

**Report of:** Service Director, Public Protection

Meeting of	Date	Agenda Item	Ward(s)
Licensing Regulatory Committee	8 <sup>th</sup> April 2013	B1	Highbury West

<b>Delete as appropriate</b>		Non-exempt
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**Subject:** LICENCE APPLICATION

**RE: AQUA SAUNA, 42 HORNSEY ROAD, LONDON, N7 7BP**

**1. Synopsis**

- 1.1 This is an application for a new special treatment licence under the London Local Authorities Act 1991, Part II.
- 1.2 The application is to allow massage and the provision of steam room facilities.
- 1.3 The Met Police, Council's Health & Safety Officer and three local Councillors have made representations in response to the application.

**2. Recommendations**

- 2.1 The Committee needs to consider all the evidence before determining this application;
- 2.2 If the Committee decides to refuse the application the London Local Authorities Act 1991 section 8 permits it to do so under one or more of the following grounds:
  - i) the premises are not structurally suitable for the purpose;
  - ii) 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;

- iii) 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 licence;
- iv) the persons giving the special treatment are not suitably qualified;
- v) the premises have been or are being improperly conducted;
- vi) the premises are not provided with satisfactory means of lighting, sanitation and ventilation;
- vii) the means of heating the premises are not safe;
- viii) proper precautions against fire on the premises are not being taken;
- ix) 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;
- x) they are not satisfied as to the safety of the special treatment to be given;
- xi) satisfactory means of escape in case of fire and suitable means for fighting fire are not provided on the premises;
- xii) 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
- xiii) 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 6); and
- ii) 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 visits;
- Appendix 4: Copies of warning letters;
- Appendix 5: Special treatment licence expired September 2012, and premises plan; and
- Appendix 6: Standard conditions for special treatment premises in London Borough of Islington;

3.2 Licensing History of the premises:

- 23<sup>rd</sup> December 2002, special treatment premises licence issued.
- 30<sup>th</sup> September 2006, premises licence lapses due to non-renewal.

- 1<sup>st</sup> October 2011, new premises licence issued. New licensee is Mr Tomasz Jagieinieki. Licence is not valid until Health & Safety requirements have been completed and approved.
- 25<sup>th</sup> February 2012, Multi-Agency licensing inspection. Licensable activities being offered and unregistered therapists on site. Health & Safety requirements outstanding.
- 31<sup>st</sup> August 2012, Licensing inspection. Premises were providing licensable activities without an authorisation as Health & Safety requirements still outstanding.
- 7<sup>th</sup> September 2012, Multi-Agency licensing inspection. Licensable activities being offered and unregistered therapists on site. Health & Safety requirements remain outstanding.
- 30<sup>th</sup> September 2012, premises licence lapses due to non-renewal.
- 7<sup>th</sup> December 2012, Multi-Agency licensing inspection. Licensable activities being offered and unregistered therapists on site.
- 11<sup>th</sup> January 2013, Licensing inspection. Premises appeared to be offering licensable treatments, massage, without the benefit of a premises licence.
- 6<sup>th</sup> February 2013, new premises licence application received.
- 27<sup>th</sup> February 2013, Multi-Agency licensing inspection. Licensable activities being offered and unregistered therapists on site.

#### 4. **Planning implications**

- 4.1 Premises is only authorised for an A1 usage, specifically for use as a hairdressers. This does not permit the proposed usage.

#### 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.
- 5.2 The information presented in this report shows that the premises has been making licensable treatments available, without the benefit of a special treatment licence, since 30<sup>th</sup> September 2012 and prior to that, since October 2011, with an invalid premises licence, as Health & Safety requirements were outstanding. There is also evidence to show that the proposed licensee has little regard for premises licence conditions, specifically in regard to therapists being registered with the Licensing Service.
- 5.2 The Licensing Service would also wish to highlight the following aspects of the standard conditions for special treatment premises, recorded under the CONDUCT OF BUSINESS section. These conditions, numbered 15 to 19, are copied below:
15. 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.
16. 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.
19. 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.

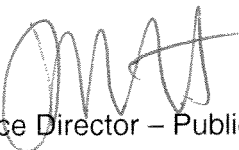
5.3 The Committee will need to satisfy itself that the applicant will be able to comply with all licence conditions if the licence is granted.

**Background papers:**

London Local Authorities Act 1991

Final Report Clearance

**Signed by**

  
Service Director – Public Protection

26.3.13

Date

**Received by**

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

Tel: 020 7527 3031

Fax: 020 7527 3040

E-mail: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

Appendix 1

WR/201303170



LONDON LOCAL AUTHORITIES ACT 1991, PART II  
SPECIAL TREATMENT PREMISES

APPLICATION FOR AN ANNUAL PREMISES LICENCE

This form should be fully completed, signed and forwarded to:

Licensing Team, 3<sup>rd</sup> Floor, 222 Upper Street, Islington, London, N1 1XR.

Enclosing a cheque or postal order for the appropriate fee made payable to London Borough of Islington and crossed (cash should not be submitted).

Register Number:
Fee Paid: 635 (250,86 + 250 + 44)
4x Cheque/Postal Order No: 76815808, 5852 + 5804, 5853
Receipt Number: 0662506
Date Received: 6.2.15
Initials: JWJ

PLEASE READ THE ACCOMPANYING NOTES CAREFULLY BEFORE COMPLETING THIS FORM

I/We apply for an annual special treatment licence for the premises named below:

1.	Name of the premises:	AQUA SAUNA
	Address of the premises:	42 HORNSEY ROAD
	Postcode:	N7 7BP
	Telephone number:	0207 700 53 93
2.	Your first name(s):	TOMASZ
	Your surname:	JAGIELNICKI
	Maiden name (if applicable):	N/A
	Other names known under:	N/A
3.	Date of Birth:	
4.	Your private residential address:	
	Proof of address must be supplied to the Council (see note 1 below)	
	Postcode:	
4.1	Your previous private residential address if less than 12 months at address given above:	
	Postcode:	

5.	Passport Number OR Driving Licence Number (see note 1 below):	PASSPORT: EA 5564084
6.	List all convictions in the last five years (include date(s) and Court details) (Continue on a separate sheet if necessary)	N/A
7.	If the application is made by a limited liability company, give the name & address of the registered office here:	
	Postcode	
	Company Registration Number:	
8.	What part(s) of the premises are proposed to be used under the licence? (e.g. basement, ground floor etc):	GROUND AND 1ST FLOOR
9.	What is the main use of the premises to which this licence application relates:	SAUNA/MASSAGE PARLOUR
10.	Please give full details of your interest in the premises:	SAUNA/MASSAGE PARLOUR
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:	YES
11.	How many persons registered by the Council to give special treatments do you intend to employ at the premises at any one time:	2-3
12.	List all special treatments to be given (continue on a separate sheet if necessary):	MASSAGE HOT AIR SAUNA

**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
  - Fire Safety Regulations: North East Area2  
London Fire Brigade  
169 Union Street  
City Road  
London  
SE1 0LL
  - Health & Safety Officer  
Public Protection Division  
London Borough of Islington  
222 Upper Street  
London  
N1 1XR
- b. I have enclosed a copy of the plan of the premises**
- c. 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: TOMASZ JACUSZACKI Name in Block Capitals: TOMASZ JACUSZACKI  
Position: MANAGING DIRECTOR Dated: 28/01/2013

**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.

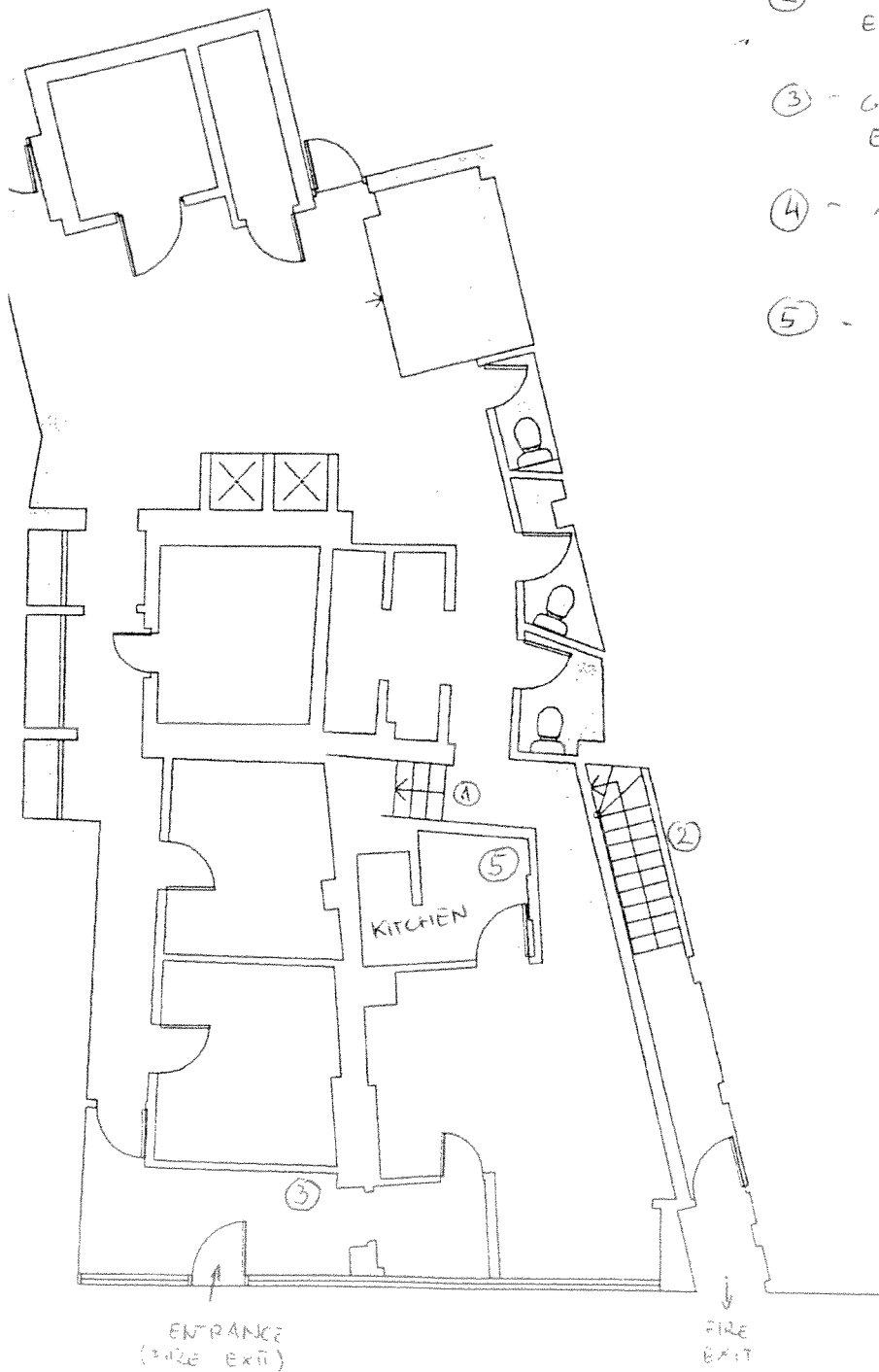
**Retention Procedure**

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.

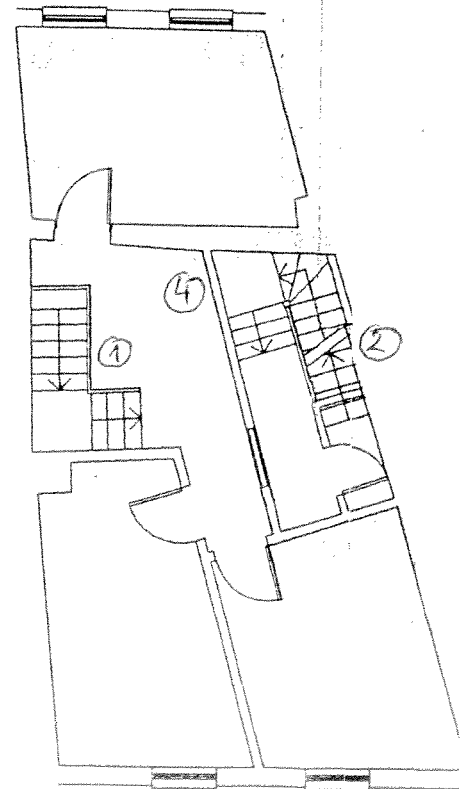


AQUA SAUNA, 42 NORWSEY RD, LONDON, N7 7BP

- ① - STEPS
- ② - STEPS ON EMERGENCY ESCAPE ROUTE
- ③ - GROUND FLOOR FIRE EXTINGUISHERS
- ④ - 1ST FLOOR FIRE EXTINGUISHERS
- ⑤ - FIRE BLANKET



Ground Floor Plan



First Floor Plan

- Aqua Sauna

Total Internal Flo



Appendix 2.  
REP (

**Williams, John**

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**From:** Weaver, Geoff  
**Sent:** 01 March 2013 11:07  
**To:** Licensing  
**Subject:** Aqua Sauna 42 Hornsey Road N7 7BP  
**Attachments:** Aqua Sauna 42 Hornsey Rd 1-3-13.doc

Dear All

Application for Special Treatment Licence  
Please see attached letter with works condition and requirements schedule.

Geoff Weaver  
Senior Building Surveyor (Licensing Health and Safety)  
Building Control Service  
Islington Council  
222 Upper Street N1 1XR  
Tel: 020 7527 5986



REP!



Mr Tomasz Jagieinicki  
Aqua Sauna  
42 Hornsey Road  
London  
N7 7BP

Building Control Service  
Planning and Development  
222 Upper Street  
London  
N1 1XR

T 020 7527 5986  
F 020 7527 5998  
E geoff.weaver@islington.gov.uk  
W www.islington.gov.uk

Our ref : GW  
Your ref:

Date: 1 March 2013

Dear Sir

**Special Treatment Licensing  
Aqua Sauna 42 Hornsey Road N7 7BP**

I refer to the recent application for a special treatment licence at the above named premises.

At the survey of the premises in September 2011 it was found that the requirements specified in the attached schedule were in need of attention to ensure the arrangements at the premises were adequate for health and public safety. To date the works have not been discharged.

Any licence granted by the council would be subject to the following special condition:  
**The premises shall not be used under this licence until the requirements specified in the schedule dated 1 March 2013 have been completed and approved in writing by the responsible authority for health and public safety.**

The premises should be maintained in good condition. Staff should be trained in the health and safety measures applicable to the premises and the action to be taken in the event of an emergency or evacuation. Enclosed for your attention are **Health and Safety Standards for Places of Assembly, Shops and Commercial Premises.**

This communication is without prejudice to the necessity of complying with any other statutory controls which may be applicable, whether administered by the council or by any other authority.

Please give notification of the commencement and completion of the works.

Should you require any advice or information please contact me at the above address.

Yours faithfully

Geoff Weaver  
Senior Building Surveyor (Licensing Health and Safety)



**Special Treatment Licensing – Requirements schedule dated 1 March 2013 for  
Aqua Sauna 42 Hornsey Road N7 7BP**

- (1) The exit door on first floor landing leading to the adjoining accommodation should be changed for a 60 minute fire door fitted with smoke and intumescent seals. The new fire door should be made effectively self-closing and provided with signs on both sides of the door worded **Fire door keep shut**.
- (2) A graphic symbol exit sign in compliance with the Health and Safety (Safety Signs and Signals) Regulations should be provided over the new 60 minute fire and exit door. The minimum depth of the exit sign should be not less than 100mm.
- (3) The new 60 minute fire and exit door on the first floor and all other doors on escape routes from and within the premises should be free from fastenings or secured with simple fastenings that can be readily operated without having to use two hands, keys, cards, codes or similar means.
- (4) The reception room area should be separated from the entrance/exit lobby with 30 minute fire-resisting construction. There should be 30 minute fire separation between the premises and the entrance/exit lobby.

Details of your proposals should be submitted for consideration and approval.

- (5) The fire and exit door adjacent to the ground floor treatment rooms should be fitted with smoke and intumescent seals. The fire door should be made effectively self-closing and provided with signs on both sides of the door worded **Fire door keep shut**.
- (6) The ceiling at the rear of the premises should be repaired and made safe.
- (7) The mechanical extract ventilation fans in the toilets should be repaired or replaced. Toilet ventilation fans should extract direct to external air at a rate of not less than 6 litres/second and have a 15 minute over-run controlled by the light switches. Air inlet to the toilets should be provided, e.g. 10mm gap under the doors.
- (8) The mechanical extract ventilation fans in the treatment/bath rooms should be repaired or replaced. Mechanical ventilation for the treatment/bath rooms should be capable of extracting direct to external air at a rate of not less than 15 litres/second. The extract fans should have a 15 minute over-run controlled by the light switches. Air inlet to the treatment/bath rooms should be provided, e.g. 12mm gaps under the doors.
- (9) A continuous handrail should be provided to the stairway at a height of not less than 900mm and not more than 1000mm above the pitch line or floor.  
  
Handrails should extend where possible at least 300mm beyond the top or bottom riser of any steps. The profile of the handrails should be either circular with a diameter of between 40mm and 45mm, or oval preferably with a width of 50mm.
- (10) Lighting throughout the premises, including the escape route in the adjoining accommodation, should be overhauled and put into full working order. An automatic switching system or local manual switches convenient for use by persons using the escape route in the adjoining accommodation should operate lighting in escape route.
- (11) Existing emergency lighting luminaires throughout the premises, including the escape route in the adjoining accommodation, should be cleaned, inspected and tested to ensure that each luminaire is wired to the local lighting circuit in such a manner as to operate not only in the event of failure of the mains supply but also on failure of the supply to the local lighting circuit.

- (12) Electrical installations should comply with BS 7671. Existing electrical installations should be tested and any defects remedied. Temporary flexible and unprotected electrical cables should be removed or replaced with an approved protected system of electrical wiring in compliance with BS 7671.
- (13) Long flexible electrical cables and multi-socket outlet electrical adaptors within the premises should not be used. An independent electrical socket outlet should be provided adjacent to each item of electrical apparatus using an approved protected system of wiring in compliance with BS 7671.
- (14) The existing fire alarm and fire detection system should be up graded or replaced in compliance with BS 5839 – 1.

Details of your proposals for the fire alarm system should be submitted for consideration and approval.

- (15) Copies of the inspection and test certificates specified below, certified by an approved competent person, should be submitted to the responsible authority for health and public safety.

Electrical installation condition report  
Emergency lighting  
Fire alarm  
Fire fighting appliances  
Gas boilers, gas installations and appliances

An approved competent person for the testing and certification of electrical installations and emergency lighting should be one of the following:

- (i) A qualified member of the Institution of Engineering and Technology, or
- (ii) A contractor enrolled with the National Inspection Council for Electrical Installation Contracting, or a member of the Electrical Contractors Association, or a competent person from an appropriate approved organisation.

For fire alarms any of the above, or

A member of the Loss Prevention Council 1014 Scheme, or a member of the British Approvals for Fire Equipment SP203 Scheme.

Inspection and service certificates for fire fighting appliances should be obtained from an organisation certified by the British Approvals for Fire Equipment (BAFE), or a competent person from an appropriate approved organisation.

Gas boilers, gas installations and appliances should be inspected and tested by a Gas Safe registered engineer.

- (16) Any additional requirements considered necessary by the responsible authority for health and public safety during or after inspection of the arrangements at the premises should be complied with.





Working together for a safer London

TERRITORIAL POLICING

REP 2

Robin Clark Ps 45NI

Islington Police Station  
2 Tolpuddle Street  
Islington  
N1 0YY

Telephone: 020 7421 0194/0248

Facsimile:

Email: ni\_licensing@met.police.uk

Your ref:

Our ref: Licensing/NI

Dear Sir / Madam

**RE:- Special Treatment Application, Aqua Sauna, 42 Hornsey Road,n7**

With reference to the above application, I am writing to inform you that the Islington Police, as a Responsible Authority, will be objecting to this application as it is our belief that

the persons giving the special treatment are not suitably qualified;

the premises have been or are being improperly conducted.

It is noted on the application that there will be 2 persons registered to give special treatments at the premise, I personally visited this address late last year with council staff and 11 females were present and again last week on the 27th Feb. 2013 police and council staff attended and although the premise was unlicensed for special treatments at that time there were numerous female staff members present. It appears to be the case that the applicant is being less than open about who will be working at the premise and in what capacity and as it is well documented that females employed in these type of venues are often vulnerable to exploitation I am concerned that vulnerable women will be harmed or exploited if the premises is granted a license. As such Islington Police object to this application.

Should you wish to discuss the matter further please contact your details on **0207 421 0194/0248** or via email, [ni\\_licensing@met.police.uk](mailto:ni_licensing@met.police.uk)

Robin Clark Sgt 45NI  
Islington Police Licensing Team

REP 3

From: Andy Hull  
Sent: 06 March 2013 14:41  
To: Licensing; Lane, Terrie  
Cc: Greening, Richard; Debono, Theresa; Sgt Robert O'Connor; Forde, Niall  
Subject: re: Aqua Sauna 42 Hornsey Road

Hi, Terrie.

I'm writing to object to the prospect of Aqua Sauna on Hornsey Road being given another license to ply their trade.

I don't have any concrete proof of them doing anything illegal, beyond what LBI and MPS found when we last raided the joint.

I spoke to the local MPS sergeant, Rob, and to our LBI licensing officer, Niall, about this establishment last week.

They said that essentially, beyond the raids we've already done, there is nothing we can do, given limited resources, etc.

All I know is that the local community don't want a brothel operating in their midst, and everybody knows that a brothel is what it is.

Could we use the Social Value Act or anything else to stop it operating?

Otherwise, I'm not sure how much use it is us showing off what we've done to them in documents like the one attached here, if, basically, they can delete the word Sauna from their name and carry on with impunity...

Best wishes,

Andy

REP 4

From: Theresa Debono  
Sent: 06 March 2013 14:52  
To: Andy Hull; Licensing; Lane, Terrie  
Cc: Greening, Richard; Debono, Theresa; Sgt Robert O'Connor; Forde, Niall  
Subject: Re: Aqua Sauna 42 Hornsey Road

I add support to Cllr Hull's email. Please add my name to the objections  
Theresa Debono

REP 5

From: Greening, Richard  
Sent: 06 March 2013 15:24  
To: Licensing  
Cc: Sgt Robert O'Connor; Forde, Niall; Andy Hull; Lane, Terrie; CLLR Theresa Debono  
Subject: Aqua Sauna 42 Hornsey Road

I support Cllr Debono and Cllr Hull's objections and should like to repeat my request originally made over 10 years ago for these premises not to be granted a licence.

A copy of this request and an email outlining subsequent events (i.e. that the premises have continued to be used as a brothel since 2001) and containing some of the advertising material they used in 2006 is attached. Their licence was revoked in 2001 or early 2002 because they were found to be operating as a brothel and a new licence was granted later in 2002 on the grounds that the licensee was a new applicant and the business name was temporarily changed to "Relax 42".

Since then the business has continued under the original name "Aqua Sauna" and it seems quite clear that it continues to operate as a brothel.

Perhaps you could let us know when this will be coming to licensing committee?

Best regards

Cllr Richard Greening  
Deputy Leader of Islington Council  
Labour Member for Highbury West ward

Town Hall, Upper St, London N1 2UD

T: 07970 947 313

E: [richard.greening@islington.gov.uk](mailto:richard.greening@islington.gov.uk)

REP SA

PLEASE NOTE:

BELOW PHOTO EVIDENCE TAKEN IN 2006.

# AQUA SAUNA

SENSATIONAL RELAXING MASSAGE WITH  
LUXURY SAUNA & STEAM ROOM - TV  
LOUNGE - REFRESHMENTS

GREAT FRIENDLY GIRLS



- SITUATED AT THE NEW STADIUM  
END OF HORNSEY  
RD
- 2 MINUTES FROM  
HOLLOWAY RD  
TUBE STN
- OPEN 7 DAYS  
■ 12 MIDDAY-LATE

REFURBISHED UNDER NEW  
MANAGEMENT

AQUA SAUNA  
42 HORNSEY RD  
LONDON N7  
0207 700 5353

**Licensing Inspections – 42 Hornsey Road**

**25th February 2012:**

Terrie Lane, Katie Tomashevski and six police officers visited as part of Multi-Agency visits to various licensed massage/sauna premises.

On arrival spoke to woman who said she was the cleaner and at first refused to let us in. Four Romanian girls on the premises, two looked very young, none had Special Treatment registrations or Personal ID's. Two spoke no English. No customers. No licensing related paperwork on premises and Health & Safety works outstanding.

It is a licensing requirement that any person working in a licensed premises must be registered.

**31<sup>st</sup> August 2012:**

Licensing inspection, Dan Whitton & Niall Forde in attendance.

Arrived at the premises at approximately 22:45. At the entrance area of the premises we were informed that all the girls were busy and the premises was full and to return in half an hour or so. Premises were providing licensable activities without an authorisation as Health & Safety works were outstanding.

**7th September 2012:**

Multi-Agency Inspection, in attendance were:

Licensing Officers - Simon Gallacher & Anthony Baptist, Met Police - Sgt Robin Clark & PC Don Stewart and Fire Brigade - Malcolm Boden, Andy Jefford & Andy Brown.

Approximately 22:00

RC, DS, SG and AB entered premises. One female behind reception window. RC and DS introduced us and asked to come in. The door was opened and we entered the premises. No one claimed to be in charge or managing the premises. There were 7 females identified as working at the premises at the time of the visit. None of them had registration badges available, although one female said she had one but not with her. Took a list of names from the 7 females:

[REDACTED]

Also took a photo of working names which was displayed by reception window. copy saved on s:drive premises file.

There were two customers on the premises. Neither the sauna or steam room were in operation. The steam room was full of storage and staff had been advised to ensure not capable of being inadvertently switched on.

The girls were informed that as none of them had registration badges they could not provide massage otherwise they would be in breach of licence and therefore must close.

**7<sup>th</sup> December 2012:**

Licensing enforcement visit, Terrie Lane (TL) and Katie Tomashevski (KT) in attendance.

Arrived at the premises at approximately 21:15.

Premises open and trading. One male customer. Spoke to Amber Wood the woman in charge. She told us that the sauna was not working but the steam room was. Took the names of the women working that night and they were:

████████████████████ – Romanian DOB ██████████

████████████████████ – Romanian DOB ██████████

████████████████████ – Romanian DOB ██████████

████████████████████ – Romanian DOB ██████████

████████████████████ – Romanian DOB ██████████

████████████████████ – Romanian DOB ██████████

████████████████████ – Polish DOB ██████████

None of the women had qualifications to provide massage and none were registered with the Council to give treatment. The Police did a check on the male customer and there was an expired mental health order on him.

We advised the women that as they were not registered the premises had to close. We waited till they changed and left the premises.

**11<sup>th</sup> January 2013:**

Licensing enforcement visit, Niall Forde with Steve McNally.

Arrived at the premises at approximately 20:10.

Premises open, approximately 8 girls in the lounge area at rear of premises. Spoke to a lady called Isabella. No manager on premises. I advised them the premises hadn't renewed its special treatment licence and they weren't licensed.

Walked around ground floor Sauna not being used but Isabella confirmed it was operational. Gave Isabella a copy of the non-renewal letter sent out and advised again that they were unlicensed and could not permit licensable activities at the premises.

Whilst we were conducting another licensing inspection across the road we witness the premises being closed and locked up by one of the girls.

**27<sup>th</sup> February 2013:**

Multi-Agency Inspection. Terrie Lane (Licensing) and a number of Met Police officers in attendance.

Notice outside re new application. Notice inside door saying due to unforeseen circumstances the only massage available was Alexander Technique type massage (not licensable as is a non-contact form of massage).

Police knocked on door and woman I know as Amber Wood who is always on premises and describes herself as the cleaner, let us in. Police went upstairs and put the back to check for customers and covered the fire exit. No customers on premises, but all rooms available for use with beds, oil, creams and paper towels – indicating that full massage available. Seven



Eastern European females were seated in rear of premises. Police took all their details. Sgnt and I spoke to Amber Wood. She confirmed she knew there was an application notice on the front door but thought it meant they could open and do massages. She said the owner, who is Polish and she doesn't know his name, had told her that it was ok for the girls to work. She said she was not in charge she is the cleaner. Told her as she seemed to be in charge she could tell all the girls that the premises had to close and they could go home. She gave her address as -----, D.O.B. -----.

From a table by the window I picked up a leaflet and a card advertising massage & sauna. On the inside of the window there were lists of massage treatments and prices. All the girls were wearing very short dark coloured tunic type dresses. Amber told the girls to get changed and then she turned all the lights off and locked up. We left the premises at approximately 21.55.



A ppendix 4



ISLINGTON

Licensing Team  
Public Protection Division  
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Our ref: WK/121361473

Date: 04 January 2013

Tomasz Jagielnicki

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

Dear Jagielnicki

**SPECIAL TREATMENT LICENSING – LONDON LOCAL AUTHORITIES ACT, 1991, PART 2  
RE: AQUA SAUNA, 42-44 HORNSEY ROAD, ISLINGTON, LONDON, N7 7BP**

It has come to the attention of the Council that the above premises failed to renew its annual licence in September 2012 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.

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 you 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.

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

If you require any further information or assistance please contact the licensing team using the contact details shown above.

Yours sincerely

**Niall Forde**  
Licensing Officer

Cc Tomasz Jagielnicki, AQUA SAUNA, 42-44 HORNSEY ROAD, ISLINGTON, LONDON, N7 7BP

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Date: 21 January 2013

Mr Tomasz Jagielnicki,  
Aqua Sauna,  
42 Hornsey Road  
London,  
N7 7BP

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

Dear Mr Tomasz Jagielnicki,

**LONDON LOCAL AUTHORITIES ACT 1991, PART II**  
**SPECIAL TREATMENT LICENSING – LONDON LOCAL AUTHORITIES ACT, 1991, PART 2**  
**RE: AQUA SAUNA, 42-44 HORNSEY ROAD, ISLINGTON, LONDON, N7 7BP**

Further to my letter of the 4 January 2013.

Unfortunately the application you submitted was for a renewal application; and it didn't enclose the full prescribed fee of £635 and is therefore invalid.

In addition the invalid application also stated that your home residential address was 42 Hornsey Road, I do not believe this to be correct. I have therefore returned you application to you as invalid and request that it be resubmitted on the correct forms with the full fee.

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 are able to keep the prescribed fee that accompanied the invalid application for their convenience. Failure 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

**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.**



**ISLINGTON**

Licensing Team  
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Mr Tomasz Jagielnicki,  
Aqua Sauna,  
42 Hornsey Road  
London,  
N7 7BP

6 March 2013

This matter is being dealt with by:  
**Terrie Lane**

Dear Mr Jagielnicki,

**LONDON LOCAL AUTHORITIES ACT 1991, PART II**  
**SPECIAL TREATMENT LICENSING – LONDON LOCAL AUTHORITIES ACT, 1991, PART 2**  
**RE: AQUA SAUNA, 42-44 HORNSEY ROAD, ISLINGTON, LONDON, N7 7BP**

Further to my visit to the premises with the Police on 27 February 2013 I write to inform you that we found the premises open and eight members of staff were on the premises. All of the treatment rooms were ready for use and price lists and leaflets were on the front desk.

Amber Wood, who looks after the premises for you, stated that you had told her the premises could be used for massage.

I informed her that no licence was in force and that if the staff were there to provide massage, she should send them home. Amber locked up the premises and sent the staff away.

I remind you again that 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 will submit a report to the licensing committee members in order that they have this information to hand when making the decision whether to grant the special treatment licence.

If you have any questions regarding this letter please do not hesitate to contact me.

Yours sincerely

**TERRIE LANE**  
**LICENSING MANAGER**

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





LICENCE NUMBER: LN/13390-10102011

**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: **MR TOMASZ JAGIEINIEKI**

Trading as: **AQUA SAUNA**

to use the premises at: **GROUND FLOOR, 42 HORNSEY ROAD, LONDON, N17 7BP**

to carry on an establishment for **SPECIAL TREATMENT**.

This licence authorises the following treatments:

**SAUNA & STEAM ONLY**

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 **3**.
2. Special treatments may be given to men and women subject to the therapist being qualified to provide the treatment give.
3. A provision of fresh air to the premises shall be installed & maintained at a rate that is satisfactory to the Council
4. The premises should not be used under this licence until the requirements specified in the schedule date 3 October 2011 and have been completed and approved in writing by the responsible authority for health and public safety.

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This licence, unless revoked, is in force until **30 September 2012** 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.

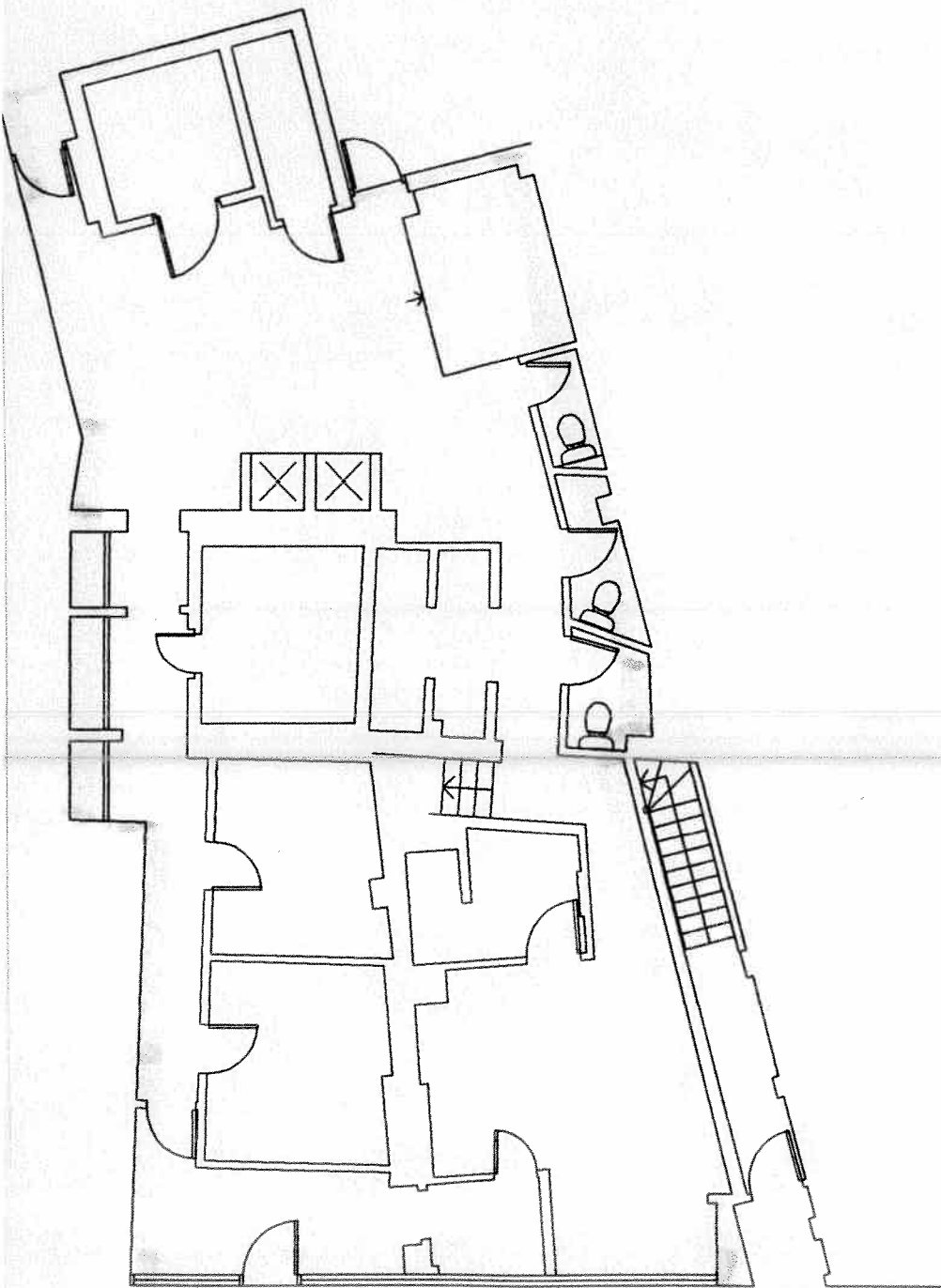
Islington Council  
Public Protection Division  
222 Upper Street  
London N1 1XR

Tel: 020 7527 3031  
Email: [licensing@islington.gov.uk](mailto:licensing@islington.gov.uk)

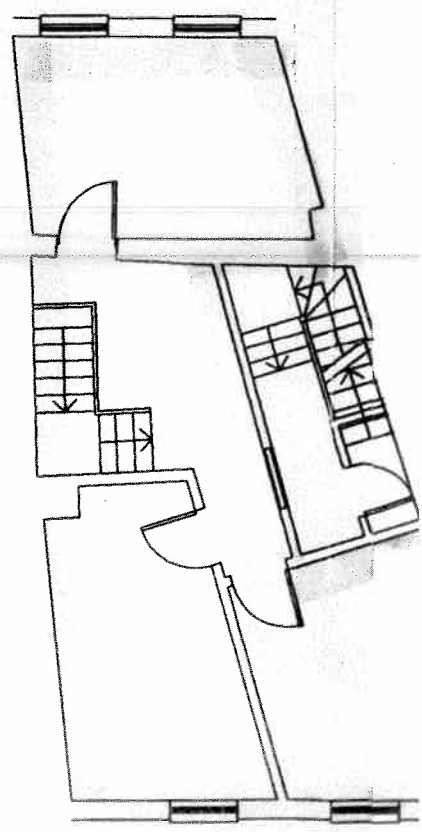
  
Service Manager Commercial)

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Date of Issue 10 October 2011



Ground Floor Plan



First Floor Plan

- Aqua Sauna

Total Internal



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

8. 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

9. 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

11. 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

13. 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

15. 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.
16. 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.
19. 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 internal 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 shall 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.
31. There shall be provided in every treatment and waiting room, suitable and sufficient means for heating and a reasonable room temperature shall be maintained.
32. 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.
34. There shall be provided in every treatment room, excluding those used solely for ultra violet 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.
37. 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 as 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:
  - a) adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised 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.
42. 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.
43. 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

44. All waste material, and other litter arising from the treatment, shall be placed in suitable covered receptacles, which are washable and leak proof, or a leak proof liner bag should be used. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned.

## PERSONAL

45. Any person carrying out a treatment must ensure that:
- his/her hands are kept clean and washed immediately prior to carrying out any treatment;
  - he/she is wearing clean clothing, operators should wear disposable, single use aprons;
  - 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;
  - 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

47. 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](http://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.
54. 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.
55. Written aftercare information to be given to client about maintaining the nail extensions.
56. Client records; name, address, telephone number, date of treatment and name of operative, must be kept for at least 3 years and be available for inspection at the premises.

## 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.
62. 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.
63. 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.
64. 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.
66. 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.
67. 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.
68. 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.

## SAUNAS

69. The sauna should be provided with:
  - a) a thermometer indicating the temperature inside the sauna;
  - b) a readily identifiable emergency device to summon assistance;

- 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.
- 72. 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.
- 74. 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

- 75. 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

- 76. 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

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

#### FIRE FIGHTING APPLIANCES

- 78. Fire fighting appliances shall be maintained and kept available for immediate use.
- 79. At least once in every 12 months an inspection and maintenance report in respect of all fire extinguishers shall be obtained from a 'Registered Firm' and kept 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

86. 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

89. 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 ensure that the electrical appliances comply with these Regulations and the relevant parts 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.

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