

Environment & Regeneration Municipal Office, 222 Upper Street, London, N1 1XR

Report of: Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Regulatory Committee	13 December 2012	81	Finsbury Park

Delete as	Non-exempt
appropriate	`



RE: SAUNA 2K, 228 – 230 SEVEN SISTERS ROAD, LONDON, N4 3NX

1. Synopsis

- 1.1 This is an application for a new special treatment licence under the London Local Authorities Act 1991.
- The application is to permit sauna, steam room and massage 1.2
- The Police, and the Council's Health & Safety Officer, have objected to the application. 1.3

Recommendations 2.

- 2.1 The Committee needs to consider all the evidence before determining this application
- If the Committee decides to refuse the application the London Local Authorities Act 1991 2.2 section 8 permits it to do so under one or more of the following grounds:
 - (a) the premises are not structurally suitable for the purpose;
 - (b) there is a likelihood of nuisance being caused by reason of the conduct, management or situation of the premises or the character of the relevant locality or the use to which any premises in the vicinity are put;

- (c) the persons concerned or intended to be concerned in the conduct or management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a license;
- (d) the persons giving the special treatment are not suitably qualified;
- (e) the premises have been or are being improperly conducted;
- (f) the premises are not provided with satisfactory means of lighting, sanitation and ventilation:
- (g) the means of heating the premises are not safe;
- (h)proper precautions against fire on the premises are not being taken;
- (i) they are not satisfied as to the safety of equipment used in the special treatment or as to the manner in which the treatment is to be given;
- (i) they are not satisfied as to the safety of the special treatment to be given;
- (k) satisfactory means of escape in case of fire and suitable means for fighting fire are not provided on the premises;
- (I) the applicant has, within the period of five years immediately preceding the application to the borough council, been convicted of an offence under this Part of this Act; or
- (m)the applicant has failed to comply with the requirements of subsection (4) or (6) of section 7
- 2.3 If the Committee grants the application it should be subject to:
 - i. the standard conditions for special treatment premises (see appendix 7);
 - iii. any conditions deemed appropriate by the Committee.

3. Background

3.1 Papers are attached as follows:-

Appendix 1: Application form and supporting documents;

Appendix 2: Representations;

Appendix 3: Notes from Licensing Officer's visit on 25 February, 31 August and

7 September 2012;

Appendix 4: Copies of warning letters;

Appendix 5 Print off from Sauna 2K website;

Appendix 6: Special treatment licence expired 2011, and premises plan;

Appendix 7: Standard conditions for special treatments in Islington;

Licensing History of the premises:

i) The premise has been licensed as a special treatment premises since 2000. The most recent licence expired on 30 September 2011.

- ii) On the 25 February 2012 the premises was visited by licensing officers and the Police as part of a program of pre Olympic multi agency visits to massage and sauna premises. The premise was found to be offering massage, but no therapist registrations or certificates were available for inspection.
- Upon further investigation it was confirmed that the premises had not renewed its special treatment in September 2011 and a warning letter was send on 9 March 2012 to this effect.
- The proprietor's solicitor submitted a renewal application for a special treatment licence for the premises in March 2012 but as the licence had expired 6 month earlier the renewal application was invalid. The proprietor's solicitor was written to on the 23 April 2012 advising of the requirement to submit a new application.
- v) A further reminder letter was sent to the solicitor on 22 August 2012 advising them that the premises was not licensed for special treatments.
- vi) On the 31 August 2012 the proprietor submitted an application for a special treatment licence. On 31 August 2012 the premise was visited by licensing officers on routine inspections and although the premise was appeared to open for business the officers were refused entry to the premises.
- vii) On 7 September 2012 the premises was visited by licensing officers, the Police and the Fire Brigade as part of a multi agency inspection program. The premise was open and advertising special treatments. The Police Officer's investigation revealed that the premises engaged in prostitution, and licensing officers found that none of the girls working at the premises were registered with the council as therapists permitted to provide special treatments in the borough.
- viii) The Police and the Council's Health and Safety Officer have made representations to the licence application. The licence holder has since satisfied all the requirements of the Health and Safety representation.
- ix) On 4 December 2012 licensing officers accessed the website for the premises, copies of the web pages including a page listing exchange links to other reputable adult interest websites. These pages are also included in the report for information.

4. Planning implications

4.1 Planning permission was granted for "Change of use of lower ground floor to massage parlour and sauna" in 1999 (ref: 991897). There were no planning conditions.

5. Conclusion and reasons for recommendations

- 5.1 The Council is required to consider this application in the light of all relevant information, and if approval is given, it may attach such conditions necessary to promote the licensing objectives. The information presented in this report shows that the premises is currently operating without a special treatment licence and has been since 1 October 2011. In addition the premise was witnessed to have been improperly conducted with sexual services being offered for money by the Police licensing officers.
- 5.2 The Licensing Service would also wish to highlight the following aspects of the standards conditions of the premises, entitled CONDUCT OF BUSINESS. These conditions 15 to 19 are copied below:

- i. The licensee shall not do, suffer, or permit in the premises any act of an indecent or disorderly character and shall take all reasonable steps to exclude from the premises a customer or any other person who has committed such an act in the premises.
- ii. A licensee shall not employ any person in the premises licensed for special treatment who has been convicted of any indecent or immoral act related to the giving of special treatment without the prior consent of the Council. Where consent of the Council is refused the licensee will not employ the person within the licensed premises.
- iii. The licensee shall ensure that all employees at the premises are decently and properly attired.
- iv. The licensee shall not permit or suffer the door of any room or place in the premises to be locked whilst any person is within it.
- v. The licensee shall not cause to be published any advertising in words or pictures suggesting that there is an erotic element in the treatment provided.
- 5.3 The Committee will need to satisfy itself that the applicant will be able to comply with these conditions if the licence is granted.

Background papers:

London Local Authorities Act 1991

Final Report Clearance

Signed by

Date 4/12/12

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Niall Forde

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E-mail: niall.forde@islington.gov.uk



Register Number:

LONDON LOCAL AUTHORITIES ACT 1991, PART II SPECIAL TREATMENT PREMISES

LASTLICENCE EXPIRED 30.9.11

APPLICATION FOR AN ANNUAL PREMISES LICENCE

This form should be fully completed, signed and

forwarded to:

Licensing Team, 3 rd Floor, Public Protection,		Fee Paid: 635		
222 Upper Street, London N1 1XR		Cheque/Postat Order No: 000459		
	closing a cheque or postal order for the	Receipt Number: 0651685		
	propriate fee made payable to London	Date Received: 3.9.12		
not	ough of Islington and crossed (cash should be submitted).			
	not be submitted). PLEASE READ THE ACCOMPANYING NOTES CAREFULLY BEFORE COMPLETING			
THIS	S FORM	HEFULLY BEFORE COMPLETING		
I/We	apply for an annual special treatment licence	for the premises named below:		
1.	Name of the premises: SANA 2	\<		
	228-2	30 SEVEN SUTTERS		
	COAD L	- 0 NOON		
	Postcode: NY 3NX			
<u> </u>	Telephone number:			
2.	Your first name(s): MODNTBLOOK Your surname: Maiden name (if applicable): Other names known under:	L·17		
	Date of Birth			
3.	Date of Birth: N/A			
4.	Your private residential address: Proof of address must be supplied to the Council (see note 1 below) 13 - 14 DEAU ST	2/0 2NOSN		
	Postcode: WID 325			
4.4	Your previous private residential address if less than 12 months at address given above:			
	Postcode:			

	Passport Number OR
5.	ing Licence Number
	note 1 below):
6.	List all convictions in the last five years
	(include date(s) and Court details)
	(Continue on a separate sheet if
	necessary)
Laconomic	
7.	If the application is made by a limited
	liability company, give the name &
	address of the registered office here:
	MOINTBROOK LTD
	13-19 DEAN ST LANDON
	1 0010000
	Company Registration Number:
	NAME AND A FARM PROPERTY OF THE PROPERTY OF TH
8.	What part(s) of the premises are
	proposed to be used under the incence:
	(e.g. basement, ground floor etc):
9.	What is the main use of the premises to
J J .	which this licence application relates:
L	
10	Please give full details of your interest in
	the premises:
Landson	
9.	Are you in a position to carry out the
	Council's safety and technical
	requirements in respect of the premises
	given in answer to Question 1:
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11	
Occupant	Council to give special treatments de
	you intend to employ at the premises at
	any one time:
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Note 1:

You must provide the Council with four full-face passport size photographs taken within the 12 months preceding the application, your passport or driving licence with photograph and proof of your residential address, e.g. bank statement or utilities bill.

Note 2:

You must enclose a full copy of plans for the proposed premises.

I declare that I undertake to carry out the following requirements:

a. I have sent a copy of this application form in addition to the plans to the below responsible authorities:

Islington Borough Police Islington Police Station 2 Tolpuddle Street London N1 0YY

London Fire and Emergency Planning Authority Islington Borough Fire Safety Unit 5-6 City Forum City Road London EC1V 2FB

Health & Safety Officer Public Protection Division 222 Upper Street London N1 1XR

- b. I have enclosed a copy of the plan of the premises
- Only those treatments named on the licence will be provided at the premises.
- d. The only persons I will employ to provide special treatment will be those registered by the Council and I will permit them only to give those treatments specified on their identification card and registration document.
- e. The following documents will be kept on the premises and available for inspection by authorised officers.
- A current Periodic Inspection Report on the electrical installation.
- A certificate confirming examination of all fixed and portable electrical equipment in the last 12 months.
- Fire risk assessment.

DECLARATION:

The application must be signed by the applicant proposing to carry on the establishment. In the case of a company, the Managing Director or Company Secretary must sign.

I hereby declare that the particulars contained in this document are true to the best of my knowledge and belief.

Signature: ______Name in Block Capitals: RENIMM AGRAHAM

Position: Name in Block Capitals: BEN 11 1 13:01

IMPORTANT NOTE: THIS APPLICATION IS OPEN TO INSPECTION BY THE PUBLIC

Data Protection Act 1998

Please note that the information on this form will be stored on computer; it will not be shared with other organisations, unless authorised under the Data Protection Act 1998.

Islington Council will process information provided by you for the purpose of processing your Application.

The information you provide will/may be disclosed to: other departments within Islington Council; the Police; other Local Authorities and other Government Agencies only when and where necessary for the purpose(s) of Prevention and/or detection of crime and to check for any anomalies and/or inconsistencies.

Retention Procedure

Our department will retain your personal data for a maximum of **six years** once our business with you has concluded. Your personal data will then be securely destroyed.



RESTRICTED (when complete)

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Provide	Continuation of Statement of Donald Stewart PC115NI
	We then returned to the main room where the other girls were sitting. There was a tall slim black male there who appeared to be in charge. He was being spoken to by my Council colleagues.
	He was informed that the premise was not licensed for massage and that the girls should not be working. informed him of our findings and that police will be objecting to the pending Special Treatment Licence application. We then left.

Signature: Signature witnessed by:

Forde, Niall

From:

Weaver, Geoff

Sent:

09 November 2012 09:36

To:

'richardbarca@wilsonbarca.com'

Cc:

Forde, Niall

Subject:

Sauna 2K, 228-230 Seven Sisters Road, N4 3NX

Attachments:

Health & Safety Standards 10-12.doc



Health & Safety Standards 10-1...

Dear Sirs

Special Treatment Licensing

Further to my inspection of the above premises on the 5 November 2012, it was found that the following matters require attention:

- (1) The fire doors specified below should adjusted to ensure that they are effectively full self-closing onto their door stops.
- (a) The cross corridor door adjacent to the showers.
- (b) Reception office door.
- (c) Door separating the reception / waiting area from the corridor serving the treatment rooms.
- (2) A copy of the Electrical installation condition report, certified by an approved competent person, should be submitted to the council.

Note: Approved competent persons for certification are specified in the attached document Health and Safety Standards for Places of Assembly, Shops and Commercial Premises.

The position in respect of other certificates is as follows: Emergency lighting - due - October 2013. Fire alarm - due - October 2013 Fire extinguishers - due - September 2013. Gas boiler - due - October 2013

Please give notification of the completion of the works. Should you require any advice or information please contact me.

Regards

Geoff Weaver

Senior Building Surveyor (Licensing Health and Safety) Building Control Service Islington Council

222 Upper Street N1 1XR

Tel: 020 7527 5986

APPENIOIX 3

Saturday 25 February 2012 multi agency visits to massage/sauna/sex premises

Katie Tomashevski, Terrie Lane and six police officers visited the following premises, Sauna 2K 228-230 Seven Sisters Road. There were 7 girls on premises, all Romanian, no manager, no registrations.

Massage £40 for 30 minutes. Only two could speak English, one of them said the manager keeps all their certificates and ID. One customer who left in a hurry had to return for his belongings. No paperwork on premises.

31 August 2012 Out of hours licensing visits Niall Forde and Dan Whitton

22:55 Sauna 2K, 228 - 230 Seven Sisters Road.

Advertising £10 entry, massage £55 for 30 minutes. There was a man sat behind the counter at the bottom of initial stair case.

NF took a photograph of the notice. We identified ourselves as Council Officers. Dan Whitton asked the man behind the counter if we could have a look around the premises.

The man behind the counter refused to let us look round. He did point us to the notice outside of the premises. The notice was dated the 31 August 2012.

Out of Hours visits (Multiagency) - 7 September 2012 -

LBI: SG and AB

Met Police: Sgt Robin Clark and PC Don Stewart

Fire Brigade: Malcolm Boden, Andy Jefford and Andy Brown

Sauna 2K, 228-230 Seven Sisters Road - 21:40

SG approached entrance with AB (LBI), RC and DS. Public notice advertising special treatment licence application to left of entrance dated 31 August 2012, applicant "Mount Brook Limited". On entering the premises we were greeted by a male receptionist. On the window of the reception was a notice stating "£10 entry, £55 massage". RC and DS introduced us and asked the receptionist to open the door which he did. RC and DS inspected the treatment rooms and found a female engaging in prostitution with a male customer. RC and DS then interviewed both parties. SG spoke to receptionist who gave his name as Sirak Tecle.

He confirmed premises open and massage was being provided "Thai" and "Swedish". He further confirmed that there were 4 girls working and there was one customer on the premises. We walked around premises and found the sauna on which ST confirmed was available for customers, however at the time of the visit it was being used to dry damp washing. ST was advised that this was not appropriate and may be a possible fire risk. ST confirmed that there was a fire alarm installed and showed the control panel which appeared ok; fire extinguishers apparently tested August 2011. ST said the owner of the business was Banyam but he did not have his phone number.

ST did not know the names of the girls working and did not know whether or not they were registered with LBI as therapists. ST said there was no CCTV in operation at the premises. SG asked the 4 girls if they had registration badges to which they all replied they did not. While talking to ST a male customer approached the reception and handed over £10 at 21:53 which ST took. SG advised that he could not let him in to use facilities as the premises was not licensed. DS then told ST that he recommend premises close and send girls home and await decision on licence application.



Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3227 F 020 7527 3057 E niall.forde@islington.gov.uk W www.islington.gov.uk

Date:

9 March 2012

Sauna 2k, 228 – 230 Seven Sisters Road, London N4 3NX

This matter is being dealt with by: **Niall Forde**

Dear Mr

WARNING LETTER

LONDON LOCAL AUTHORITIES ACT 1991, PART II

RE: Sauna 2k, 228 - 230 Seven Sisters Road, London, N4 3NX

Further to the Council's visit to the premises on 26 February 2012 I write to you regarding our findings at the premises.

The Council found seven women working at the premises. You were also advertising massage for £40.

It has come to the attention of the Council that the above premises failed to renew its annual licence in September 2011 and is therefore operating as a venue providing special treatments without the benefit of a special treatment licence issued by the Borough Council.

It is an offence under Part II of the London Local Authorities Act 1991 to provide special treatments without the benefit of a licence.

Any breach of the law is viewed as being very serious for which you and others concerned in the conduct and management of the premises could be prosecuted.

I have enclosed the necessary forms for you to apply for the special treatment's licence, which you will need to return to this office with the prescribed fee, within **14 days**. Failure to do so will result in the council taking action against you.

Licensing Officers will be visiting the premises in the near future to ensure that no breaches of the law are occurring and that no unlicensed special treatments are being provided on the premises

If you have any questions regarding the Licence please do not hesitate to contact me.

Yours sincerely

Niall Forde Licensing Officer

If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.





Licensing Team **Public Protection Division** 222 Upper Street London N1 1XR

T 020 7527 3227 F 020 7527 3057 E niall.forde@islington.gov.uk W www.islington.gov.uk

Date:

23 April 2012

Your reference: WK/111231998

Mountbrook Limited, Re:Sauna 2k. C/o Wilson Barca Solicitors 13 - 14 Dean Street London W1d3RS

This matter is being dealt with by: **Niall Forde**

Dear Sirs.

WARNING LETTER

LONDON LOCAL AUTHORITIES ACT 1991, PART II

RE: Sauna 2k, 228 - 230 Seven Sisters Road, London, N4 3NX

Further to my letter of the 9 March 2012 regarding your client's non renewal of their annual special treatment licence.

Unfortunately the application you submitted was for a renewal application and is therefore invalid. In addition the invalid application was also subject to an objection letter, so it is likely that the new application will need to be determined by the Licensing Committee.

It is an offence under Part II of the London Local Authorities Act 1991 to provide special treatments without the benefit of a licence.

Any breach of the law is viewed as being very serious for which you and others concerned in the conduct and management of the premises could be prosecuted.

I have enclosed the necessary forms for you to apply for the special treatment's licence, which you will need to return to this office, we able to keep the prescribed fee that accompanied the invalid application for their convenience. Failure for your client to submit to do so will result in the council taking action against them.

Licensing Officers will be visiting the premises in the near future to ensure that no breaches of the law are occurring and that no unlicensed special treatments are being provided on the premises

If you have any questions regarding the Licence please do not hesitate to contact me.

Yours sincerely



Licensing Officer

If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.



Licensing Team
Public Protection Division
222 Upper Street
London N1 1XR

T 020 7527 3227 F 020 7527 3057 E niall.forde@islington.gov.uk W www.islington.gov.uk

Date:

22 August 2012

Mountbrook Limited, Re:Sauna 2k, C/o Wilson Barca Solicitors 13 – 14 Dean Street London W1d 3RS

This matter is being dealt with by: **Niall Forde**

Dear Sirs.

WARNING LETTER

LONDON LOCAL AUTHORITIES ACT 1991, PART II

RE: Sauna 2k, 228 - 230 Seven Sisters Road, London, N4 3NX

Further to my letter of the 23 April 2012 regarding your client's non renewal of their annual special treatment licence.

This letter is to warn you that the premise is not licensed for the provision of Special Treatments. You are warned that no such treatments shall take place until a licence has been granted. I have enclosed an application and information on how to make an application for a special treatment licence.

Your client has still no submitted a valid special treatment application for this premise, and therefore I would request your assurance that the premise is not closed and not being used for licensable activities.

I advise you that Licensing Officers will be visiting the above premises within the next 14 days. Should officers witness the operation of the premises for the provision of special treatments without the appropriate licence then you will render your client liable to prosecution under s.14 of the London Local Authorities Act 1991. Should you be found guilty of an offence you will be liable on summary conviction to a fine of up to £2,500 for each offence.

In addition should the premises be found to be operating in breach of the London Local Authorities Act then the Licensing Team and the Police will have consider objecting to an new application on grounds of the suitability of the management.

Any question in relation to this letter do not hesitate to contact me.

Yours sincerely

Niall Forde Licensing Officer



If you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000.



Welcome to the Sauna 2K Website







Opened on the 1st of December 2000, after months of renovation work, Sauna 2K is now firmly established as one of London's top saunas, offering London's gentlemen an oasis of relaxation to escape to, just 10 minutes from the West End, 7 days a week from 11 a.m. until 6 a.m.

Conveniently located in Islington and fully air-conditioned, Sauna 2K's luxurious facilities include a top of the range sauna, power showering facilities, an exclusive VIP suite, and a relaxing lounge area, where you can watch television and enjoy our refreshments.

Of course it is the staff that really make a sauna special, and Sauna 2K is proud to have an unrivalled selection of international girls on hand, all professional and qualified masseuses, to ensure you enjoy your stay.

Please use the menu at the top of the page to navigate our website, and we hope we can look forward to welcoming you to Sauna 2K shortly.







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Contact Sauna 2K

Sauna 2K is open from 11 a.m. until 6 a.m. 7 days a week. You may contact us using the telephone, email address or postal address details below, or by filling out our online form on this page.

> Telephone: 0207-281-7273 Email Address: info@sauna2k.com

Postal Address: Sauna 2K, 228-230 Seven Sisters Road, London, N4 3NX.

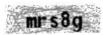
Contact Form:

Enter your name:

Enter your email address:

Enter your telephone number:

Enter your message:



Security Code:

Send Message

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Facilities at Sauna 2K



Sauna 2K is a disabled friendly facility

Sauna 2k boasts both wonderful facilities and wonderful staff. The location is conveniently central and easily accessible from all over London. The sauna is open 7 days a week, from 11 a.m. until late 6 a.m., and rates are highly competitive. Listed below are some of the features that make us such a popular London sauna.



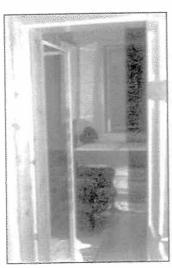
- · Fully air-conditioned
- · Exclusive VIP suite
- · Top of the range saunas
 - · Power showers
- Relaxing lounge with TV / free refreshments
- A beautiful selection of International massage girls
 - · Various types of massage on offer
 - · All masseuses are fully qualified
 - · Professional friendly management



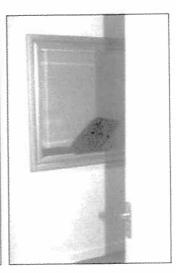












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Pricing at Sauna 2K

Sauna 2K rates are very reasonable and our staff do not overcharge.

Admission to Sauna 2K is just £15.

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Sauna 2K Links

Sauna2K is pleased to exchange links with other reputable UK adult interest websites. Our banner is















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LICENCE NUMBER: LN/10773-011010



SPECIAL TREATMENT PREMISES LICENCE

The Council of the Borough of Islington, under the provisions of Part II of the London Local Authorities Act 1991, hereby licenses:

Name:

MOUNT BROOK LIMITED

Trading as:

SAUNA 2K

to use the premises at:

228-230 SEVEN SISTERS ROAD, LONDON, N4 3NX

to carry on an establishment for SPECIAL TREATMENT.

This licence authorises the following treatments:

Massage, Sauna and Steam.

The licence is subject to the standard conditions for Special Treatment premises along with the following additional conditions:

- 1. The maximum number of therapists registered with the Council that can be employed to work in the premises at any one time is **2**.
- Special Treatments given to men and women may be provided subject to the therapist being registered with the council for the treatment being provided.
- The premises shall have a current electrical installation certificate, signed by an approved competent person, certifying that the electrical installation is in safe working order
- 4. The sauna and The steam rooms shall be checked by staff at least every 30 minutes to ensure the safety of customers using these facilities

This licence, unless revoked, is in force until **30 September 2011** or during the time that the licensee is the occupier of the premises, whichever is the shorter period, and is granted subject to the Standard Conditions for Special Treatment premises and to any additional conditions included in this licence.

Islington Council
Public Protection Division
222 Upper Street
London N1 1XR

Tel: 020 7527 3031

Email: licensing@islington.gov.uk

Service Director - Public Protection

Date of Issue

PUBLIC PROTECTION DIVISION 222 UPPER STREET LONDON N1 1XR STANDARD CONDITIONS FOR SPECIAL TREATMENT PREMISES

London Local Authorities Act 1991 - 2000

GENERAL

These conditions apply to all premises for which a special treatment licence has been granted.

LICENCE

- 1. The licence is personal to its holder. The licence cannot be transferred by the licence holder to any other person unless the licence holder has followed the procedures for transfer prescribed in Part II of the Act and the Council's Rules Governing Applications.
- 2. The licence is only valid in respect of the premises named on the licence. The licence cannot be transferred by the licence holder to any other premises unless the licence holder has followed the procedures for transfer prescribed in Part II of the Act and the Council's Rules Governing Applications.
- 3. Licences are normally granted for a maximum period of twelve months. This period is either from 1 April to 31 March or 1 October to 30 September.
- 4. The establishment specified in the licence may only carry out treatments which are specified on the licence. If any alteration is required an application for the variation of the licence must be made to the Council in the manner specified in the Council's Rules Governing Applications.
- 5. The licensee, if a sole proprietor or a partnership, shall at once notify the Council in writing of any change in the name or private address of the licensee(s) or if a company within the meaning of the Companies Act 1985, or any Act amending the same shall forthwith notify the Council in writing of any change in the registered office address or in the constitution of the directorate of such company during the currency of this licence.
- 6. Proposed changes in the name, title or style of the premises licensed as a special treatment establishment shall be notified to the Council and shall not be put into effect until an amended licence is issued. This can only be carried out where there is no change in any other circumstances other than for example the name or title of the premises. If any other circumstances change for example the type of treatment offered, or the address of the premises, an application for a variation or transfer of licence is required.
- 7. The licence shall be displayed in a prominent position within the licensed premises at all times.

PLANNING PERMISSION

3. Licences are granted without prejudice to any planning permission which may be in force. Licensees are advised to ensure that the premises comply with any planning restraints that may be in force.

NOTICES

)

All notices and advertisements issued by or on behalf of the establishment shall bear the trade name, style or title specified in the licence. The names of individual assistants or employees must not be given in such notices or advertisements.

STAFF

- 10. The licensee shall not, except with the written consent of the Council, employ in the conduct of the establishment or allow any direct or indirect interest in the business any person:
 - whose licence has been revoked or to whom a licence has been refused on the grounds that such a person is unsuitable to hold a licence to carry on an establishment for special treatment.
 - who is unsuitable to be so employed on the grounds that misconduct in connection with the employment of such a person in a special treatment establishment has been proved to the satisfaction of the Council.

PERSONS WHO CAN GIVE TREATMENT

- Only those persons currently registered by the Council may give Special Treatment and may only give those treatments specified on the registration document. Such persons shall wear an identification card supplied by the Council.
- 12. Treatment may also be given by other persons provided:
 - a) the persons giving treatment is under the direct personal supervision of a persons approved by the Council;
 - b) the person has applied to the Council for registration for the treatments provided;
 - c) the applicant for registration has not been notified in writing that they are required to cease giving treatment (in these cases the employer, if known, would also be advised).

ADVERTISEMENT

- The licensee shall keep in the premises, arranged or filed in order of date, a copy of each advertisement or circular issued by the licensee or on behalf of the licensee for a period of six months from the date of the issue of the advertisement. The copies shall be open to inspection by an officer and are to be produced on request.
- 14. The licensee shall not advertise in a public convenience or conveyance or in any place in which the public assemble, any massage or special treatments carried on at the establishments. (This will not apply to an advertisement in or on the premises of the establishment or to any advertisement in any newspaper or periodical which may be exposed for sale in any public place in which the public assemble).

CONDUCT OF BUSINESS

- The licensee shall not do, suffer, or permit in the premises any act of an indecent or disorderly character and shall take all reasonable steps to exclude from the premises a customer or any other person who has committed such an act in the premises.
- A licensee shall not employ any person in the premises licensed for special treatment who has been convicted of any indecent or immoral act related to the giving of special treatment without the prior consent of the Council. Where consent of the Council is refused the licensee will not employ the person within the licensed premises.
- 17. The licensee shall ensure that all employees at the premises are decently and properly attired.
- 18. The licensee shall not permit or suffer the door of any room or place in the premises to be locked whilst any person is within it.
- The licensee shall not cause to be published any advertising in words or pictures suggesting that there is an erotic element in the treatment provided.

RECORDS

- 20. The licensee shall keep records of:
 - a) all persons employed giving the name, age, private address, qualifications and the terms of remuneration;
 - b) name and address of all persons receiving treatments, the type of treatment given, the name of the person giving treatment, and the date the treatment was given.
- 21. These records shall be kept on the premises named in the licence.
- 22. No person shall make a false entry into any records required to be kept as a condition of the grant of a licence.
- 23. A manager or other person directly or indirectly responsible for the management of the premises shall be under the same obligation as the licensee to comply with and secure the observance of conditions on grant of a licence.
- 24. These records should be available for inspection by Authorised Officers.

CLEANLINESS OF STRUCTURE

- 25. All intomal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators shall be kept clean and in such good repair as to enable them to be cleaned effectively.
- 26. There chall be provided in every treatment room suitable floor covering which shall be smooth, impervious and durable and shall be maintained in a clean condition.

TREATMENT ROOMS

- 27. If there is no separate sterilisation room, two distinct areas should be designated within the treatment area clean and dirty with all cleaning of contaminated equipment taking place only in the latter, as far from the areas where treatments are conducted as possible. A partition is to be erected to create a physical barrier between the treatment area and the dirty area.
- 28. No floor covering likely to present a tripping hazard or any other obstruction which could cause any person to fall onto an appliance should be permitted to be in the treatment area.
- 29. There shall be adequate light and ventilation to any treatment or waiting room either by natural or artificial means.
- 30. There shall be provided, in respect of a wash-hand basin, soap and a supply of disposable paper towels available at all times.
- There shall be provided in every treatment and waiting room, suitable and sufficient means for heating and a reasonable room temperature shall be maintained.
- Where it is intended that more than one person shall be treated in a room, suitable screening shall be provided to maintain privacy. Screens are to be capable of being effectively cleaned. In the case of ultra violet tanning equipment the positioning of such screens or curtains should ensure that people not using the equipment are not exposed to ultra violet radiation emitted from the equipment.
- 33. The doors to treatment rooms shall not be capable of being locked, any door shall be fitted so that its opening cannot be impeded and the door should be capable of being opened from the outside by a member of staff.
- There shall be provided in every treatment room, excluding those used solely for ultra rolet tanning, a suitable wash-hand basin or basins provided with an adequate supply of hot and cold water.

CLEANLINESS OF FURNITURE AND FITTINGS

- 35. All furniture, floor coverings and fittings in the treatment area shall be kept clean and in such good repair as to enable them to be cleaned effectively. Carpets and curtains should be excluded from the treatment areas.
- 36. All tables, couches and seats used by clients in the treatment area and any surface on which the items specified in condition 38 below are replaced immediately prior to treatment shall have a smooth impervious surface which is wiped down regularly with a suitable disinfectant.
- Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client.

STERILISATION/CLEANSING INSTRUMENTS, MATERIALS AND EQUIPMENT

- 38. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment a licensee shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment:
 - a) is clean and in good repair, and, so far as is appropriate, is sterile;
 - b) has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far is appropriate, sterilised.
- 39. A licensee shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment so far as is appropriate, is in a sterile condition and kept sterile until it is used.
- 40. A licensee shall provide:
 - adequate facilities and equipment for the purpose of sterilisation (unless presterilised single use items are used) and of cleansing, as required in pursuance of these conditions;
 - b) adequate storage for all items mentioned in conditions 38 (a) and 38 (b) above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible the risk of contamination.

NEEDLES

- 41. All needles used in the treatments must be placed after use either:
 - a) in the case of needles or bars which will be re-used, in a suitable disinfecting solution prior to cleaning and sterilising;
 - b) in the case of disposable needles in a puncture and leak proof box which is clearly marked 'sharps'. The box and its contents must be disposed of in a manner approved for clinical waste.
- Under the Controlled Waste Regulations 1992 and the Environmental Protection Act 1990 operatives/licence holders have a duty of care to ensure that all clinical waste i.e. used dressings, swabs etc (infected or not) and used needles are collected and disposed of by a licensed contractor. A waste transfer document shall be available at the premises for inspection.
- The clinical waste bags shall be yellow and marked as Biohazard clinical waste and whilst awaiting collection should be stored in a secure area.

WASTE MATERIALS

All waste material, and other litter arising from the treatment, shall be placed in matable covered receptacles, which are washable and leak proof or a leak proof finer and should be used. The receptacles shall be emotied, or the bags changed, at least tree every working day, or more frequently as becassary, and the material disposed trately. Where liners are not used, the receptacles shall then he deamed.

PERSONAL

- 45. Any person carrying out a treatment must ensure that:
 - a) his/her hands are kept clean and washed immediately prior to carrying out any treatment;
 - b) he/she is wearing clean clothing, operators should wear disposable, single use aprons;
 - c) he/she keeps any open boil, sore, cut or open wound on an exposed part of his/her body effectively covered by an impermeable dressing;
 - d) he/she does not smoke or consume food or drink during the course of the treatment.

SHOWERS

46. In premises providing body treatments involving the application of heat by saunas, solarium, steam bath or turkish baths, suitable and sufficient showering facilities shall be provided.

SKIN PIERCING

17. Skin piercing, including body piercing and tattooing, may only be carried out using equipment approved by the Council in accordance with current standards and practice relating to the treatment.

HOT AND COLD WATER

48. An adequate, constant supply of clean hot and cold water shall be readily available on the premises at all times.

LASERS

Please refer to separate Standard Conditions for Laser & IPL treatments.

NAIL BARS

- 49. Training to National Occupational Standards Level 3 Nail Services, any technician trained to level 2 must be supervised by someone holding level 3. Any other qualification must have equivalent content. The content of the training can be found at www.ukstandards.org.
- 50. The condition of the client's nails should be examined prior to any treatment and if there is any sign or suspicion that there is any infection present, the client must be recommended to seek medical attention.
- 51. No electric 'drills' to be used on the natural nail bed. They may only be used on the acrylic tip by a nail technician who has received training in the safe use of electric tools. Evidence of training must be kept on site.
- 52. All tools, including drill accessories, are to be disinfected before use on any client. There must be a sufficient quantity of tools to allow for disinfection between clients. Disposables to be used wherever possible.
- 53. Clean, washable overclothing to be worn.
- All premises must have good general ventilation, at least 10 litres per second per person, to reduce exposure to vapours from nail products and solvents. Where there is insufficient natural air flow through the building, mechanical ventilation may be required. Local exhaust ventilation to remove dust and vapour as close to site of production as possible must also be used.
- 35. Written aftercare information to be given to client about maintaining the nail extensions.
- 6. Sent records; name, address, telephone number, late of treatment and name of uerative, must be kept for at least 3 lears and be available for disneption at the certifies.

ULTRA VIOLET TANNING EQUIPMENT: SUNBEDS AND TANNING BOOTHS

- 57. The licensee shall draw up a schedule of maximum exposure times based on information supplied by the manufacturer and the operator shall advise clients of suitable exposure levels to avoid over-exposure particularly during initial sessions.
- 58. Warning notices and guidance notes approved by the Council shall be clearly displayed near the machine informing users of the equipment of the dangers of over-exposure.
- 59. Suitable goggles for the protection of the eyes of users of the equipment must be provided and each user must be advised of the possible dangers of failing to properly protect the eyes from ultra violet light. No user of the equipment should be allowed to undertake treatment without such protection.
- 60. Records must be kept of the hours of use of each machine and these records shall show when the tubes are replaced. Tubes must be replaced at intervals recommended by the manufacturer, together with the ultra violet transmitting plastic sheet if fitted.
- 61. Ultra violet lamps should be effectively protected from persons coming into contact with the lamps. Suitable means of achieving this protection would be the completion of the lamp enclosure with ultra violet radiation transmitting material, embedding the lamps within reflectors, or by covering with a grille or mesh. The protection should be of adequate mechanical strength which should not be impaired through repeated exposure to ultra violet radiation. In the case of lamps that might explode, the protection should be capable of containing fragments.
- Only replacement tubes completely compatible with those supplied by the manufacturer of the appliance and of the same spectral output and energy emission as the original equipment fitted shall be used.
- A suitable readily identified emergency device shall be fitted within easy reach of a person using the equipment. The device, when operated, should switch off ultra violet lamps, summon assistance, and where an upper canopy or door is electrically operated raise or open the canopy or door. Canopies/doors not electrically operated must rise/open freely.
- The surface of the bed/booth must be cleansed after each use with a suitable cleanser as recommended by the manufacturer of the appliance, or covered with a disposable impervious film which is changed between each client.
- 65. Prospective users of the equipment shall be asked to complete a confidential questionnaire before using the appliance to establish whether any conditions exist which would indicate that use of the appliance could have an adverse effect on the health or safety of the user.
- An automatic timer shall be fitted to the equipment and shall be of good quality with an accuracy of + 10% and shall be such that the user is unable to increase the duration of treatment.
- Equipment must be situated in a suitable room or cubicle and so positioned that adequate ventilation and cooling is provided, so that the temperature rise in the enclosure due to the operation of the equipment does not exceed 5°C.
- These conditions, in so far as they relate to matters of health, hygiene and safety, are subject to amendment in accordance with any change in the requirements of the relevant statutory provisions or on the recommendation of the Health and Safety Executive.

PAUMAS

- The sauna should be provided with:
 - i) in thermometer in licating the temperature inside the squaat
 - Frequity dentitiable emergency device to summon issistance;

- c) a glass observation panel in the door to allow staff to monitor the welfare of clients in the sauna;
- d) a clock or timer to enable clients to record their length of stay in the sauna;
- e) a temperature control device which can only be increased above 90°C by a member of staff;
- f) a guard rail or barrier surrounding the hot coals which extends at least 100mm above the height of the coals.
- g) a heater which is provided with an external casing which is not capable of becoming hot, i.e., the surface remains below 40°C, or a fence which completely surrounds the heater to prevent accidental contact with the hot surface.
- h) adequate lighting;
- i) high and low level vents to provide adequate ventilation;
- j) the sauna stove should be fitted with a thermal cut out device which is activated if the temperature in the sauna rises above 105°C.

WHIRLPOOLS / JACUZZIS / SPA BATHS / AERATED WATER BATHS ETC

- 70. The licensee is to ensure that any spa or aerated water bath is operated in a safe and hygienic manner in accordance with appropriate guidelines on pool operation.
- 71. Suitable and compatible treatment chemicals are to be used to maintain a consistent water quality. Regular testing of the water is to be carried out by or on behalf of the licensee to confirm that the water is chemically and bacteriologically within acceptable limits.
- Persons responsible for the supervision, operation, testing of water and cleaning of the pool are to have such qualifications and/or experience as are required by the Council. The operation of the pool includes work with the water treatments system, filter pump and valve.
- 73. The licensee is to keep records of all chemical and bacteriological tests required in condition 71 above. These records are to be kept on the premises for a period of not less than two years. An Officer of the Council must be allowed to view these records on request.
- The licensee is to comply fully with the requirements of the approved Code of Practice "The control of legionellosis including legionnaires' disease" produced by the Health and Safety Executive, in relation to the assessment of risk from the operation of the pool.

MEANS OF ESCAPE IN CASE OF FIRE

All Means of Escape in Case of Fire and all safeguards to prevent the spread of fire and any arrangements in connection therewith shall be kept and maintained in good condition and repair and in efficient working order.

FIRE-RESISTING DOORS

All self-closing fire-resisting doors shall be maintained effectively self-closing and free from any means of holding the doors in the open position. Fire-resisting doors to ducts, service shafts and cupboards shall be kept locked shut.

EXITS

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All exits and exit routes shall be maintained unobstructed, immediately available for use and clearly identifiable.

HIRE FIGHTING APPLIANCES

- 1) Tre flything appliances siral be mannamed and reprazintable for the ediate use.
- a 14 Past andergrouper 12 norths an inspection and memberance racert a respect of the extinguishers shall be extanded from a Registered Firm and copt on the

premises. Fire blankets shall be maintained in accordance with the manufacturer's instructions.

CURTAINS.DECORATIONS ETC

80. Curtains, hangings or draperies, together with their linings, and any decorations shall be non-flammable.

ESCAPE LIGHTING

81. Escape lighting installations shall be tested by a person with experience of battery installations at regular intervals not exceeding six months and a certificate that the batteries have been tested and maintained shall be obtained and kept on the premises.

ARTIFICIAL LIGHTING

82. Adequate lighting shall be provided and maintained in all parts of the premises to which members of the public and staff have access.

VENTILATION

83. Adequate ventilation shall be provided and maintained within the premises.

MEANS OF HEATING

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

GAS INSTALLATION

85. The gas installation shall comply with the current Gas Safety Regulations.

SANITARY ACCOMMODATION

Suitable and sufficient sanitary accommodation shall be provided and be available for use by staff and clients. The sanitary accommodation shall be maintained and kept in a clean and hygienic condition.

ELECTRICAL INSTALLATION

- 87. The electrical installation for the premises shall be inspected, tested and maintained in accordance with the British Standard 7671. A Periodic Inspection Report shall be obtained from a "competent person" at the appropriate intervals (e.g. up to a maximum of five years or a shorter period as specified on the Report) and submitted to the Council.
- 88. The inspection certificate shall be signed by a person who shall be one of the following:
 - a professionally qualified Electrical Engineer;
 - a member of the Electrical Contractors' Association;
 - an approved contractor of the National Inspection Council for Electrical Installation Contracting, or
 - a qualified person acting on behalf of one of the above (in which event it shall be stated for whom he/she is acting).

ELECTRICAL APPLIANCES

An inspection and test shall be carried out on all portable electrical appliances within the premises as required by the Electricity at Work Regulations 1989. The inspection shall also include fixed appliances used for treatment of the public. The tests shall essure that the electrical appliances comply with these Regulations and the relevant arts of British Standard 7671.

90. A certificate shall be submitted to the Council at 12 monthly intervals by a person described in Condition 89 above. Guidance about maintenance can be obtained from the Health & Safety Executive, Memorandum of Guidance HS(R)25.

FIRE ALARM SYSTEM

- 91. A fire alarm audibility test shall be carried out weekly at a predetermined time by using a different call point for each successive test to ensure that the fire alarm system and sounders operate satisfactorily.
- 92. Routine maintenance of the complete system shall be carried out by a competent person at intervals not exceeding 6 months and a test certificate obtained. The results of the tests and a record of the maintenance shall be kept on the premises in a log book.

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