



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

Meeting of	Date	Agenda Item	Ward(s)
Licensing Regulatory Committee	15 May 2013	B2	Tollington

Delete as appropriate		Non-exempt
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Subject: LICENCE APPLICATION

RE: PARADISE SPA, 17 CROUCH HILL, LONDON N4 4AP

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 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 license;

- 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: Warning letters and emails dating: 31 January 2012, 2 March 2012 and 27 April 2012
- Appendix 4: Notes from Licensing Officer's visit on 13 October 2012;
- Appendix 5: Copies of photos taken at the premises on 13 October 2012;
- Appendix 6: Standard conditions for special treatment premises in London Borough of Islington;
- Appendix 7: Home page from Paradise Spa website printed on 24 April 2013

3.2 Licensing History of the premises:

- During routine investigations the Licensing Authority found the premises Paradise Spa, 17 Crouch Hill open and operating with sauna and steam rooms without a Special Treatment Licence. On 31 January 2012 a warning letter was hand delivered to the premises.

- Following a complaint made about the premises alleging that sex parties, films and special treatments were taking place at the premises a warning email was sent on 1 March 2012 to the Mr Christopher Horwood.
- 26 April 2012, special treatment premises licence issued.
- In April 2012 the Licensing Authority received complaints regarding sex parties called "Raw Heat Pig Parties" 27 April and "Adonis Lounge" scheduled for 27 April and 4 May respectively at the premises. There would have been an entry fee for the parties. Through the licensee's solicitor the Authority was assured that the parties would be cancelled. The licensee was warned that such parties would be a breach of the Standard Conditions attached to Special Treatment Premises.
- In September 2012 the Licensing Authority received another complaint regarding a sex party called "Bareback" scheduled to take place on 13 October 2012 at the premises with an entry fee being charged.
- On 13 October 2012 a Licensing Officer and two Safer Neighbourhood Team Police attended the premises an hour before the scheduled "Bareback" party was due to take place.
- On 1 November 2012 the Licensing Manager and investigating Licensing Officer conducted an interview under caution Mr Christopher Horwood one of the directors of Fitness First (LDN) Ltd. During the interview Mr Horwood admitted a number of breaches of the Standard Conditions for Special Treatment premises.
- On 27 February 2013 the licensee applied to renew the special treatment licence.

4. Planning implications

- 4.1 Premises is authorised as a health club and gymnasium. Hours of operation are restricted to 09:30 to 21:30 Mondays to Saturdays and 09:30 to 14:00 on Sundays.
- 4.2 On 24 April 2013 the website for the premises is advertising their opening hours as 13:00 to 23:00 Monday to Sunday (see Appendix 8). This is outside the hours permitted by the planning authorisation.
- 4.3 Standard Condition 8 for Special Treatment premises states: "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."

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
- 5.2 The information presented in this report shows that the premise was providing special treatments without the benefit of a special treatment licence in January 2012. Even before the special treatment licence was granted in April 2012 the Licensing Authority started receiving complaints about sex parties being held at the premises. These complaints continued after warning emails were sent to the one of the licensee's directors and his solicitor. During enforcement visit on 13 October 2012 an employee admitted that a sex party was scheduled to take place at the premises.
- 5.3 The Licensing Authority 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

Date 1/5/13

Received by

Head of Scrutiny and Democratic Services

Date

Report author: Licensing Service

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E-mail: licensing@islington.gov.uk



LONDON LOCAL AUTHORITIES ACT 1991, PART II
SPECIAL TREATMENT PREMISES

APPLICATION FOR RENEWAL OF AN ANNUAL LICENCE

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

Licensing Team,
3rd Floor, 222 Upper Street,
Islington, London, N1 1XR.

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

*** OFFICE USE ONLY ***	
Register Number:	
Fee Paid:	635.00
Cheque/Postal Order No:	PARIS
Receipt Number:	YSE 121
Date Received:	27/02/13
Initials:	YSE

Please read the accompanying notes carefully before completing this form

I/We apply for a renewal of the annual special treatment licence for the premises named below:

1.	Name of the premises:	PARADISE SPA
	Address of the premises:	17 CROUCH HILL LONDON
	Postcode:	N4 4AP
	Telephone number:	0207 263 9675
2.	Your first name(s):	CHRISTOPHER
	Your surname:	WORLD
	Your private residential address:	
	Postcode:	
	Your mobile number:	
	Your email address:	
3.	If the application is made by a limited liability company, give the name & address of the registered office here:	FITNESS FIRST (LON) LTD 17 CROUCH HILL LONDON N4 4AP
	Postcode	
4.	What part(s) of the premises are proposed to be used under the licence? (e.g. basement, ground floor etc):	GROUND + FIRST FLOOR

5.	What is the main use of the premises to which this licence application relates:	HEALTH CLUB		
6.	Please give full details of your interest in the premises:	LEASEHOLD TENANT		
7.	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		
8.	How many persons registered by the Council to give special treatments do you intend to employ at the premises at any one time:	0		
9.	List below the names of all therapists currently employed at the premises:	NONE		
10.	Please ✓ each of the special treatments that you are planning to provide:			
	Massage	<input checked="" type="checkbox"/>	Pedicure	<input type="checkbox"/>
	Shiatsu	<input type="checkbox"/>	False Nails	<input type="checkbox"/>
	Lymphatic Drainage	<input type="checkbox"/>	Nail Piercing	<input type="checkbox"/>
	Aromatherapy	<input checked="" type="checkbox"/>	Stone Therapy	<input checked="" type="checkbox"/>
	Reflexology	<input checked="" type="checkbox"/>	UV Tanning	<input checked="" type="checkbox"/>
	Vacuum Suction	<input type="checkbox"/>	Self-Tanning	<input type="checkbox"/>
	Champissage (Indian Head Mas.)	<input type="checkbox"/>	Foot Detox	<input type="checkbox"/>
	Non-Surgical Lift	<input type="checkbox"/>	Lumi Lift/Lumi Facials	<input type="checkbox"/>
	Bio Skin Jetting	<input type="checkbox"/>	Oxygen Therapy – (Oxygen Bars only)	<input type="checkbox"/>
	Facial	<input type="checkbox"/>	Electrolysis	<input type="checkbox"/>
	Acid Peel	<input type="checkbox"/>	Laser Hair Removal	<input type="checkbox"/>
	Chiropody	<input type="checkbox"/>	Intense Pulse Light	<input type="checkbox"/>
	Manicure	<input type="checkbox"/>	Infra-Red	<input type="checkbox"/>
	Acupuncture	<input type="checkbox"/>	G5	<input type="checkbox"/>
	Tempooing	<input type="checkbox"/>	Body Piercing	<input type="checkbox"/>
	Tattoo	<input type="checkbox"/>	Ear Piercing	<input type="checkbox"/>
	Tattoo Removal	<input type="checkbox"/>	Beading	<input type="checkbox"/>
	Micropigmentation	<input type="checkbox"/>	Other. Please specify:	<input type="checkbox"/>
			Diathermy	<input type="checkbox"/>
			Sclerotherapy	<input type="checkbox"/>
			Ultrasound	<input type="checkbox"/>
			Milia	<input type="checkbox"/>
			Red Veins	<input type="checkbox"/>
			Thread Vein	<input type="checkbox"/>
			Skin Tag	<input type="checkbox"/>
			Galvanic	<input type="checkbox"/>
			Faradic	<input checked="" type="checkbox"/>
			Osteomyology	<input type="checkbox"/>
			High Frequency	<input type="checkbox"/>
			Body Exfoliation	<input type="checkbox"/>
			Sauna & Steam	<input checked="" type="checkbox"/>
			Spa & Bath	<input checked="" type="checkbox"/>

Please note: we require the actual description of the treatments you wish to provide rather than the product or brand name of that treatment.

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

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

- Islington Borough Police
Islington Police Station
2 Tolpuddle Street
London
N1 0YY
- Fire Safety Regulations: North East Area 2
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. Only those treatments named on the licence will be provided at the premises.

c. 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.

d. 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: _____

C. HORWOOD

Position: _____

DIRECTOR

Dated: _____

26/2/13



ISLINGTON

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

The Manager
Paradise Spa
17 Crouch Hill
London N4 4AP

T 020 7527 3882
F 020 7527 3057
E katie.tomashevski@islington.gov.uk
W www.islington.gov.uk

Our ref: WK/111241117
Your ref:

Date: 31 January 2012

This matter is being dealt with by:
Katie Tomashevski

Dear Sirs

WARNING LETTER LONDON LOCAL AUTHORITIES ACT 1991 PART II

PARADISE SPA, 17 CROUCH HILL, LONDON N4 4AP

I am writing to you in regards to the above premises.

The Council is aware that you are providing services for sauna, steam room and jacuzzi.

This letter is to warn you that the premises 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 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 yourself 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.

Should you have any queries on any of the above licensing matters than please do not hesitate to contact us.

Yours sincerely

Katie Tomashevski

Licensing Officer



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.
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.

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