

Licensing

SPECIAL TREATMENT LICENCES

Guidance Notes

This guidance has been written to help you decide if you need a licence and, if so, how you can obtain one. It is in a question and answer format, if you require further advice please contact the Licensing Team on 020 8831 6455

Do I require a licence?

If you are an occupier or other person concerned in the conduct or management of premises used, intended to be used or represented as being used for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, body piercing, chiropody, UV light, electric or other special treatment of a like kind, or vapour, sauna or other baths you will be required to obtain a licence.

Types of treatment range from ear piercing to aromatherapy and examples are electrolysis, galvanism, Faradism, sunbeds etc.

Are there any exemptions?

The following are exempted:

- ◆ Any premises that are not used for gain or reward
- ◆ Any premises where the special treatment is carried out by, or under the supervision of
 - a medical practitioner duly registered with the General Medical Council or
 - any bona fide member of an approved body of health practitioners that has given notice in writing to this Local Authority that it
 - has a register of members
 - requires as necessary for membership, qualification by way of training and experience of the therapy concerned
 - requires its members to hold professional indemnity insurance
 - subjects its members to a code of conduct and ethics, including a prohibition of immoral conduct in the course of their practice and
 - provides procedures for disciplinary procedures in respect of its members.
 - in the case of acupuncture, a dentist registered under the Dentists Act 1984.
- ◆ Any premises that are used by a person who is registered by a board under the Professions Supplementary to Medicine Act 1960
 - solely for the practice of the profession in respect of which they are so registered
 - for the practice of the profession in respect of which they are so registered and for the conduct by them of any business ancillary to such practice and no other purpose
- ◆ Any hospital provided by the Secretary of State or by a NHS Trust, or by a registered charity or charity exempted from registration or
- ◆ Any nursing home registered or exempted from registration.

I am currently registered under the Local Government (Miscellaneous Provisions) Act 1982 to carry out cosmetic piercing, acupuncture or tattooing. Do I need a licence?

Not if you were registered before 30 March 1994. However if you move premises or undertake new treatments, a licence will probably be required.

How do I obtain a licence?

Application forms can be obtained from this office. All of the questions should be completed.

- ◆ The original should be returned to this office. The appropriate fee, forms/certificates for therapists, electrical certificates/guarantees and a sketch plan of the premises should accompany the application.
- ◆ One copy of the application should be forwarded to – Licensing, Metropolitan Police, 8 Red Lion Street, Richmond, TW9 1RW
- ◆ A second should be sent to the Hammersmith, Fulham & Richmond Fire Safety Regulation Team, London Fire Brigade, Hammersmith & Fulham Fire Safety Centre, 190-192 Shepherds Bush Road, Hammersmith, London W6 7NL.

What happens next?

The Licensing Team will obtain advice from the Metropolitan Police and the LFEPA. The latter will probably visit the premises to inspect the fire safety provision.

A Licensing Officer will visit to check the safety of the premises and of any equipment being used. The prospective licensee and any therapists will be interviewed to ensure that the premises will be conducted in a proper manner and that the treatments are safe and will be given by suitably qualified persons.

When the process is complete and the outcome is satisfactory a licence will be granted and forwarded.

How long does a licence last?

A licence lasts for one year. A application form will be forwarded to you about a month before the expiry date. At this point, if you wish to continue operating a special treatment establishment you must renew your licence.

What happens if any of my circumstances change?

You must notify the Licensing Team in the event of any change in

- ◆ premises
- ◆ treatments or
- ◆ therapists

or if you cease to operate the establishment.

What happens when I am granted a licence?

A licence is granted subject to certain conditions of which you will be notified. Regular visits will be made to ensure that the establishment is being operated in accordance with the terms and conditions laid down for it. If it is found not to be so legal action may be taken and/or your licence may be revoked.

Can I appeal if I am refused a licence, if I object to any terms or conditions or if my licence is revoked?

You have 21 days from the date of written notification to appeal to the Magistrates Court. Either the applicant or the Council can appeal to the Crown Court against the decision of the Magistrates Court.

Who do I contact if I have any questions?

The Licensing Team
London Borough of Richmond upon Thames
2nd Flr, Civic Centre, 44 York Street
Twickenham TW1 3BZ **Tel: 020 8831 6455**