinguisher certificates and fire alarm certificates should be kept up to date and held on the premises.*

#### 4) *Clinical Waste*

*Where clinical waste such as sharps requires disposal, a clinical waste agreement should be in place and kept for inspection on the premises.*

#### 5) *Trade Waste*

*All applicants and licence holders shall hold a copy of the licence of the contractor who is removing the trade waste. Copies of transfer documents for the removal of trade waste should also be held.*

#### 6) Insurance

A copy of the employers liability (where applicable) and public liability certificates should be available for inspection.

#### 7) Training

All certificates of qualifications relevant to the licensed treatments shall be available for inspection.

#### 8) *Gas Certification*

*Where Gas is supplied on the premises, a certificate is required to be in place and available for inspection.*

## APPENDIX B

### SPECIMEN TATTOOING/PIERCING CONSENT FORM

#### (Name & Address of premises)

I hereby declare that I give (piercer/tattoo artists name) my full consent to (pierce/tattoo) me and that the information given below is true to the best of my knowledge.

I have/suffer from the following:

Heart Condition /Pacemaker	NO/YES
Epilepsy	NO/YES
Haemophilia	NO/YES
HIV/Hepatitis	NO/YES
High Blood Pressure	NO/YES
Diabetes	NO/YES
Skin condition e.g. Psoriasis	NO/YES
Allergies i.e. plasters	NO/YES
Taking blood thinning medication e.g. aspirin	NO/YES

I understand that no form of anaesthetic will be used in the procedure.

I understand that every care will be taken to ensure that the procedure is carried out in a hygienic way, which includes the use of disposable or pre-sterilised equipment.

I will follow the verbal and written aftercare instructions which have been given to me.

**I AM NOT UNDER THE INFLUENCE OF ALCOHOL OR DRUGS I HAVE REQUESTED THIS PIERCING / TATTOO OF MY OWN FREE WILL**

Print Full Name.....

Address .....

.....

AGE ..... Date of Birth..... Type of ID .....

Identification Number on ID .....

Signature of client .....Guardian if under 16 .....

Date..... Tattoo/piercing site .....

.....



## APPENDIX C

### ULTRASONIC CLEANING PROCEDURE

The following procedure should be displayed in the disinfection area.

Place instruments in a basket. Open or dismantle instruments where appropriate. The lid must be closed when in operation.

Use the detergent at the dosage as recommended by manufacturer (e.g. low-foaming enzymic, effective at low temperatures)

After completion of the cycle, rinse thoroughly to remove detergent residues, by immersing in clean water (unless machine has an automatic rinse cycle)

Drain and dry items

Empty, clean and dry bath at the end of the day

### ULTRASONIC TESTS

**All results must be recorded in the log book**

**Table showing recommended tests and frequency for Ultrasonic Bath**

Test	Weekly	Quarterly	Yearly
Automatic Control Test	Y		
Safety Checks	Y		
Cleaning Efficacy		Y	
Ultrasonic Activity		Y	
Service/Portable appliance test			Y

#### **Automatic Control Test**

The principle behind the Automatic Control Test is to create a continuous performance record that is unique to the machine. This ensures that any deviation from normal performance can be identified.

- The cycle time (min 3-6 mins) and temperature (40-50 c) must remain consistent with results of previous tests.
- The machine should display 'Complete Cycle' message
- There is no observed deviation from normal performance
- The must be updated logbook

#### **Safety Checks**

Safety checks ensure Operator Safety and correct cycle function and usually consist of:

- Check safety valve operation
- Check door pressure interlock
- Check door cycle start interlock

- Check door in-cycle interlock
- Check condition of door seal
- Check that filters and strainers are free from blockages
- Record all checks in the logbook

### **Cleaning Efficacy**

These tests are done to prove that the machine is reducing the amount of contamination on an instrument to an acceptable level during the cycle.

#### **Test Soil**

Test Soil is used to mimic contaminants that would be found on an instrument prior to processing. Test kits can be purchased from supplier. Record results in the logbook.

### **Ultrasonic Activity**

The ultrasonic activity is tested to check that the cleaner is cavitating correctly.

The recommended procedure is the Aluminium Foil Test. A 5cm foil strip is held using forceps in the centre of the bath for 3 minutes. Inspect the foil. The edges of the foil should be serrated with pitting and /or perforation of the centre of the strip. Alternatively use a commercial kit, which shows a colour change if the ultrasonic bath is producing sufficient cavitation. Record the results in the logbook.

The water must be changed after this test has been carried out as particles of foil remain in the water.

### **Service**

A yearly service is recommended by a competent engineer.

The appliance should also be checked yearly for electrical safety as part of the premises portable appliance maintenance programme.

## Appendix D

### NON VACUUM STERILISATION PROCEDURE

The following procedure should be displayed in the sterilisation area.

**Type N - Non Vacuum** – suitable for solid instruments only

Fill the reservoir with water (sterile water is recommended) at the beginning of the day.

Ensure maximum surface exposure of instruments by opening or dismantling instruments. Do not overload.

Bowls, kidney dishes etc. should be inverted and placed at an angle to allow draining and the steam to contact all surfaces of the vessel.

On completion of the cycle instruments may be stored in a clean plastic container and must be used within 3-4 hours after this time if not used they must be re sterilised.

The reservoir should be drained at the end of the day when cooled and the chamber left clean and dry overnight.

### AUTOClave VERIFICATION TESTS

**Type N - Non Vacuum machines** – suitable for solid instruments only

**All results must be recorded in the log book**

Test	Weekly	Quarterly	Yearly
Automatic Control Test	Y		
Safety Checks	Y		
Service/Portable appliance test			Y

#### **Automatic Control Test – weekly**

This test will provide accurate details of the maximum temperature and pressure reached during the 'hold time' within the steriliser during a typical cycle.

The test should be carried out at the beginning of the day.

The autoclave should be empty and the most frequently used cycle selected (e.g. 134°C, unwrapped without drying), or a test cycle if the autoclave is programmed with this feature.

If the unit has a printer installed the print out of the test cycle should be retained and recorded in the logbook.

If the autoclave does not have a printer, the following information must be observed and recorded manually in the logbook.

- Cycle time
- Sterilization 'hold time' (i.e. the length of time temperature is held at either 134°C or 121°C during the cycle)
- Temperature
- Pressure

### **Safety Checks - Weekly**

The door seals should be checked for signs of deterioration and leaks and results recorded in the logbook.

Check the performance of the door safety devices and record result in the logbook.

### **Service – annual**

The steriliser should receive an annual service from a qualified engineer in accordance with the manufacturers' recommendation.

The steriliser should be checked yearly by a competent engineer as part of the premises portable appliance maintenance programme.

A copy of the reports to be kept in the log book.

## APPENDIX E

### VACUUM STERILISATION PROCEDURE

The following procedure should be displayed in the sterilisation area

**Type B- Vacuum** – suitable for hollow or porous instruments.

Fill the reservoir with water (sterile water is recommended) at the beginning of the day.

The instruments should be placed in suitable pouches which may have an indicator strip on them which changes colour after the cycle is complete.

Once sterilised the pouches can be stored for up to 6 months, the date of sterilisation should be written on the pouch.

The pouches should be stored above floor level, away from direct sunlight and in a secure, dry and cool environment.

The reservoir should be drained at the end of the day when cooled and the chamber left clean and dry overnight.

### VACUUM AUTOCLAVE VERIFICATION TESTS

#### Type B- Vacuum – suitable for hollow or porous instruments

**All results must be recorded in the log book**

**Table showing recommended tests and frequency for Type N Autoclave**

Test	Weekly	Quarterly	Yearly
Automatic Control Test	Y		
Safety Checks	Y		
Steam Penetration Tests		Y	
Service/Portable appliance test			Y

#### **Automatic Control Test – weekly**

This test will provide accurate details of the maximum temperature and pressure reached during the 'hold time' within the steriliser during a typical cycle.

The test should be carried out at the beginning of the day.

The autoclave should be empty and the most frequently used cycle selected (e.g. 134°C, unwrapped without drying), or a test cycle if the autoclave is programmed with this feature. If the unit has a printer installed the print out of the test cycle should be retained and recorded in the logbook.

If the autoclave does not have a printer, the following information must be observed and recorded manually in the logbook.

- Cycle time
- Sterilization 'hold time' (i.e. the length of time temperature is held at either 134°C or 121°C during the cycle)
- Temperature
- Pressure

### **Safety Checks - weekly**

The door seals should be checked for signs of deterioration and leaks and results recorded in the logbook.

Check the performance of the door safety devices and record result in the logbook

### **Steam Penetration Test – quarterly**

This test is used in order to check that the air removal stage of the steriliser is effective.

The method used must be in accordance with the manufacturers' guidance in order to be effective.

The Bowie and Dick or Helix tests are the most commonly used and are available in pack form from suppliers.

The pack is placed in the centre of the chamber, select a standard cycle, the same cycle must be used each time the test is performed.

At the end of the cycle examine the test sheet and record the results in the logbook.

### **Service – annual**

The steriliser should receive an annual service from a qualified engineer in accordance with the manufacturer's recommendation

The steriliser should be checked yearly by a competent engineer as part of the premises portable appliance maintenance programme.

A copy of the reports to be kept in the log book



## APPENDIX F

### Laser /IPLS Treatment Protocol Document

A treatment protocol must be produced by an expert medical practitioner (EMP) in relation to the licence holders' equipment/premises.

The treatment protocol sets out the necessary pre-treatment checks and tests, the manner in which the laser/IPLS is to be applied, the acceptable variations in the settings used, and when to abort a treatment.

The treatment protocol should be signed and dated by the EMP to confirm authorisation, should be reviewed annually and include a projected date for review.

A separate treatment protocol should be in place for each laser/IPLS in use at the licensed premises.

The treatment protocol must include the following:

- name and technical specifications of the equipment
- contra indicators
- treatment technique – general
- treatment technique – hair reduction
- client consent prior to treatment
- cleanliness and infection control
- pre-treatment tests
- post-treatment care
- recognition of treatment-related problems
- emergency procedures
- permitted variation on machine variables
- procedure in the event of equipment failure

## APPENDIX G

### CONTENT OF LASER/IPLS LOCAL RULES DOCUMENT

**1) Potential Hazards**

List all types of hazards including fire, skin and eye injuries, electrical etc.

**2) Device Description**

Description of all devices including output, serial numbers etc.

**3) Treatment Protocol**

Reference to separate document produced by the Expert Medical Practitioner.

**4) Written Procedures**

Supported by reference to user manual/training manual etc.

**5) Adverse Incident Procedure**

- a) Details of actions that shall be taken in cases of emergency e.g. eye exposure
- b) Name, address and tel. no of local accident and emergency department.
- c) Any incidents must also be reported to Croydon Council, list of their contact details,

**6) Emergency Shutdown Procedure**

Instructions as set down in manufacturers' manual or treatment protocol.

**7) Register of Authorised Users**

Details of trained personnel with signed declarations of individuals.

**8) Laser Protection Advisor**

Contact details of the LPA

**9) Laser Protection Supervisor**

- a) One Authorised User shall be nominated Laser Protection Supervisor to ensure that the register is maintained and the local rules are adhered to
- b) Name of the laser protection supervisor

**10) Record of laser use**

A register shall be kept which will separately record the following information every time the IPL is operated

- the name and date of birth of the person treated
- date of treatment
- the operator
- the treatment given
- any accident or adverse effects.

**11) Laser/IPL Operator Training**

- a) All laser/IPL 'authorised users' shall hold the Core of Knowledge Training Certificate together with specific training on the use of on-site equipment provided by the supplier of the Laser/IPLS.

- b) Details of all training shall be recorded in the Register of Authorised Users or a separate Training Register.

#### **12) Controlled Area designation and access**

- a) The room in which the laser/IPLS is used shall be designated a 'Controlled Area' and the laser shall only be used in this area. Approved warning signs shall be fitted to the door i.e. 'Controlled Area', 'Eye Protection' etc.
- b) A notice should be fixed to the laser/IPLS indicating that its use is subject to the Local rules.

#### **13) Register of Authorised Users**

A register shall be kept of personnel authorised to operate the equipment.

#### **14) Safe Operation of device**

- a) No more than one laser/IPL shall be switched on during the client treatment.
- b) When the laser/IPL is in operation the number of persons in the room shall be kept to a minimum.
- c) The laser/IPL shall not be enabled to fire unless it is directed towards the treatment site or a beam stop.
- d) The Authorised User shall be careful to avoid reflections of the beam from Instruments/equipment in close proximity to the beam path, matt/non reflective surfaces etc. shall be provided.
- e) Whenever the device is unattended by an Authorised User, the laser shall be switched off and the key withdrawn and placed in safe custody by the Authorised User.

#### **15) Operator responsibility**

- a) It is the responsibility of the equipment Authorised User to be aware of the nature of the hazard involved and to be familiar with the manufacturer's operating instructions.
- b) During the operation of the laser (or IPL) the Authorised User is responsible for the safety of all persons present, including the client and themselves.

#### **16) Protective eyewear**

Protective eyewear shall be provided and clearly marked for the laser. It is important that the correct goggles are used e.g. the use of a coloured sticker or other identifier on the goggles matches a similar identifier on the laser or IPL. The Authorised User shall instruct all personnel in the Controlled Area to wear goggles suitable for the laser being used.

#### **17) Application of local rules**

- a) The laser shall only be used in accordance with these local rules.
- b) Authorised Persons shall sign statements that they have read and understood these local rules.
- c) The local rules shall be kept in the treatment room/s at all times.

## APPENDIX H

## EXEMPTION REGISTRATION

If more than one therapist / operative is exempt, please print more copies of this section.

Evidence of the exemption is required to be sent to the Council to verify this registration.

Trading Name			
Address			
Contact Name			
Business Tel		Mobile	
Email Address			
Website Address			
Premises Under Construction	YES / NO	Number of floors	
Are Premises Commercial	YES / NO	Are Premises Residential	YES / NO
Are premises Shared	YES / NO	Are you renting a chair/space	YES / NO
If Shared, with who else			
Exempt Organisation			
Member Number			
Treatment(s) being offered on premises			
Treatment(s) covered under exemption			
Exempt From Date		Exempt To Date	

## DECLARATION

I/We hereby declare that the particulars given below are true to the best of my/our knowledge and belief.

Application is true	YES / NO	Supporting documents true	YES / NO
---------------------	----------	---------------------------	----------

Applicant Name (Printed)	Applicant Signature	Date

# APPENDIX I

## MASSAGE & SPECIAL TREATMENT

I/We hereby apply to the Council of the London Borough of Croydon in pursuance of the provisions of the London Local Authorities Act 1991 and 2000, for the licensing of the following premises as an establishment for special treatment.

NEW ☐ RENEWAL ☐ VARIATION ☐ TRANSFER ☐

Current Premises Licence Number (if applicable) .....

Please complete all sections of the application form and send all supporting documents to Croydon Council for consideration, verification and consultation with the Fire Authority and Police.

**CROYDON COUNCIL**  
The Licensing Team  
Place Department  
6th Floor, Zone A  
Bernard Weatherill House  
8 Mint Walk  
Croydon CR0 1EA  
020 8760 5466  
[licensing@croydon.gov.uk](mailto:licensing@croydon.gov.uk)

**FIRE AUTHORITY**  
Fire Safety Regulations  
SEArea 3  
169 Union Street  
London  
SE1 0LL  
0208 555 1200 ext 37630  
[FSR-AdminSupport@londonfire.gov.uk](mailto:FSR-AdminSupport@londonfire.gov.uk)

**POLICE**  
Licensing Sergeant  
Licensing Office  
Metropolitan Police Service  
Croydon Police Station  
71 Park Lane, Croydon,  
CR9 1BP  
0208 649 0167  
[ZD-LICENSING@met.police.uk](mailto:ZD-LICENSING@met.police.uk)



## SECTION A

BUSINESS PREMISES			
Trading Name			
Address			
Contact Name			
Business Tel		Mobile	
Email Address			
Website Address			
Premises Under Construction	YES / NO	Number of floors	
Are Premises Commercial	YES / NO	Are Premises Residential	YES / NO
Are premises Shared	YES / NO	Are you renting a chair/space	YES / NO
If Shared, with who else			
Agent Details (if applicable)			

## SECTION B

**Please complete EITHER Section B or C**

APPLICANT DETAILS			
Complete if you are a Sole Trader or Partnership (Delete as appropriate)			
Contact Name			
Home Address			
Home Tel		Mobile	
Email Address			
Website Address			
Date of Birth		Any Previous Applications	YES / NO
Leaseholder	YES / NO	Freeholder	YES / NO
Any previous convictions or disqualifications			YES / NO

## SECTION C

COMPANY DETAILS			
Complete if you are a an Organisation / Limited Company (Delete as appropriate)			
Registered Company Name			
Registered Company Address			
Registered Company Number			
Contact Name			
Business Tel		Mobile	
Email Address			
Directors Name		Date of Birth	
Private Address			
If more than one Director, please use black sheet at the end of this application			

## SECTION D

## MANAGEMENT OF PREMISES

## SECTION E

## ELECTRICAL TREATMENT DEVICES

**Sunbeds, Lasers and other light or electrical devices used when offering a treatment**

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## SECTION F

To be completed for EACH Therapist/Operative PER treatment

<b>PREMISES NAME:</b>	
<b>PREMISES ADDRESS:</b>	

An application has been made for a Special Treatment Licence at the above premises.

All operatives must submit qualifications in the treatment(s) they will be offering at the premises.

Information provided forms part of the application and will be kept for the length of the licence of 1 year.

Croydon Council consult with the Fire Authority and Police on each application.

THERAPIST / OPERATIVE DETAILS			
Name			
Telephone Number		Trainee	YES / NO
Treatment			
Qualification(s)		Level(s) Gained	
College(s)		Date(s) Awarded	
Experience gained (if no qualification)			
Working towards Qualification (detail)			

### DECLARATION

Name (Printed)	Signature	Date

## SECTION G

### TREATMENTS

(Please tick all treatments offered on premises)

ACUPRESSURE	
ACUPUNCTURE	
ALEXANDER TECHNIQUE	
ANTHROPOSCPHICAL MEDICINE	
AROMATHERAPY with MASSAGE	
AURICULAR ACUPUNCTURE	
AUTOGENIC TRAINING	
AYURVEDIC MEDICINE	
BACH FLOWER REMEDIES	
BATES METHOD	
BEADING	
BI AURA THERAPY	
BIO RESONANCE THERAPY	
BIO SKIN JETTING	
BLEACHING	
BODY MASSAGE	
BODY PIERCING	
BODY TALK	
BODY WRAPS / ENVELOPMENT	
BOTOX	

IRIDOLOGY	
KEN EYERMAN TECHNIQUE	
KINESIOLOGY	
KIRILIAN PHOTOGRAPHY	
KOREAN HAND THERAPY	
LASER / INTENSE PULSE LIGHT	
LIPO LASER	
LUMI LIFT / LUMI FACIALS	
MANICURES	
MANUAL LYMPHTHATIC DRAINAGE	
MARMA THERAPY	
MERIDIAN THERAPIES (see EFT, TAT, Freeway - CER)	
MESOTHERAPY	
META AROMATHERAPY	
METAMORPHIC TECHNIQUE	
MICRO CURRENT THERAPY / non surgical face lifts	
MICRODERMABRASION	
MICRODERMABRASION (with lasers)	
MICRO DERMAL ANCHORS	
MICROBLADING	



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BOWEN TECHNIQUE	
BRANDING	
BE SET FREE FAST (BSFF)	
BUTEYKO	
CAVITATION	
CHAMPISSAGE (Indian Head Massage)	
CHEMICAL / FRUIT PEELS	
CHIROPODY & PODIATRY	
CHIROPRACTIC	
CHOLESTEROL TESTING	
COLLAGEN IMPLANTS (Cosmetic Fillers)	
COLONIC IRRIGATION	
COLOUR THERAPY (Chroma Therapy)	
CRANIOSACRAL THERAPY	
CRYOTHERAPY (Cryogenic Chamber Therapy)	
CRYOLIPOLYSIS	
CRYOSAUNA	
CRYSTAL / ELECTRICAL CRYSTAL HEATING	
CUPPING	
DERMABRASION	
DERMAL ANCHORS (see Micro-dermal Anchors)	
DERMAROLLER	
DETOX BOX (see Infra Red Sauna)	

MICROPIGMENTATION (semi-permanent makeup)	
MOXIBUSTION with acupuncture	
MOXIBUSTION without acupuncture	
MYOFASCIAL RELEASE	
NAET (Nambudripad Allergy Elimination Technique)	
NAIL EXTENSIONS	
NATURPATHY	
NEUROSKELETAL REALIGNMENT	
NO HANDS MASSAGE	
NON SURGICAL FACE LIFTS (Micro Current Therapy)	
NORRIS TECHNIQUE	
NOSE PIERCING (Nostril only)	
OSTEOMYOLOGY	
OSTEOPATHY	
OXYGEN THERAPY (Oxygen Bars only)	
OZONE SAUNA	
OZONE THERAPY	
PEDICURE	
PHYSIOTHERAPY	
PODIATRY & CHIROPODY	
POLARITY THERAPY	
QI GONG	
RADIO FREQUENCY	

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DO IN	
DRACULA THERAPY (Stimulated Self Serum Therapy)	
DRY NEEDLING	
EAR PIERCING (Lobe Only)	
ELECTROLYSIS (Hair Removal)	
ELECTROLYSIS - ADVANCED (Moles, Warts, Skin Tags)	
EMOTIONAL FREEDOM TECHNIQUE (EFT)	
ENDERMOLOGIE	
EYEBROW TREATMENTS	
EYEBROW EMBROIDERY	
EYELASH TREATMENTS	
FACIALS (with & without massage)	
FACIAL PIERCING	
FACIAL STEAMERS	
FAIRBANE METHOD / TANGENT METHOD	
FARADISM	
FELDENKRAIS	
FIRE THERAPY (Huo Liao)	
FISH THERAPY	
FLOTATION TANK	
FOOT DETOX	
FOOT MASSAGE	
FREEWAY - CER	

RADIONICS	
REIKI without massage	
REIKI with massage	
REFLEXOLOGY	
REMEDIAL MASSAGE	
ROLFING	
ROLL SHAPER	
SAUNA	
SCARIFICATION	
SCENAR THERAPY	
SCHMAIZING	
SCLEROTHERAPY	
SEMI PERMANENT MAKEUP (see Micropigmentation)	
SHIATSU	
SKIN PEELS	
SPA	
SPORTS / REMEDIAL MASSAGE	
SPRAY TANNING	
STEAM ROOM / BATH	
STONE THERAPY	
SUGARING	
SWEDISH MASSAGE	
TAPAS ACUPRESSURE TECHNIQUE (TAT)	

A1

FROTOX	
GALVANISM	
GLUCOSE TESTING	
GRINBERG METHOD	
GYRATORY MASSAGE	
HALOTHERAPY / SPELIOTHERAPY	
HELLERWORK	
HENNA TATTOOS	
HERBAL MEDICINE	
HIGH FREQUENCY	
HOLISTIC MASSAGE	
HOMEOPATHY	
HOPI EAR CANDLES (with massage) (see Thermal Auricular)	
HOPI EAR CANDLES (without massage)	
HOT AIR MASSAGE	
HUO LIAO (see Fire Therapy)	
HYALURONIC ACID (Cosmetic Fillers)	
HYDROTHERAPY	
HYPNOTHERAPY	
INDIAN HEAD MASSAGE (Champissage)	
INFRA RED	
INFRA RED SAUNA (see Detox Box)	
INVERSION THERAPY	

TATTOO REMOVAL (Tattoo)	
TATTOO REMOVAL (Laser)	
TATTOOING	
TEETH WHITENING	
TEMPTOOING	
THOUGHT FILLED THERAPY (TFT)	
THAI MASSAGE	
THALASSATHERAPY	
THERAPUETIC / HOLISTIC MASSAGE	
THERMA VEIN	
THERMO AURICULAR (Hopi Ear Candles) with massage	
THERMO AURICULAR (Hopi Ear Candles) no massage	
THREADING	
TONGUE SPLITTING	
TONING BEDS	
THRICOLOGY with massage	
THRICOLOGY without massage	
TUI - NA	
ULTRA SONIC	
ULTRASOUND	
ULTRA VIOLET TANNING	
VACUUM SUCTION	
WAXING	

ADDITIONAL INFORMATION

## SECTION H

### CHECKLIST

Please provide copies of the items below with your application

Floor Plans	YES / NO	Customer Vetting Card	YES / NO
Treatment Price List	YES / NO	Gas Certificate	YES / NO
Trade Waste Agreement*	YES / NO	Clinical Waste Contract*	YES / NO
PAT Certificate*	YES / NO	Fixed Wiring Certificate	YES / NO
Public Liability Insurance*	YES / NO	Employers Liability Insurance*	YES / NO
Copy Lease/Freehold	YES / NO	Fire Risk Assessment*	YES / NO
Fire Alarm Method/Certificate	YES / NO	Fire Extinguisher Certificate*	YES / NO
Emergency Lighting Certificate	YES / NO	All Therapist(s) Qualifications	YES / NO
Application Sent to Police	YES / NO	Application Sent to Fire Service	YES / NO

\*If above documents are still in date upon renewal, please indicate the expiry date of each.

## SECTION I

### DECLARATION

I/We hereby declare that the particulars given below are true to the best of my/our knowledge and belief.

Fee Paid	YES / NO	Application is true	YES / NO
Supporting documents true	YES / NO	I have read the Privacy Notice	YES / NO

Applicant Name (Printed)	Applicant Signature	Date

For more details about how your information is going to be handled, please go to the Licensing Privacy Notice online at <https://www.croydon.gov.uk/democracy/data-protection-freedom-information/privacy-notices/licensing-service-privacy-notice>

**If you require any assistance with the completion of this form please contact the Licensing Team on 0208 760 5466**

**Office Use Only:**

**Uniform No** ..... **Date Received**.....

**Licence from** ..... **Licence Fee** .....

**Receipt No** .....



**A - Z SPECIAL TREATMENTS**

TREATMENT	CATEGORY	LICENSABLE
ACUPRESSURE	MASSAGE	YES
ACUPUNCTURE	ACUPUNCTURE	YES
ALEXANDER TECHNIQUE	-	NO
ANTHROPOSCPHICAL MEDICINE	MASSAGE	YES
AROMATHERAPY with MASSAGE	MASSAGE	YES
AURICULAR ACUPUNCTURE	ACUPUNCTURE	YES
AUTOGENIC TRAINING	-	NO
AYURVEDIC MEDICINE	MASSAGE	YES
BACH FLOWER REMEDIES	-	NO
BATES METHOD	-	NO
BEADING	COSMETIC PIERCING	YES
BI AURA THERAPY	-	NO
BIO RESONANCE THERAPY	-	NO
BIO SKIN JETTING	COSMETIC PIERCING	YES
BLEACHING	-	NO
BODY MASSAGE	MASSAGE	YES
BODY PIERCING	COSMETIC PIERCING	YES
BODY TALK	MASSAGE	YES
BODY WRAPS / ENVELOPMENT	-	NO
BOTOX	Medical Practitioner Only	NO
BOWEN TECHNIQUE	MASSAGE	YES
BRANDING	-	NO
BE SET FREE FAST (BSFF)	-	NO

BUTEYKO	-	NO
CAVITATION	-	NO
CHAMPISSAGE (Indian Head Massage)	MASSAGE	YES
CHEMICAL / FRUIT PEELS	-	NO
CHIROPODY & PODIATRY	FOOT TREATMENT	YES / NO
CHIROPRACTIC	MASSAGE	YES / NO
CHOLESTEROL TESTING	-	NO
COLLAGEN IMPLANTS (Cosmetic Fillers)	-	NO
COLONIC IRRIGATION	-	NO
COLOUR THERAPY (Chroma Therapy)	LIGHT TREATMENTS	YES
CRANIOSACRAL THERAPY	-	NO
CRYOTHERAPY (Cryogenic Chamber Therapy)	-	NO
CRYOLIPOLOSIS	-	NO
CRYOSAUNA	SAUNA	YES
CRYSTAL / ELECTRICAL CRYSTAL HEATING	-	NO
CUPPING	-	NO
DERMABRASION	-	NO
DERMAL ANCHORS (see Micro-dermal Anchors)	COSMETIC PIERCING	YES
DERMAROLLER	-	NO
DETOX BOX (see Infra Red Sauna)	SAUNA	YES
DO IN	-	NO
DRACULA THERAPY (Stimulated Self Serum Therapy)	-	NO
DRY NEEDLING	SKIN PIERCING	YES
EAR PIERCING (Lobe Only)	COSMETIC PIERCING	YES
ELECTROLYSIS (Hair Removal)	ELECTRIC TREATMENTS	YES
ELECTROLYSIS - ADVANCED (Moles, Warts, Skin Tags)	ELECTRIC TREATMENTS	YES
EMOTIONAL FREEDOM TECHNIQUE (EFT)	MASSAGE	YES
ENDERMOLOGIE	ELECTRIC TREATMENTS	YES

EYEBROW TREATMENTS	-	NO
EYEBROW EMBROIDERY	-	NO
EYELASH TREATMENTS	-	NO
FACIALS (with & without massage)	MASSAGE	YES / NO
FACIAL PIERCING	COSMETIC PIERCING	YES
FACIAL STEAMERS	FACIAL	YES
FAIRBANE METHOD / TANGENT METHOD	MASSAGE	YES
FARADISM	ELECTRIC TREATMENTS	YES
FELDENKRAIS	-	NO
FIRE THERAPY (Huo Liao)	-	NO
FISH THERAPY	BATH	YES
FLOTATION TANK	BATH	YES
FOOT DETOX	ELECTRIC TREATMENTS	YES
FOOT MASSAGE	MASSAGE	YES
FREEWAY - CER	MASSAGE	YES
FROTOX	-	NO
GALVANISM	ELECTRIC TREATMENTS	YES
GLUCOSE TESTING	-	NO
GRINBERG METHOD	MASSAGE	YES
GYRATORY MASSAGE	MASSAGE	YES
HALOTHERAPY / SPELIOTHERAPY	VAPOUR	YES
HELLERWORK	-	NO
HENNA TATTOOS	-	NO
HERBAL MEDICINE	-	NO
HIGH FREQUENCY	ELECTRIC TREATMENTS	YES
HOLISTIC MASSAGE	MASSAGE / FACIALS	YES
HOMEOPATHY	-	NO
HOPI EAR CANDLES (with massage)	MASSAGE	YES

HOPI EAR CANDLES (without massage)	-	NO
HOT AIR MASSAGE	MASSAGE	YES
HUO LIAO (see Fire Therapy)	-	NO
HYALURONIC ACID (Cosmetic Fillers)	-	NO
HYDROTHERAPY	BATH	YES
HYPNOTHERAPY	-	NO
INDIAN HEAD MASSAGE (Champiassage)	MASSAGE	YES
INFRA RED	LIGHT TREATMENTS	YES
INFRA RED SAUNA (see Detox Box)	SAUNA	YES
INVERSION THERAPY	-	NO
IRIDOLOGY	-	NO
KEN EYERMAN TECHNIQUE	MASSAGE	YES
KINESIOLOGY	-	NO
KIRILIAN PHOTOGRAPHY	ELECTRIC TREATMENTS	YES
KOREAN HAND THERAPY	SKIN PIERCING	YES
LASER / INTENSE PULSE LIGHT	LASER TREATMENT	YES
LIPO LASER	LASER TREATMENT	YES
LUMI LIFT / LUMI FACIALS	LIGHT TREATMENTS	YES
MANICURES	MANICURE	YES
MANUAL LYMPHATIC DRAINAGE	MASSAGE	YES
MARMA THERAPY	MASSAGE	YES
MERIDIAN THERAPIES (see EFT, TAT, & Freeway - CER)	MASSAGE	YES
MESOTHERAPY	FACIAL / STEAM	YES
META AROMATHERAPY (with injection)	Medical Practitioner only	NO
META AROMATHERAPY	MASSAGE	YES
METAMORPHIC TECHNIQUE	MASSAGE	YES
MICRO CURRENT THERAPY / non surgical face lifts	ELECTRIC TREATMENTS	YES
MICRODERMABRASION	ELECTRIC TREATMENTS	YES / NO

MICRODERMABRASION (with lasers)	LASER TREATMENT	YES
MICRO DERMAL ANCHORS	SKIN PIERCING	YES
MICROBLADING	TATTOOING	YES
MICROPIGMENTATION (semi-permanent makeup)	TATTOOING	YES
MOXIBUSTION with acupuncture	SKIN PIERCING	YES
MOXIBUSTION without acupuncture	-	NO
MYOFASCIAL RELEASE	MASSAGE	YES
NAET (Nambudripad Allergy Elimination Technique)	ACUPUNCTURE	YES
NAIL EXTENSIONS	MANICURE	YES
NATURPATHY	-	NO
NEUROSKELETAL REALIGNMENT	MASSAGE	YES
NO HANDS MASSAGE	MASSAGE	YES
NON SURGICAL FACE LIFTS (Micro Current Therapy)	ELECTRIC TREATMENTS	YES
NORRIS TECHNIQUE	-	NO
NOSE PIERCING (Nostril only)	COSMETIC PIERCING	YES
OSTEOMYOLOGY	MASSAGE / ACUPUNC	YES
OSTEOPATHY	MASSAGE	YES
OXYGEN THERAPY (Oxygen Bars only)	VAPOUR	YES
OZONE SAUNA	SAUNA	YES
OZONE THERAPY	-	NO
PEDICURE	MANICURE	YES
PHYSIOTHERAPY	MASSAGE	YES
PODIATRY & CHIROPODY	FOOT TREATMENT	YES
POLARITY THERAPY	MASSAGE	YES
QI GONG	MASSAGE	YES
RADIO FREQUENCY	ELECTRIC TREATMENTS	YES
RADIONICS	-	NO
REIKI without massage	-	NO

REIKI with massage	MASSAGE	YES
REFLEXOLOGY	MASSAGE	YES
REMEDIAL MASSAGE	MASSAGE	YES
ROLFING	MASSAGE	YES
ROLL SHAPER	MASSAGE	YES
SAUNA	SAUNA	YES
SCARIFICATION	-	NO
SCENAR THERAPY	ELECTRIC TREATMENTS	YES
SCHMAIZING	-	NO
SCLEROTHERAPY	-	NO
SEMI PERMANENT MAKEUP (see Micropigmentation)	TATTOOING	YES
SHIATSU	MASSAGE	YES
SKIN PEELS	-	NO
SPA	BATH	YES
SPORTS / REMEDIAL MASSAGE	MASSAGE	YES
SPRAY TANNING	-	NO
STEAM ROOM / BATH	BATH / VAPOUR	YES
STONE THERAPY	MASSAGE	YES
SUGARING	-	NO
SWEDISH MASSAGE	MASSAGE	YES
TAPAS ACUPRESSURE TECHNIQUE (TAT)	MASSAGE	YES
TATTOO REMOVAL (Tattoo)	TATTOOING	YES
TATTOO REMOVAL (Laser)	LASER TREATMENT	YES
TATTOOING	TATTOOING	YES
TEETH WHITENING	Dentist Only	NO
TEMPTOOING	TATTOOING	YES
THOUGHT FILLED THERAPY (TFT)	-	NO
THAI MASSAGE	MASSAGE	YES



THALASSATHERAPY	BATH	YES
THERAPUETIC / HOLISTIC MASSAGE	MASSAGE	YES
THERMA VEIN	ELECTRIC TREATMENTS	YES
THERMO AURICULAR (Hopi Ear Candles) with massage	MASSAGE	YES
THERMO AURICULAR (Hopi Ear Candles) without massage	-	NO
THREADING	-	NO
TONGUE SPLITTING	-	NO
TONING BEDS	-	NO
THRICHOLGY with massage	MASSAGE	YES
THRICHOLGY without massage	-	NO
TUI - NA	MASSAGE	YES
ULTRA SONIC	ELECTRIC TREATMENTS	YES
ULTRASOUND	-	NO
ULTRA VIOLET TANNING	LIGHT TREATMENTS	YES
VACUUM SUCTION	-	NO
WAXING	-	NO

Date: 28<sup>th</sup> January 2019

Dear Licence Holder

**Re: Special Treatments Licence**  
**Legislation: London Local Authorities Act 1991/2000**

We are writing to you to invite you to submit an application for the renewal of your special treatments licence, should you wish to continue providing treatment(s) from 1 April 2019 onward.

To give you reasonable time to gather the information and documents that you will be asked to submit with your renewal application, please visit our website at [www.croydon.gov.uk/licensing](http://www.croydon.gov.uk/licensing) where you will find all the necessary information and advice. This includes the full listing of qualifications that we currently accept for providing the differing treatments.

Please note that any application received to renew a licence for 1 April 2019 onward which is not accompanied by all the requested documents will not be processed and shall be returned to the applicant for re submission once complete. In addition, special treatments licence holders are expected to ensure that all operatives/therapists providing treatment(s) at their premises are suitably qualified.

The Council aims to ensure that all establishments that offer special treatments within the London Borough of Croydon are compliant with the requirements of the London Local Authorities Acts 1991/2000.

Please can all documentation be submitted to the licensing team before the **1<sup>st</sup> March 2019** either via email to [licensing@croydon.gov.uk](mailto:licensing@croydon.gov.uk) or to the following address: Licensing Team, Floor 6 Zone A, Bernard Wetherill House, 8 Mint Walk, Croydon, CR0 1EA.

Should you wish to discuss matters or require clarification on any point, please do not hesitate to contact us at [licensing@croydon.gov.uk](mailto:licensing@croydon.gov.uk) or on 020 8760 5466.

Yours sincerely,

Michael Goddard  
Licensing Manager

## QUALIFICATIONS

Any qualifications from overseas will have to be submitted by the therapist/practitioner to UK NARIC (<https://www.naric.org.uk/naric/>). A compatibility certificate will indicate the qualification comparison of the international qualification and the UK qualification equivalent.

Any therapist, operative or practitioner who considers that they are exempt from having a special treatment licence must complete an Exemption Form and provide evidence of their exemption.

The table below sets out the minimum acceptable qualifications for many special treatments. If the treatment you wish to offer is not listed please contact us at [licensing@croydon.gov.uk](mailto:licensing@croydon.gov.uk) with details of what you wish to offer so we can advise you on acceptable qualifications.

## MINIMUM QUALIFICATION

### **ACUPUNCTURE**

CNM Diploma in Acupuncture  
BSc(Hons) Acupuncture  
Traditional Chinese Medicine BSc (Hons),  
Acupuncture MSc  
Professional Licentiate in Acupuncture (Lic.Ac.)

### **ADVANCED ELETROLYSIS**

Equivalent to Level 4 qualification.  
Sterex 2 day Advanced Electrolysis Course  
Sterex Advanced Cosmetic Procedures using Electrolysis Course  
Courses approved by BIAE for Advanced Electrolysis

### **COSMETIC PIERCING INCLUDING: BEADING, BIO SKIN JETTING, MICRO DERMAL ANCHORS, TATTOOING**

No accredited qualifications available. You must be able to either  
a) provide evidence including references of 2 years experience OR  
b) provide evidence you are training with a cosmetic piercer that has had at least 2 years experience

### **EAR PIERCING**

VTCT Level 2 Award in Ear Piercing (QCF)  
Cosmetic piercers meeting standards set out for 'Cosmetic Piercing' do not need to hold this qualification for ear piercing

### **ELECTROLYSIS / ELETRICAL EPILATION (HAIR REMOVAL)**

CIBTAC Level 3 Certificate In Electrical Epilation (QCF)  
ITEC Level 3 Certificate in Epilation  
VTCT Level 3 Certificate in Epilation  
CIBTAC Level 3 Certificate in Epilation  
ITEC Level 3 Diploma in Epilation (VRQ)

VTCT Level 3 NVQ Award in Indian Head Massage (QCF)  
 CIBTAC Level 3 Award In Body Massage (QCF)  
 ITEC Level 3 Diploma in Massage and Electrotherapy Treatments  
 ITEC Level 3 NVQ Diploma in Beauty Therapy Massage  
 ITEC Level 3 Award in Massage using Pre-Blended Aromatherapy Oils  
 VTCT Level 3 Certificate in Massage Using Pre-Blended Aromatherapy Oils  
 CIBTAC Level 3 Diploma In Massage Techniques and Beauty Therapy Services  
 City & Guilds Level 3 NVQ Diploma in Beauty Therapy - Massage (QCF)

#### **MICRO BLADING**

VTCT Level 4 Certificate in Micro blading Techniques  
 Level 4 Nouveau Certificate  
 Level 4 Finishing Touches  
 Any other Level 4 (NVQ) Certificate in Micro blading

#### **MICRO-PIGMENTATION, SEMI PERMANENT MAKE-UP**

ITEC Level 4 Certificate In Micro-Pigmentation Treatment  
 ITEC Level 4 Award In Micro-Pigmentation Treatment  
 Level 4 Finishing Touches  
 City & Guilds Level 4 Award in Enhance Appearance using Micro-Pigmentation Treatment (QCF)  
 VTCT Level 4 Certificate in Micropigmentation (QCF)

#### **NAIL EXTENSIONS**

VTCT Level 2 Certificate in Nail Technology (QCF)  
 VTCT Level 2 NVQ Diploma in Nail Services (QCF)  
 City & Guilds Level 2 Technical Certificate in Nail Treatments  
 Focus Awards Level 2 Certificate in Nail Technology  
 CIBTAC Level 3 Certificate in Nail Technologies  
 ITEC Level 2 Certificate in Nail Technology

#### **PEDICURES**

ITEC Level 2 Certificate in Nail Technology  
 CIBTAC Level 2 Award in Providing Pedicure Services  
 City & Guilds Level 2 Technical Certificate in Beauty Therapy  
 Focus Awards Level 2 Certificate in Nail Treatments  
 VTCT Level 2 NVQ Award in Providing Pedicure Services (QCF)

#### **STEAM ROOMS / SPA POOLS / WATER BATHS / SAUNA**

Sports management Sauna/Steam room training (ISRM)  
 ITEC Level 3 diploma in Spa Treatments  
 Documented specific manufacturer training for the facility offered in your premises. Must include evidence of understanding and implementation of Legionella controls.

#### **TATTOOING**

No accredited qualifications available. **You must be able to either**  
 c) provide evidence including references of 2 years experience **OR**  
 d) provide evidence you are training with a cosmetic piercer that has had at least 2 years experience

#### **ULTRA VIOLET TANNING (SUNBEDS)**

The Sunbed Association training package  
 VCTC Level 2 Award in Skin Tanning Techniques  
 NVQ unit BT30 Provide UV Tanning Treatments  
 ITEC Level 2 Award in Apply Skin Tanning Techniques  
 ITEC Level 3 NVQ Diploma in Beauty Therapy with optional unit Provide UV Tanning Services  
 Focus Awards Level 3 Diploma in Beauty Therapy with optional 'Provide UV Tanning' unit

## Croydon Council

<b>REPORT TO:</b>	<b>LICENSING COMMITTEE</b> <b>20 March 2019</b>
<b>AGENDA ITEM:</b>	
<b>SUBJECT:</b>	<b>Special Treatments Licensing Fee Setting – London Local Authorities Act 1991</b>
<b>LEAD OFFICER:</b>	<b>Executive Director, Place Department</b>
<b>CABINET MEMBER:</b>	<b>Councillor Hamida Ali</b> <b>Cabinet Member for Safer Croydon &amp; Communities</b>
<b>WARDS:</b>	<b>All</b>
<b>CORPORATE PRIORITY/POLICY CONTEXT: N/a</b>	
<b>FINANCIAL SUMMARY:</b> <p>This report concerns the setting of fees for special treatments licensing in the borough of Croydon. The Council is entitled to calculate fees that will generate income to offset the estimated costs to the Council of providing the service. The estimated income from fees will offset the costs of the service. There are no other financial implications.</p>	
<b>FORWARD PLAN KEY DECISION REFERENCE NO.:</b>	

### For general release

#### 1. RECOMMENDATIONS

The Committee is asked to:

- 1.1 Note that the Leader has delegated authority to the Director of Public Realm to undertake reviews and fee setting under the provisions of the London Local Authorities Act 1991 in respect of Special Treatment Licensing. Such delegation shall not preclude the Director from bringing the matter back before the Committee should the Director consider it appropriate to do so.
- 1.2 Recommend to the Director of Public Realm that he adopt the fees set out in Appendix 2 to this report for the grant, renewal, transfer or variation of a special treatments licence to take effect from 1 June 2019.

## **2. EXECUTIVE SUMMARY**

- 2.1 The purpose of this report is to ask the committee to determine the fees for the grant, renewal, transfer or variation of a special treatments licence under the London Local Authorities Act 1991 ("the Act").

## **3. DETAIL**

- 3.1 The Council is the licensing authority for the purposes of special treatment licensing under the London Local Authorities Act 1991 (the 'Act') and is responsible for licensing the premises where special treatments are provided. Under Part II of the Act, 'establishment for special treatment' means any premises in the borough 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 kind or vapour, sauna or other baths but does not include —
- (a) any premises which are not used for gain or reward;
  - (b) any premises where the special treatment is carried out by or under the supervision of —
    - (i) a medical practitioner duly registered by the General Medical Council; or
    - (ii) any bona fide member of a body of health practitioners which has given notice in writing to the borough council that it—
      - (A) has a register of members;
      - (B) requires as qualification for membership qualifications by way of training for, and experience of, the therapy concerned;
      - (C) requires its members to hold professional indemnity insurance;
      - (D) subjects its members to a code of conduct and ethics, including a prohibition of immoral conduct in the course of their practice; and
      - (E) provides procedures for disciplinary proceedings in respect of its members; and has supported that notice with satisfactory documentary evidence, if required by the council; or
    - (iii) in the case of acupuncture, a dentist registered under the [1984 c. 24.] Dentists Act 1984.
- 3.2 There are a range of treatments offered, many of which have emerged since the Act was written and therefore the Act does not list them all. A Working Group of professional officers from the London boroughs has been in place for a number of years and this group assesses all treatments and decides, collectively as to whether a specific treatment should be defined as a special treatment and therefore requires licensing. Attached at Appendix 1 to this report, for the committee's information, is a list of current treatments that the Special Treatments Working Group consider require licensing.
- 3.3 There are 156 premises in the borough currently licensed for special treatments and this includes beauty therapists, health clubs, tattooists and body piercers. A special treatments licence is issued for one year, from 1 April to 31 March and the holder is then entitled to apply to renew their licence. A licence holder may also apply to vary their licence, perhaps to add or remove a treatment(s) or to add or remove a treatment provider (ie. a tattooist) and a licence may also be



transferred to another person/body.

- 3.4 The Council is the licensing authority under the Act and is responsible for the grant, renewal, variation or transfer of special treatments licenses. Section 7 (6) of Part II of the Act states 'An applicant for the grant, renewal or transfer of a licence shall pay a reasonable fee determined by the council.' Section 12 (2) of the Act states 'The person making an application for such a variation of a licence shall on making the application pay to the borough council a reasonable fee determined by the council.'
- 3.5 Licensing is an integral part of councils' broader regulatory services. While economic growth is a priority for every council in the country, there is also the need to ensure that licensing regimes can continue to protect communities and visitors; manage public health risks; and remain responsive to local concerns. All of this work requires funding and it is an accepted principle that licensed activities should be funded on a cost-recovery basis, paid for by those benefiting from the licensed activity, rather than drawing on the public purse. However, in setting the fees under this and many other Licensing regimes which the Council is required to operate, the Council is required to have regard to a number of different considerations and legislative requirements and parameters, including in relation to the European Services Directive ("the Directive"). This Directive, which remains applicable in the UK, aims to make it easier for service and retail providers to establish a business anywhere within Europe. It includes the principle of ensuring that regulation is transparent and that the burdens placed on businesses are kept to a minimum. The legal requirements in the Directive do have practical implications for local licensing regimes, including fee setting.
- 3.6 The general principles of the Services Directive apply to all processes and administrative procedures that need to be followed when establishing or running a service or retail business, including the setting, charging and processing of fees for licenses. The core principles of the Directive: non-discriminatory; justified; proportionate; clear; objective; made public in advance; transparent and accessible, apply to fee setting.
- 3.7 Whilst the majority of the principles are self-explanatory, in the context of fee setting, the principle of 'non-discrimination' requires a little more explanation. In the Directive it is defined as meaning 'the general conditions of access to a service, which are made available to the public at large by the provider [and] do not contain discriminatory provisions relating to the nationality or place of residence of the recipient'.
- 3.8 This applies to the Council when considering fee setting meaning that all applicants must be treated equally irrespective of location and/or nationality. The Council should not, for instance, seek to subsidise businesses operating in one geographical area by offering comparatively lower fees than required of those operating in another. Such an approach discriminates against those businesses located elsewhere in the locality.
- 3.9 In the licensing context, the importance of this approach has also been established by case law on taxi and PHV (Private Hire Vehicles) licensing.

Cummings v Cardiff ruled that the charges within a licensing regime for different categories of licence should not subsidise each other; so a surplus gained on hackney carriage licenses should not reduce the cost of a private hire vehicle licence. Guidance in this area indicates that this analogy be extended to mean that the fees received under one licensing regime must not subsidise fees charged under another. For instance, a surplus generated by taxi fees must be reinvested back into taxi licensing and not used to reduce the cost of, for instance, a scrap metal dealer's licence.

- 3.10 Under the Directive Councils need to ensure that details of any fees are easily accessible online, including the ability to make payments online. Councils should be able to separate out the cost of processing an initial application from those costs associated with the ongoing administration of a scheme, because this latter element cannot be charged to unsuccessful licence applicants.
- 3.11 This was a key issue in the Hemming v Westminster case, in which the Supreme Court asked the European Court of Justice (ECJ) to rule on how Westminster applied its licence fees. The Supreme Court identified two different approaches to charging fees:
  - (a) Whereby a council charged a fee upon application (covering the costs of authorisation procedures) and a subsequent fee to successful applicants (covering the cost of administering and enforcing the framework) - the 'type A' approach;
  - (b) Where a council charged a single fee on application covering all costs, on the basis that the relevant proportion of the fee would be refunded to unsuccessful applicants – the 'type B' approach.
- 3.12 The ECJ published its ruling on the issue on 16 November 2016, following an earlier opinion by the Advocate General in July 2016. The ECJ ruled that the type B approach of fee setting is not compatible with the Services Directive, arguing that the Directive 'precludes the requirement for the payment of a fee, at the time of submitting an application for the grant or renewal of an authorisation, part of which corresponds to the costs relating to the management and enforcement of the authorisation scheme concerned, even if that part is refundable if that application is refused.'
- 3.13 Therefore, in setting the current fees the Council will need to ensure that the fee structures for fees covered by the Services Directive relate solely to the cost of authorisation procedures (i.e. the costs associated with reviewing an application and granting/refusing a licence). Under the type A approach, on which the Supreme Court ruling is still relevant, successful licence applicants could subsequently be charged an additional fee relating to the costs of administering and enforcing the relevant licensing framework.
- 3.14 The Directive also includes specific requirements that apply to the charging of fees. Charges must be reasonable and proportionate to the cost of the processes associated with a licensing scheme. Councils must not use fees covered by the Directive to make a profit or act as an economic deterrent to deter certain business types from operating within an area.
- 3.15 The Guidance anticipates that fees should be broadly cost neutral in budgetary

terms, so that, over the lifespan of the licence, the budget should balance. Those benefitting from the activities permitted by the various licenses should not, so far as there is discretion to do so, be subsidised by the general fund.

- 3.16 To ensure that fees remain reasonable and proportionate the Council considers it appropriate to undertake a review and to establish a review process. It is for this reason, and due to the fact that it will entail an administrative assessment of the costs to be recovered rather than an engagement of discretion by Members', that a delegation is sought to the Director of Public Realm to undertake reviews and fee setting under the provisions of the London Local Authorities Act 1991. Such delegation should not preclude the Director from bringing the matter back before the Committee should the Director consider it appropriate to do so. In addition, if members are minded to agree the delegation, exercise of this delegation could be reported back to members for information following the annual fee review.
- 3.17 In recommending the proposed fees set out at Appendix 2, officers have had regard to the Open for business: LGA guidance on locally set license fees and this guidance includes information on what could be considered reasonable fees. These considerations are reflected below within the body of this report for members' consideration. Reference has also been had to the BEIS Guidance for Business on the Provision of Services Regulations. As with other areas of licensing, regard should also be had to the principles in the Regulators' Code.
- 3.18 In this regard, the LGA guidance makes a number of suggestions as to which elements (subject to legislative restrictions) the Council may wish to consider including within the fees set. In accordance with the Case law set out above, these suggested fees are broken down into two separate elements: initial application costs ("Application fee" – Part A) and further compliance and enforcement costs ("Grant/Enforcement fee" – Part B).
- 3.19 The Guidance suggests that initial application costs ("Application fee") could include:
- Administration – this could cover basic office administration to process the licence application, such as resources, photocopying, postage or the cost of handling fees through the accounts department. This could also include the costs of specialist licensing software to maintain an effective database, and printing licenses.
  - Initial visit/s – this could cover the average cost of officer time if a premises visit is required as part of the authorisation process. Councils will need to consider whether the officer time includes travel. It would also be normal to include 'on-costs' in this calculation. Councils will need to consider whether 'on costs' include travel costs and management time.
  - Third party costs – some licensing processes will require third party input from experts, *such as is the case for animal related premises where veterinary attendance during licensing inspections is required for certain license types.*

- Liaison with interested parties – engaging with responsible authorities and other stakeholders will incur a cost in both time and resources.
- Management costs – councils may want to consider charging an average management fee where it is a standard process for the application to be reviewed by a management board or licensing committee. However, some councils will include management charges within the ‘on-costs’ attached to officer time referenced below.
- Local democracy costs – councils may want to recover any necessary expenditure in arranging committee meetings or hearings to consider applications.
- On costs – including any recharges for payroll, accommodation, including heating and lighting, and supplies and services connected with the licensing functions. Finance teams should be able to provide a standardised cost for this within each council.
- Development, determination and production of licensing policies – the cost of consultation and publishing policies can be fully recovered where they pertain to the licensing regime in question.
- Web material – the EU Services Directive requires that applications, and the associated guidance, can be made online and councils should effectively budget for this work.
- Advice and guidance – this includes advice in person, production of leaflets or promotional tools, and online advice.
- Setting and reviewing fees – this includes the cost of time associated with the review, as well as the cost of taking it to a committee for approval.

3.20 The Guidance suggests that further compliance and enforcement costs (“Grant/Enforcement fee”) could include:

- Additional monitoring and inspection visits – councils may wish to include a charge for risk based visits to premises in between licensing inspections and responding to complaints. As with the initial licensing visit, councils can consider basing this figure on average officer time, travel, administration, management costs and on costs as suggested above.
- Local democracy costs – councils may want to recover any necessary expenditure in arranging committee meetings or hearings to review existing licences or respond to problems.
- Registers and national reporting – some licensing schemes require central government bodies to be notified when a licence is issued. The costs of doing this can be recovered.
- Charging for action against unlicensed traders Councils’ ability to charge for these costs as part of a licensing scheme depends on the licensing scheme in question.

3.21 In setting the proposed fees, an hourly rate for the particular role(s) that will

*Members’ Services Manager to advise if footer code required*

undertake the particular task(s) has been calculated. This is the 'on costed' hourly rate for the particular role(s) that perform the task(s) and this also includes basic office administration such as resources, photocopying, postage, processing fees through the accounts department, recharges for payroll, accommodation, including heating and lighting, supplies and services connected with the licensing functions and management and supervision costs (where relevant). Appendix 2 then sets the associated processes out into a series of tasks and the relevant hourly rate was then multiplied by the amount of time, in minutes, that it was considered, based on previous experience that the individual tasks of that nature would take to complete. These figures were then added together to give a recommended fee for Members' consideration. Members will note that the proposed fees have been split between application (Part A) and enforcement (Part B) parts. When someone applies for a licence, they will be asked to pay the application portion when they apply (Application fee) and then, if their application is granted, they will be asked to pay the enforcement part (Grant/Enforcement fee) prior to the licence being issued to them.

- 3.22 The council will aim to undertake a regular review of the special treatments licensing regime fees. When considering the fees the council will take into account the costs that it has incurred from the previous year/s and set a fee based on those costs. If the council does, in reviewing the fees identify a surplus or a deficit it will adjust the fees accordingly to either reduce the fee levels to reduce the surplus or increase the fee levels to repay that deficit in costs from previous years. This means that the fees may fluctuate each time the fees are set based on the review of income and cost associated with that relevant licensing regime and when having regard to officers' "on costed" hourly rates at that point in time.
- 3.23 In light of the above and the referenced guidance, Members are asked to consider Appendix 2 - which sets out the proposed fees for special treatments licensing under the Act and the component elements of the fees, which are recommended for approval.
- 3.24 The guidance referenced particularly in paragraphs 3.17-20 above regarding fee setting considerations can be accessed via the below links -

LGA Guidance:

[https://local.gov.uk/sites/default/files/documents/5%2013%20%20OpenForBusiness\\_02\\_web.pdf](https://local.gov.uk/sites/default/files/documents/5%2013%20%20OpenForBusiness_02_web.pdf)

BEIS guidance:

<http://webarchive.nationalarchives.gov.uk/20121205034810/http://www.bis.gov.uk/files/file53100.pdf>

Regulator's Code:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/300126/14-705-regulators-code.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf)

- 3.25 In determining the fees to be set, Members are referred to the High Court case of *Hemming v Westminster City Council* which established that authorities, in

setting/determining fees to be charged could not include within the fees set an element for enforcement against unlicensed operators. In addition, one of the effects of the EU Services Directive, which remains in force, is that fees determined may encompass the reasonable costs of reimbursing the Council for the administrative processes of dealing with an application but may not include costs of broader enforcement. However, compliance of the licensed premises can be taken into account when fee setting.

- 3.26 In the light of the above the Council's fees for special treatments licence applications under the Act have been reviewed and the fees set out in Appendix 2 attached are recommended for approval by Members.

#### **4. POLICE COMMENTS**

- 4.1 As this report relates to local authority fee setting, comments have not been sought from the Croydon Police licensing officer regarding this matter.

#### **5. APPEALS**

- 5.1 There are no direct appeal provisions within the legislation with regard to fee setting. However, the local authority must only set fees that cover administrative and other reasonable costs and an aggrieved party may seek judicial review if they believe the fees set are excessive. Judicial review proceedings present financial and reputational risk to the Council.

#### **6. CONSULTATION**

- 6.1 There are no statutory consultation or advertisement requirements with regard to fee setting under the London Local Authorities Act 1991.

#### **7. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

- 7.1 The Council is entitled to calculate fees that will generate income to offset the estimated costs to the Council of providing the service. The estimated income from fees will offset the costs of the services.

Approved by: Flora Osiyemi, Head of Finance Place, Gateway, Engagement & Strategy

#### **8. COMMENTS OF THE COUNCIL SOLICITOR**

- 8.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance that there are no additional legal implications arising from the recommendations in the report other than those already set out within the body of the report.

(Approved by Sandra Herbert, Head of Litigation and Corporate law on behalf of the Director of Law and Governance and Deputy Monitoring Officer).



## **9. HUMAN RESOURCES IMPACT**

- 9.1 There are no perceived human resources implications associated with this report.

## **10. CUSTOMER IMPACT**

- 10.1 The London Local Authorities Act 1991 impacts on existing and potential licence holders however these fee changes are not due to have effect until 1 June. Well managed licensed premises attract customers and contribute to a vibrant local economy.

## **11. EQUALITY ANALYSIS (EA)**

- 11.1 This report does not require a separate Equality Analysis to be undertaken.

## **12. ENVIRONMENTAL AND DESIGN IMPACT**

- 12.1 Fee setting in respect of licensed special treatments premises in Croydon are not considered to adversely impact on the local environment.

## **13. CRIME AND DISORDER REDUCTION IMPACT**

- 13.1 There are not considered to be any local crime and disorder implications associated with this report.

## **14. HUMAN RIGHTS IMPACT**

- 14.1 Article 1 of the First Protocol provides a right to peaceful enjoyment of possessions. Both a person's business and an existing licence are a possession and cannot be taken away or interfered with unless the law allows it and the action is justified.

Further, when determining applications under the Local Government (Miscellaneous Provisions) Act 1982, it is necessary to ensure that, as far as possible, the Council's procedures are compliant with the principles in Article 6 of the Convention – the right to a fair trial.

## **15. FREEDOM OF INFORMATION/DATA PROTECTION CONSIDERATIONS**

- 15.1 Information that is provided to or held by the Council in relation to applications must only be processed and disclosed strictly in accordance with the Freedom of Information Act 2000 and Data Protection Act 2018 and other appropriate legislation.

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**CONTACT OFFICER:** Michael Goddard, Licensing Manager, X61838.

**BACKGROUND DOCUMENTS:** None

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## A-Z SPECIAL TREATMENTS

TREATMENT	CATEGORY	LICENSABLE
ACUPRESSURE	MASSAGE	YES
ACUPUNCTURE	ACUPUNCTURE	YES
ALEXANDER TECHNIQUE	-	NO
ANTHROPOSCPHICAL MEDICINE	MASSAGE	YES
AROMATHERAPY with MASSAGE	MASSAGE	YES
AURICULAR ACUPUNCTURE	ACUPUNCTURE	YES
AUTOGENIC TRAINING	-	NO
AYURVEDIC MEDICINE	MASSAGE	YES
BACH FLOWER REMEDIES	-	NO
BATES METHOD	-	NO
BEADING	COSMETIC PIERCING	YES
BI AURA THERAPY	-	NO
BIO RESONANCE THERAPY	-	NO
BIO SKIN JETTING	COSMETIC PIERCING	YES
BLEACHING	-	NO
BODY MASSAGE	MASSAGE	YES
BODY PIERCING	COSMETIC PIERCING	YES
BODY TALK	MASSAGE	YES
BODY WRAPS / ENVELOPMENT	-	NO
BOTOX		NO
BOWEN TECHNIQUE	MASSAGE	YES
BRANDING	-	NO
BE SET FREE FAST (BSFF)	-	NO

BUTEYKO	-	NO
CAVITATION	-	NO
CHAMPISSAGE (Indian Head Massage)	MASSAGE	YES
CHEMICAL / FRUIT PEELS	-	NO
CHIROPODY & PODIATRY	FOOT TREATMENT	YES / NO
CHIROPRACTIC	MASSAGE	YES / NO
CHOLESTEROL TESTING	-	NO
COLLAGEN IMPLANTS (Cosmetic Fillers)	-	NO
COLONIC IRRIGATION	-	NO
COLOUR THERAPY (Chroma Therapy)	LIGHT TREATMENTS	YES
CRANIOSACRAL THERAPY	-	NO
CRYOTHERAPY (Cryogenic Chamber Therapy)	-	NO
CRYOLIPOLOSIS	-	NO
CRYOSAUNA	SAUNA	YES
CRYSTAL / ELECTRICAL CRYSTAL HEATING	-	NO
CUPPING	-	NO
DERMABRASION	-	NO
DERMAL ANCHORS (see Micro-dermal Anchors)	COSMETIC PIERCING	YES
DERMAROLLER	-	NO
DETOX BOX (see Infra Red Sauna)	SAUNA	YES
DO IN	-	NO
DRACULA THERAPY (Stimulated Self Serum Therapy)	-	NO
DRY NEEDLING	SKIN PIERCING	YES
EAR PIERCING (Lobe Only)	COSMETIC PIERCING	YES
ELECTROLYSIS (Hair Removal)	ELECTRIC TREATMENTS	YES
ELECTROLYSIS - ADVANCED (Moles, Warts, Skin Tags)	ELECTRIC TREATMENTS	YES
EMOTIONAL FREEDOM TECHNIQUE (EFT)	MASSAGE	YES
ENDERMOLOGIE	ELECTRIC TREATMENTS	YES

EYEBROW TREATMENTS	-	NO
EYEBROW EMBROIDERY	-	NO
EYELASH TREATMENTS	-	NO
FACIALS (with & without massage)	MASSAGE	YES / NO
FACIAL PIERCING	COSMETIC PIERCING	YES
FACIAL STEAMERS	FACIAL	YES
FAIRBANE METHOD / TANGENT METHOD	MASSAGE	YES
FARADISM	ELECTRIC TREATMENTS	YES
FELDENKRAIS	-	NO
FIRE THERAPY (Huo Liao)	-	NO
FISH THERAPY	BATH	YES
FLOTATION TANK	BATH	YES
FOOT DETOX	ELECTRIC TREATMENTS	YES
FOOT MASSAGE	MASSAGE	YES
FREEWAY - CER	MASSAGE	YES
FROTOX	-	NO
GALVANISM	ELECTRIC TREATMENTS	YES
GLUCOSE TESTING	-	NO
GRINBERG METHOD	MASSAGE	YES
GYRATORY MASSAGE	MASSAGE	YES
HALOTHERAPY / SPELIOTHERAPY	VAPOUR	YES
HELLERWORK	-	NO
HENNA TATTOOS	-	NO
HERBAL MEDICINE	-	NO
HIGH FREQUENCY	ELECTRIC TREATMENTS	YES
HOLISTIC MASSAGE	MASSAGE / FACIALS	YES
HOMEOPATHY	-	NO
HOPI EAR CANDLES (with massage)	MASSAGE	YES

HOPI EAR CANDLES (without massage)	-	NO
HOT AIR MASSAGE	MASSAGE	YES
HUO LIAO (see Fire Therapy)	-	NO
HYALURONIC ACID (Cosmetic Fillers)	-	NO
HYDROTHERAPY	BATH	YES
HYPNOTHERAPY	-	NO
INDIAN HEAD MASSAGE (Champiassage)	MASSAGE	YES
INFRA RED	LIGHT TREATMENTS	YES
INFRA RED SAUNA (see Detox Box)	SAUNA	YES
INVERSION THERAPY	-	NO
IRIDOLOGY	-	NO
KEN EYERMAN TECHNIQUE	MASSAGE	YES
KINESIOLOGY	-	NO
KIRILIAN PHOTOGRAPHY	ELECTRIC TREATMENTS	YES
KOREAN HAND THERAPY	SKIN PIERCING	YES
LASER / INTENSE PULSE LIGHT	LASER TREATMENT	YES
LIPO LASER	LASER TREATMENT	YES
LUMI LIFT / LUMI FACIALS	LIGHT TREATMENTS	YES
MANICURES	MANICURE	YES
MANUAL LYMPHATIC DRAINAGE	MASSAGE	YES
MARMA THERAPY	MASSAGE	YES
MERIDIAN THERAPIES (see EFT, TAT, & Freeway - CER)	MASSAGE	YES
MESOTHERAPY	FACIAL / STEAM	YES
META AROMATHERAPY (with injection)	Medical Practitioners only	NO
META AROMATHERAPY	MASSAGE	YES
METAMORPHIC TECHNIQUE	MASSAGE	YES
MICRO CURRENT THERAPY / non surgical face lifts	ELECTRIC TREATMENTS	YES
MICRODERMABRASION	ELECTRIC TREATMENTS	YES / NO



MICRODERMABRASION (with lasers)	LASER TREATMENT	YES
MICRO DERMAL ANCHORS	SKIN PIERCING	YES
MICROBLADING	TATTOOING	YES
MICROPIGMENTATION (semi-permanent makeup)	TATTOOING	YES
MOXIBUSTION with acupuncture	SKIN PIERCING	YES
MOXIBUSTION without acupuncture	-	NO
MYOFASCIAL RELEASE	MASSAGE	YES
NAET (Nambudripad Allergy Elimination Technique)	ACUPUNCTURE	YES
NAIL EXTENSIONS	MANICURE	YES
NATURPATHY	-	NO
NEUROSKELETAL REALIGNMENT	MASSAGE	YES
NO HANDS MASSAGE	MASSAGE	YES
NON SURGICAL FACE LIFTS (Micro Current Therapy)	ELECTRIC TREATMENTS	YES
NORRIS TECHNIQUE	-	NO
NOSE PIERCING (Nostril only)	COSMETIC PIERCING	YES
OSTEOMYOLOGY	MASSAGE / ACUPUNC	YES
OSTEOPATHY	MASSAGE	YES
OXYGEN THERAPY (Oxygen Bars only)	VAPOUR	YES
OZONE SAUNA	SAUNA	YES
OZONE THERAPY	-	NO
PEDICURE	MANICURE	YES
PHYSIOTHERAPY	MASSAGE	YES
PODIATRY & CHIROPODY	FOOT TREATMENT	YES
POLARITY THERAPY	MASSAGE	YES
QI GONG	MASSAGE	YES
RADIO FREQUENCY	ELECTRIC TREATMENTS	YES
RADIONICS	-	NO
REIKI without massage	-	NO



REIKI with massage	MASSAGE	YES
REFLEXOLOGY	MASSAGE	YES
REMEDIAL MASSAGE	MASSAGE	YES
ROLFING	MASSAGE	YES
ROLL SHAPER	MASSAGE	YES
SAUNA	SAUNA	YES
SCARIFICATION	-	NO
SCENAR THERAPY	ELECTRIC TREATMENTS	YES
SCHMAIZING	-	NO
SCLEROTHERAPY	-	NO
SEMI PERMANENT MAKEUP (see Micropigmentation)	TATTOOING	YES
SHIATSU	MASSAGE	YES
SKIN PEELS	-	NO
SPA	BATH	YES
SPORTS / REMEDIAL MASSAGE	MASSAGE	YES
SPRAY TANNING	-	NO
STEAM ROOM / BATH	BATH / VAPOUR	YES
STONE THERAPY	MASSAGE	YES
SUGARING	-	NO
SWEDISH MASSAGE	MASSAGE	YES
TAPAS ACUPRESSURE TECHNIQUE (TAT)	MASSAGE	YES
TATTOO REMOVAL (Tattoo)	TATTOOING	YES
TATTOO REMOVAL (Laser)	LASER TREATMENT	YES
TATTOOING	TATTOOING	YES
TEETH WHITENING	Dentist Only	NO
TEMPTOOING	TATTOOING	YES
THOUGHT FILLED THERAPY (TFT)	-	NO
THAI MASSAGE	MASSAGE	YES

A1

THALASSATHERAPY	BATH	YES
THERAPUETIC / HOLISTIC MASSAGE	MASSAGE	YES
THERMA VEIN	ELECTRIC TREATMENTS	YES
THERMO AURICULAR (Hopi Ear Candles) with massage	MASSAGE	YES
THERMO AURICULAR (Hopi Ear Candles) without massage	-	NO
THREADING	-	NO
TONGUE SPLITTING	-	NO
TONING BEDS	-	NO
THRICHOLGY with massage	MASSAGE	YES
THRICHOLGY without massage	-	NO
TUI - NA	MASSAGE	YES
ULTRA SONIC	ELECTRIC TREATMENTS	YES
ULTRASOUND	-	NO
ULTRA VIOLET TANNING	LIGHT TREATMENTS	YES
VACUUM SUCTION	-	NO
WAXING	-	NO



**London Local Authorities Act 1991**

**Special Treatments Licensing – Fees Worksheet**

Full cost hourly rates for specific roles (rounded up) shown against each task:

i = £28 – Licensing (Administrative) Officer

ii = £33 – Licensing Compliance Officer

**Application for New Licence**

**A**

Handle initial enquiry and send relevant application forms incl. site notice template - £14 (30 mins.) i

Receipt application, check forms, processing of relevant fee through finance team - £56 (2 hours) i

Acknowledge application and enquiries of applicant, including requesting further required documentation or clarification on submitted incomplete/incorrect documentation - £28 (1 hour) i

Load application onto premises database - £28 (1 hour) i

Liaise with Police & LFB re correct receipt of application copy - £14 (30 mins.) i

Check site notice of application and confirm that all requisite documentation has been properly submitted with application - £66 (2 hours) ii

Handle enquiries and receive, check & acknowledge objections/comments from residents/other business, Police or LFB - £28 (1 hour.) i

Conduct inspection of application premises - £66 (2 hours) ii

Consider complete application once all documentation correct and site inspection conducted - £17 (30 mins.) ii

**B**

Draft licence with appropriate conditions and detail relevant named operatives and send to applicant, together with identification badges and copy of licence to Police - £42 (90 mins.) i

Send reminder letter inviting renewal to licence holder before expiry of current licence - £14 (30 mins.) i

Annual premises compliance visits - £66 (1 visit at 2 hours)\*

*\*This does not include enforcement against other premises or against unlicensed operators.*

**Fee = £439 (Part A = £317 & Part B = £122)**

**Application for Renewal of Licence**

**A**

Handle initial enquiry and send relevant application forms incl. site notice template - £14 (30 mins.) i

Receipt application, check forms, processing of relevant fee through finance team - £28 (1 hour) i

Acknowledge application and enquiries of applicant, including requesting further required documentation or clarification on submitted incomplete/incorrect documentation - £14 (30 mins.) i  
Load application onto premises database - £28 (1 hour) i  
Liaise with Police & LFB re correct receipt of application copy - £14 (30 mins.) i  
Check site notice of application and confirm that all requisite documentation has been properly submitted with application - £66 (2 hours) ii  
Handle enquiries and receive, check & acknowledge objections/comments from residents/business, Police or LFB - £14 (30 mins.) i  
Conduct inspection of application premises - £66 (2 hours) ii  
Consider complete application once all documentation correct and site inspection conducted - £17 (30 mins.) ii

#### B

Draft licence with appropriate conditions and detail relevant named operatives and send to applicant, together with identification badges and copy of licence to Police - £42 (90 mins.) i  
Send reminder letter & relevant paperwork inviting renewal to licence holder before expiry of current licence - £14 (30 mins.) i  
Annual premises compliance visits - £66 (1 visit at 2 hours)\*  
*\*This does not include enforcement against other premises or against unlicensed operators.*

**Fee = £383 (Part A = £261 & Part B = £122)**

#### Application to Transfer licence

#### A

Handle initial enquiry and send relevant application forms incl. site notice template - £14 (30 mins.) i  
Receipt application, check forms, processing of relevant fee through finance team - £14 (30 mins.) i  
Acknowledge application and enquiries of applicant - £7 (15 mins.) i  
Load application onto premises database - £14 (30 mins.) i  
Liaise with Police & LFB re correct receipt of application copy - £14 (30 mins.) i  
Check site notice of application - £66 (2 hours) ii  
Handle enquiries and receive, check & acknowledge objections/comments from residents/business, Police or LFB - £7 (15 mins.) i  
Consider complete application once all documentation correct and site notice check conducted - £17 (30 mins.) ii

#### B

Draft licence with appropriate conditions and detail relevant named operatives and send to applicant, together with identification badges and copy of licence to Police - £21 (45 mins.) i  
Send reminder letter inviting renewal to licence holder before expiry of current licence - £14 (30 mins.) i  
Annual premises compliance visits - £66 (1 visit at 2 hours)\*  
*\*This does not include enforcement against other premises or against unlicensed operators.*

**Fee = £254 (Part A = £153 & Part B = £101)**

Application for Variation of Licence

**A**

Handle initial enquiry and send relevant application forms incl. site notice template - £14 (30 mins.) i

Receipt application, check forms, processing of relevant fee through finance team - £21 (45 mins.) i

Acknowledge application and enquiries of applicant, including requesting further required documentation or clarification on submitted incomplete/incorrect documentation - £14 (30 mins.) i

Load application onto premises database - £14 (30 mins.) i

Liaise with Police & LFB re correct receipt of application copy - £14 (30 mins.) i

Check site notice of application and confirm that all requisite documentation has been properly submitted with application - £66 (2 hours) ii

Handle enquiries and receive, check & acknowledge objections/comments from residents/business, Police or LFB - £14 (30 mins.) i

Conduct inspection of application premises - £66 (2 hours) ii

Consider complete application once all documentation correct and site inspection conducted - £16 (30 mins.) ii

**B**

Draft licence with appropriate conditions and detail relevant named operatives and send to applicant, together with identification badges and copy of licence to Police - £21 (45 mins.) i

**Fee = £260 (Part A = £239 & Part B = £21)**

Application for Variation of Licence to add or remove named treatment providers (ie. named tattooist(s)/body piercer(s))

**Fee = £56**

Request for duplicate treatment provider identification badge where lost/misplaced

**Fee = £14**

To assist the Committee, the current LB Croydon Special Treatments Licensing fees are shown in the left hand column in the table below, with the proposed fees, as detailed above, set out in the right hand column in the table below –

Current Fee	Proposed Fee
New Licence Application – £360	New Licence Application – £439
Renewal Application – £360	Renewal Application – £383
Transfer of Licence – N/a	Transfer of Licence – £254



Variation to Licence – N/a	Variation to Licence – £260
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To assist the committee, though it has not influenced the workings for the proposed fees as set out above, the following are examples of current published special treatments licensing fees at some other London boroughs –

- LB Lambeth –  
Tattooing & Body Piercing New & Renewal £750  
Other Treatments New & Renewal £456
- LB Ealing –  
New & Renewal £362
- LB Bromley –  
Tattooing & Body Piercing New £596 & Renewal £299  
Other Treatments New £521 & Renewal £259
- LB Sutton –  
High Risk New £670 & Renewal £570  
Medium Risk New £500 and Renewal £340
- LB Islington –  
High Risk New £780 & Renewal £442  
Standard Risk New £682 and Renewal £341
- LB Wandsworth –  
High Risk New £884 & Renewal £608  
Medium Risk New £590 and Renewal £378