

LICENSING COMMITTEE

Thursday, 11 July 2019 at 6.30 p.m.

The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove
Crescent, London, E14 2BG

The meeting is open to the public to attend.

<u>Members:</u>	Ward Represented
Chair: Councillor Ehtasham Haque	Blackwall & Cubitt Town;
Vice-Chair: Councillor Rajib Ahmed	Lansbury;
Councillor Faroque Ahmed	Whitechapel;
Councillor Sufia Alam	Poplar;
Councillor Shah Ameen	Whitechapel;
Councillor Shad Chowdhury	Spitalfields & Banglatown;
Councillor Peter Golds	Island Gardens;
Councillor Mohammed Ahbab Hossain	Bethnal Green;
Councillor Eve McQuillan	Bethnal Green;
Councillor Victoria Obaze	Whitechapel;
Councillor Mohammed Pappu	Blackwall & Cubitt Town;
Councillor Leema Qureshi	Spitalfields & Banglatown;
Councillor Zenith Rahman	Bromley North;
Councillor Gabriela Salva Macallan	St Peter's;
Councillor Dan Tomlinson	Bromley North;

[The quorum for this body is 3 Members]

Contact for further enquiries:

Farhana Zia, Senior Democratic Services Officer,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, E14 2BG
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E-mail: farhana.zia@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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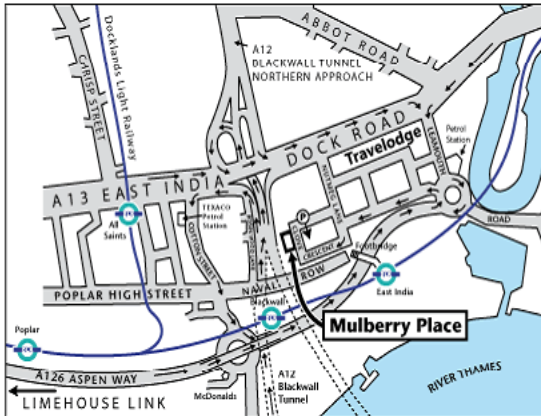
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APOLOGIES FOR ABSENCE

1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST (Pages 5 - 8)

To note any declarations of interest made by Members, including those restricting Members from voting on the questions detailed in Section 106 of the Local Government Finance Act, 1992. See attached note from the Monitoring Officer.

2. ITEMS FOR CONSIDERATION

2 .1 London Local Authorities Act 1991 Hearing to consider the revocation of the Special Treatment Licence of Health and Beauty Centre, 1 Gunthorpe Street, London E1 7RG (Pages 9 - 60)

2 .2 London Local Authorities Act 1991 Hearing to consider a new Special Treatment Licence for Boonsara, 87 Whitechapel High Street, London E1 7QX

This report is to follow.

Next Meeting of the Licensing Committee

Tuesday, 3 September 2019 at 6.30 p.m. to be held in The Council Chamber, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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Agenda Item 1

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-


Asmat Hussain, Corporate Director, Governance and Monitoring Officer, Tel 020 7364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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<p>Non-Executive Report of the:</p> <p>Licensing Committee</p> <p>11th July 2019</p>	 <p>TOWER HAMLETS</p>
<p>Report of: David Tolley, Head of Environmental Health and Trading Standards Directorate of Place</p>	<p>Classification: Unrestricted</p>
<p>London Local Authorities Act 1991 Hearing to consider the revocation of the Special Treatment Licence of Health and Beauty Centre, 1 Gunthorpe Street, London E1 7RG</p>	

Originating Officer(s)	Natalie Thompson, Environmental Health Officer
Wards affected	Spitalfields and Banglatown

1. EXECUTIVE SUMMARY

Licence Holder:	Healthy Paradise Limited
Name and Address of Premises:	Health and Beauty Centre 1 Gunthorpe Street London E1 7RG
Licence sought to revoke:	Special Treatment Licence under The London Local Authorities Act 1991
Objectors:	Environmental Health: Lekan Olomo, Health and Safety Officer, Licensing and Safety Team

2. RECOMMENDATIONS

- 2.1 The Licensing Committee is recommended to consider the request to revoke the special treatment licence and then adjudicate accordingly.

3. BACKGROUND

- 3.1 This is a report by the Licensing and Safety Team to revoke the special treatment licence for Healthy Paradise Limited trading as Health and Beauty Centre, 1 Gunthorpe Street, London, E1 7RG following evidence obtained that the persons concerned in the conduct or management of the premises could reasonably be regarded as not being fit and proper persons to hold such a licence and the persons giving the special treatment are not suitably qualified.
- 3.2 A licence from the Council is required for the use of a premises as an establishment for special treatments. An establishment for special treatment is

defined in the Act as any premises in the borough used, intended to be used or represented as being used for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light, electric or other special treatment of a like kind or vapour, sauna or other baths. A special treatment licence renewal may be refused under The London Local Authorities Act 1991 Section 9 (2).

- 3.3 A special treatment licence may be revoked under The London Local Authorities Act 1991 Section 9(2).
- 3.4 Healthy Paradise Limited currently benefits from a special treatment licence. A copy of the licence can be found at **Appendix 1**.

4. Legal Powers and Advice

- 4.1 Licences are granted subject to standard conditions.
- 4.2 Those Standard Conditions of the London Borough of Tower Hamlets were made under the London Local Authorities Act 1991, Section 10 (1). It is the duty of any licence holder to be aware of and abide by those conditions. A copy of the standard conditions can be found at **Appendix 2**.
- 4.3 The council has made Regulations for annual special treatment licences under section 10 (1) of the London Local Authorities Act 1991. These are available as **Appendix 3**.
- 4.4 Under the London Local Authorities Act 1991 the borough may revoke a licence on the following grounds:
 - (a) the premises are not structurally suitable for the purpose;
 - (b) there is a likelihood of nuisance being caused by reason of the conduct, management or situation of the premises or the character of the relevant locality or the use to which any premises in the vicinity are put;
 - (c) the persons concerned or intended to be concerned in the conduct or management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a license;
 - (d) the persons giving the special treatment are not suitably qualified;
 - (e) the premises have been or are being improperly conducted;
 - (f) the premises are not provided with satisfactory means of lighting, sanitation and ventilation;
 - (g) the means of heating the premises are not safe;
 - (h) proper precautions against fire on the premises are not being taken;

- (i) they are not satisfied as to the safety of equipment used in the special treatment or as to the manner in which the treatment is to be given;
- (j) they are not satisfied as to the safety of the special treatment to be given;
- (k) satisfactory means of escape in case of fire and suitable means for fighting fire are not provided on the premises;
- (l) 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.

4.5 Legislation provides that where an applicant is aggrieved at the Council revoking a licence, the applicant may within twenty one days of being notified of the Council's revocation appeal to a Magistrates Court. The Court may grant such an order as it sees fit.

4.6 An appeal by either party against the decision of the magistrates' court may be brought to the Crown Court.

4.7 Where any licence is revoked, under section 14 (Enforcement of Part II) of this Act the licence shall be deemed to remain in force –

- (a) until the time for bringing an appeal under this section has expired and, if such an appeal is duly brought, until the determination or abandonment of the appeal; and
- (b) where an appeal relating to the refusal of an application for such a renewal is successful until the licence is renewed by the borough council.

5. Grounds for Refusal of the Licence

5.1 The Environmental Health Department has requested the hearing with the Licensing Committee to revoke the licence. The report detailing the reasons for this can be found at **Appendix 4**. Find below a summary of the comments.

- The Licensing and safety team have reasons to believe that a person that is not considered to be a fit and proper person due to a recent conviction under the London Local Authorities Act 1991 now has management responsibilities at the premises.
- Several visits to the premises have revealed that the licence holder has been employing therapists to work at the premises without notifying the council as is required under condition 6 of their Special Treatment Licence.
- The therapists that have been employed are not suitably qualified to carry out the treatments they have been employed for.

6. Recommendations

6.1 Following the report to revoke the licence, Members are asked to consider the representation when determining whether to revoke the licence.

7. Premises History

7.1 The Premises was granted a Special treatment Licence at a Licensing Committee on the 24th May 2018.

7.2 The premises has received the following enforcement visits and complaints in the last 24 months:

7.3

Date	Authority/ Complaint	Nature of visit/ complaint
8/3/18	Licensing and Safety visit	Full Licensing audit. The person responsible for the management of the premises, Mr Gary Bugby and Chunhong Chen were both present. The following issues were noted at the time of the visit. <ol style="list-style-type: none"> 1. No Price List. 2. No lidded bins 3. No waste contract..
27/6/18	Licensing and Safety visit	Revisit to the premises. Refurbishment taking place. Items requested at the time of the visit. <ol style="list-style-type: none"> 1. Waste contract 2. Insurance 3. Portable Appliance Testing 4. First Aid Box
14/8/18	Licensing and Safety visit	Revisit to check items requested on previous visits and to investigate a complaint about waste that had been left outside premises. Essential requirements were met.
7/9/18	Complaint from member of the public	Complaint that the premises was staying open until 11pm. This complaint was referred to the council's planning enforcement team.
25/9/18	Complaint from member of the public	Complaint that the premises was staying open later than permitted hours. Licence holder spoken to and complaint referred to planning enforcement team.
13/3/19	Complaint from member of the public	Complaint alleging the premises is unlicensed as the licence holder had vacated the premises.
22/3/19	Complaint from member of the public	Complaint that the previous occupiers were operating at the premises.
8/4/19	Complaint	Complaint that the premises was being run by

	from member of the public	the previous occupants- Mr Wai Ming Yau and Chak Wa Yiu.
11/4/19	Licensing and Safety visit	Visit following the previous complaint. An un approved therapist was noted to be working at the establishment. Email was sent to the licence holder.
14/4/19	Complaint from member of the public	Complaint that the previous occupiers Mr Wai Ming Yau and Chak Wa Yiu had just been seen leaving the premises Health and Beauty Centre, 1 Gunthorpe Street.
23/4/19	Complaint from member of the public	Complaint that the previous occupiers were operating premises Health and Beauty Centre, 1 Gunthorpe Street and that the premises was busy with male visitors.
29/4/19	Licensing and Safety visit	Visit to premises but no access as the premises was closed.
7/5/18	Licensing and Safety visit	Visit following the previous complaint. Two un approved therapists were noted to be working at the establishment.
28/5/19	Complaint from member of the public	Complaint that the premises was open beyond permitted hours.
30/05/19	Complaint from member of the public	Complaint that the premises was often open beyond permitted hours and that the previous occupants were still involved with the business.

8. Special Treatment Licences and Determination

9.1 Members should consider the Standard conditions and relevant legislation (see **Appendix 2** and **Appendix 3** respectively).

9. EQUALITIES IMPLICATIONS

10.1 There are no equalities implications.

11. OTHER STATUTORY IMPLICATIONS

11.1 Best Value implications: There are no best value implications.

11.2 Consultations: There were no necessary consultations for this revocation request.

11.3 Environmental considerations: There are no environmental implications.

- 11.4 Risk Management: The Council will be at risk of legal challenge if its processes are not transparent and evidentially based.
- 11.5 Crime reduction: One of the key licensing objectives of the Council ensure that it does not licence premises that are liable to be a source of crime and disorder. The Council supports and assists with crime and disorder reduction by controlling those who manage premises open to members of the public and imposing conditions on relevant premises licences. Management of the premises resides with persons recently prosecuted under the Act and could be reasonably assumed as not fit and proper to hold such a licence.
- 11.6 Safeguarding: There are no proven safeguarding impacts; however premises that are managed in this way may employ underage persons or vulnerable adults. Therefore there may be a positive safeguarding impact.
- 11.7 Data Protection/ Privacy Impact Assessment: The documents associated with this report have been redacted to comply with data protection. A privacy Impact assessment does not apply to this report.

12. COMMENTS OF THE CHIEF FINANCE OFFICER

- 12.1 There are no direct financial implications emanating from this report. However, cost implications could arise if any decision were to be appealed through the Magistrates or Crown Courts. These costs would need to be met within existing budget provisions.

13. COMMENTS OF LEGAL SERVICES

- 13.1 Section 10 of the London Local Authorities Act 1991 ("the Act") enables the local authority to make regulations prescribing standard conditions applicable to all licences for special treatment premises.
- 13.2 The London Borough of Tower Hamlets made such regulations produced at Appendix 3 to this report. Regulation 6A states that, the licensee or some responsible person nominated by him in writing for the purposes shall be in charge of, and at, the licensed premises during the whole time that they are open to the public. The nomination should be written and available for inspection by any officer authorised in writing by the Council. The licensee, Gary Bugby was not in attendance when the premises were visited on 11 April or 7 May and no one has been nominated in his place.
- 13.3 Regulation 8 (A) states that treatment shall only be given by qualified persons who have been approved by the Council. Regulation 8(C)Treatment may also be given by another person provided the person giving treatment is under the personal supervision of a person approved by the Council and the Council's consent has been obtained and is current at the time of treatment. On 7 May 2019 the therapists seen by the officers had not been approved by the Council to provide treatment.

- 13.4 Condition 6 of the London Borough of Tower Hamlets Massage and Special Treatment Licence Conditions produced at Appendix 2 to this report, states that all treatments shall be given only by persons approved by the Council or, provided that the written consent of the Council has been obtained, under the personal supervision of a person approved by the Council.
- 13.5 Section 9(2) of the Act empowers the Council to revoke a special treatment licence for any of the reasons set out in section 8 of the Act which are set out in paragraph 4.4 of this report. Section 8 of the Act sets out the grounds under which a special treatment licence can be revoked by the Council.
- 13.6 On 26 March 2019, the previous licence holder Mr Wai Ming Yau and Mrs Chak Wa Yiu were convicted of using 1 Gunthorpe Street E1 as an establishment for special treatment without a special treatment license.(see Appendix 4). He is the person who appears to be involved in the managing the premises in the absence of Mr Bugsby.
- 13.7 The Licensing Committee may revoke the licence on the following grounds:
- (a) 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 in breach of Section 8 of the Act (see paragraph 4.4c of this report) and/or
- (b) the persons giving the special treatment are not suitably qualified in breach of Regulations 8(A) and (C) (see Appendix 3).

14. APPENDICES

Appendix 1	A copy of the current special treatment licence.
Appendix 2	Regulations for annual special treatment licences under section 10 (1) of the London Local Authorities Act 1991
Appendix 3	A copy of the standard conditions for special treatment licences.
Appendix 4	Report from the Environmental Health Department
LOL1	Email from Member of the public Mr Daron Pike 13/3/19 14:26
LOL2	Email from Member of the public Mr Daron Pike 13/3/19 17:32
LOL3	Email from Landlord of the premises 16/4/19
LOL4	Email from Company director for licensee 17/4/19
LOL5	Email from Landlord of the premises 18/4/19
LOL6	Email from Mr Olomo (Env Health) 24/04/19
LOL7	Email from Mr Olomo (Env Health) 7/05/19

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- NONE

Officer contact details for documents:

Natalie Thompson, Environmental Health Officer

Ext: 6703



TOWER HAMLETS

Licence / Registration

Appendix 1

Certificate Number



LONDON LOCAL AUTHORITIES ACT 1991 LICENCE FOR SPECIAL TREATMENT PREMISES

The Council of the London Borough of Tower Hamlets grants this licence

To: **Healthy Paradise Limited**

T/A: **Health and Beauty Centre
1 Gunthorpe Street
London
E1 7RG**

for the provision of the following special treatments

Massage, Facials, Spray Tanning

subject to compliance with the requirements of the Act and licensing conditions, a copy of which is attached.

Fee: **£338.00**

Date Licence Issued: **21st August 2018**

Date Licence Expires: **20th August 2019**

Signed: 

David Tolley 
Head of Environmental Health and Trading Standards

Note: This Licence should be prominently displayed at the place where the business is conducted.

FOR OFFICE USE Receipt Number **25722** Fee Paid **£338.00** Fee Req. — Date **27/2/18** Initial 



TOWER HAMLETS

TRADING STANDARDS &

27 FEB 2018

ENVIRONMENTAL HEALTH

Customer Use
On-line Receipt No.

Official Use Only	
Fee	£328.40
On-Line Receipt No.	
C&D Receipt No.	257222
Licence No.	


ESTABLISHMENTS FOR SPECIAL TREATMENTS


This form should be completed and forwarded to London Borough of Tower Hamlets Environmental Health Department, with a cheque or postal order for the fee due made payable to the London Borough of Tower Hamlets and crossed.

Copies of this application will be sent by us to:-

- (a) Commissioner of Police
- (b) The London Fire and Emergency Planning Authority,

New licence for the premises named at 2 below.

<p>1. Full names and private address of applicants. If the application is made by a limited liability company please give the address of the registered office, and complete the separate sheet which seeks details of the company.</p>	<p>Healthy Paradise Limited Name: Maiden name (if applicable): Address (private):  Date of birth: Telephone No: Passport No: OR NI No:</p>
<p>2. Trade name and address of premises</p>	<p>Name: Health and Beauty Centre Address: 1 Gunthorpe Street London E1 7RG Telephone No: Email: Opening hours (proposed) 10am Till 10pm</p>
<p>3. Please supply details of person responsible for the management of the establishment if other than the applicant.</p>	<p>Full Name: Address (private): Date of birth: Telephone No: Passport No:</p>

<p>Please enclose 2 passport-sized photographs of applicant</p>	<p>OR NI No:</p>
	<p>Enclosed (tick if applicable)</p>
<p>Do you have planning permission to use the premises for the intended purpose?</p>	<p>Yes / No (see K on Note) Please note that you will require sui generis</p>
<p>4. (a) Is it proposed to employ staff at the establishment? (b) If so state numbers</p>	<p>(a) YES/NO (b) Three</p>
<p>5. (a) What is the legal title of the applicant(s) to occupy the premises (e.g. freehold, leasehold etc.) (b) If leasehold please give details of the name and address of the landlord.</p>	<p>(a) Leasehold (b) Bobby Nagpal </p>
<p>6. What parts of the building is it proposed to use under the licence (e.g. basement, ground floor) ?</p>	<p>Ground Floor</p>
<p>7. State precisely <u>all</u> the treatments for which the licence is intended e.g. massage, manicure, acupuncture, ear or cosmetic piercing, tattooing, chiropody, light electric or other special treatments.</p>	<p>Body Massage Indian Head Massage Facials Aromatherapy Spray Tanning Semi Permanent Make Up Stone Therapy</p>
<p>8. State whether it is desired to give treatment to both sexes or to men or women only?</p>	<p>Both Sexes</p>
<p>9. State whether exemption from condition 7 is required (see note J) for massage purpose only.</p>	<p>Yes Is Required</p>
<p>10. Address of any other massage etc., establishment in which applicant or any director of an applicant company is or has been interested and the nature and extent of such interest as (a) Owner or director of owning company; or (b) employee</p>	<p>Address: NONE (a) (b) NONE</p>

<p>11. (a) Does applicant propose to carry on a visiting massage service either from these premises or elsewhere?</p> <p>(b) If elsewhere, please state address(es) concerned.</p> <p>(c) Will the masseuses employed on this service also give treatment on the licensed premises?</p>	<p>(a) NO</p> <p>(b)</p> <p>(c)</p>
<p>12. Please indicate whether the following are enclosed with your application. (A licence cannot be issued without them. These can be provided at a later stage)</p> <p>If you are in the process of employing therapists please indicate this on the form. Once suitable therapists are selected, current qualifications for each operative and photographs will be required before a license can be issued.</p>	<p><input type="checkbox"/> Electrical inspection certificate for portable appliances, as requested under the Electricity at Work Regulations 1989</p> <p><input checked="" type="checkbox"/> Two passport-sized photographs of applicant and operators</p> <p><input checked="" type="checkbox"/> Copies of each operator's current qualifications under the conditions of licence</p> <p><input type="checkbox"/> A copy of the customer vetting/history card</p> <p><input type="checkbox"/> Copies of the current treatment list and price list</p> <p><input type="checkbox"/> Third-party insurance (advisable to have)</p> <p><input checked="" type="checkbox"/> Cheque/PO for £328.40 / £528.40 (for IPL with or without other treatments) made payable to the London Borough of Tower Hamlets (cheques must not be drawn on third parties). If you have paid using the Council's online payment facility, please enter the payment reference number in the box on the front of the application form.</p> <p><input type="checkbox"/> Copy of Public Notice placed in Newspaper.</p>

13. DETAILS OF PREVIOUS CONVICTIONS, DISQUALIFICATION ETC.

In respect of the persons or bodies whose names are given in response to Questions 1 and 3 give details of their previous convictions (with exception of traffic offences).



SURNAME	FORMER NAME	DATE OF CONVICTION	PLACE OF CONVICTION	NATURE OF OFFENCE	PENALTY IMPOSED

14. Please list all people who will be giving treatment, the treatment they will be giving and their qualifications to give that treatment (See Notes H, I and J).

NAME	TREATMENT(S)	QUALIFICATIONS AND COLLEGE ATTENDED (enclose certificates)	HOME ADDRESS	DATE OF BIRTH	PLACE OF BIRTH
[REDACTED] working at your premises even if we already have their details	Body Massage Indian Head Massage Aromatherapy Stone Therapy Eyelash Extension Self Tanning	VTCT Level 3 NVQ [REDACTED] case please state: previously provided	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	Body Massage Indian Head Massage Aromatherapy Semi Permanent Make up	Professional Massage [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	Body Massage Indian Head Massage Aromatherapy	Chinese Massage Tuina At [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Where application is made on behalf of a limited liability company the secretary or a director should sign. In the case of a partnership, each partner should sign. In signing on behalf of applicant, please state in what capacity you are acting.



Signature of applicant(s) [redacted]
or applicants solicitor or other duly authorised agent.

Date 26-02-2018 Telephone No [redacted]

Note: Payment cheques must not be drawn on a third party

Address to which licence application or correspondence should be sent:
Mr D Tolley
Environmental Health and Trading Standards - Health and Safety Team
John Onslow House
1 Ewart Place
London
E3 5EQ

DATA PROTECTION

This fair obtaining statement advises the applicant /person completing this form that it may be necessary to divulge the information contained to third parties or other statutory consultees at the permission of the Council.



PART 4

TO BE COMPLETED IN RESPECT OF A LIMITED COMPANY BY A NOMINATED DIRECTOR

Full name of Limited Company	Healthy Paradise Limited
Registered Office address of Limited Company	[REDACTED]
Telephone number	[REDACTED]
Registered Company number	11213460
Names of all Directors and position.	Gary Bugby Director
Are any of the Directors involved with other companies that hold a Special Treatments Licence? Please detail.	NO
Does the Limited Company have licensed premises elsewhere?	NO
If so, please detail.	

This form has been completed by

Gary Bugby(name)
 Director(position)
 [REDACTED](signature)
 26-02-2018(date)

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LONDON BOROUGH OF TOWER HAMLETS

MASSAGE AND SPECIAL TREATMENT LICENCE CONDITIONS

The COUNCIL of the LONDON BOROUGH OF TOWER HAMLETS, under the provisions of LONDON LOCAL AUTHORITIES ACT 1991, hereby authorise the person(s) or company named in the schedule to carry on, up to and including **20/08/19** an establishment for the giving of massage or special treatment specified in the schedule at the address and in the trade name or style or title so specified subject to the following conditions:-

1. The establishment shall be carried on only for the treatment or business and in the trade name or style or title specified in this licence and at the address mentioned herein.
2. All notices and advertisements issued by or on behalf of the establishment shall bear the trade name or style or title aforesaid and the name of individual assistants shall not be given in such notices and advertisements.
3. The licensee shall at once notify the Council in writing addressed to the Head of Environmental Health and Trading Standards, John Onslow House, 1 Ewart Place, London E3 5EQ, of any change in the name or private address of the licensee or in the treatment afforded or the nature of the business carried on at the establishment.
4. Except with the written consent of the Council, the licensee shall not employ in the conduct of the establishment any person (a) whose licence has been revoked or to whom a licence has been refused on the ground that such person is unsuitable to hold a licence to carry on an establishment for massage or special treatment, or (b) who is unsuitable to be so employed on the ground that misconduct in connection with the employment of such person in an establishment for massage or special treatment has been proved to the satisfaction of the Council; and, except with such consent, the licensee shall not allow or permit any such person to be directly or indirectly interested in the business carried on at the establishment.
5. The licensee, if a company within the meaning of the companies Act, 1948, or any Act amending the same shall forthwith notify the Council in writing of any change in the constitution of the directorate of such company during the currency of this licence
6. All treatments shall be given only by persons approved by the Council or, provided that the written consent of the Council has been obtained, under the personal supervision of a person approved by the Council.
7. The following treatments shall, unless the consent of the Council in writing has otherwise been obtained, only be permitted by a qualified physiotherapist in accordance with the directions of a registered medical practitioner with specific reference to the client to whom the treatment is to be given:-
Massage for curative purposes, long and short wave diathermy; ultra-sonic treatments; treatment of moles, ultra-violet ray treatment and electro-sleep therapy
8. No instrument, apparatus or equipment shall be used in the establishment without the prior written consent of the Council.

9. The licensee shall at all times take reasonable precautions to ensure the safety of their clients when on the establishment.
10. The Licensee shall ensure that with exception of those persons receiving treatment in accordance with the conditions of this licence all clients present in any part of the establishment shall be decently and properly attired and separate changing accommodation for males and females shall be provided.
11.
 - (i) The walls and ceilings of any treatment room or waiting room shall be maintained in a sound structural and clean condition and the surfaces shall be such as to facilitate easy cleansing.
 - (ii) There shall be provided in every treatment room suitable floor covering which shall be such as to facilitate easy cleansing.
 - (iii) There shall be adequate light and ventilation to any treatment or waiting room either by natural or artificial means.
 - (iv) There shall be provided in every treatment room a suitable wash-hand basin or basins provided with an adequate supply of hot and cold water.
 - (v) There shall be provided, in respect of a wash-hand basin, soap, a nailbrush and a supply of disposable towels or a clean towel available at all times.
 - (vi) There shall be provided in every treatment and waiting room suitable and sufficient means for heating and a reasonable room temperature shall be maintained.
 - (vii) Where it is intended that more than one person shall be treated in a room, suitable screening shall be provided to maintain privacy.
 - (viii) There shall be provided in respect of every establishment sanitary accommodation to the standard laid down in regulations made under the relevant registration such sanitary accommodation to be available to and readily accessible for clients.
 - (ix) There shall be provided proper means for securing the cleanliness of all instruments, towels and materials and equipment used in connection with the establishment.

Further condition to be included in appropriate cases:-

12. Unless otherwise expressly permitted by the Council when treatment is given or is being received to any part of the body other than the neck and head or feet and legs below the knee or hands and arms and is not being so given by a fully qualified physiotherapist or other person entered on the register of the appropriate professional organisation whose qualifications have been approved by the Council, the treatment may be given only to persons of the same sex as the person giving the treatment and persons of the opposite sex shall not be present.

N.B.

- (I) The licence is not transferable either as regards the person to whom, to the premises in respect of which, it is granted.
- (II) The licensees shall on application for renewal of their licence submit to the Council a certificate signed by a competent electrician certifying the safety of all electrical equipment and apparatus used within the terms of the licence.

SCHEDULE

Name, trade name, style Or title and address	Full name of licensee	Treatments authorised
Health and Beauty Centre 1 Gunthorpe Street London E1 7RG	Healthy Paradise Limited	Massage Facials Spray Tanning

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REGULATIONS MADE BY THE LONDON BOROUGH OF TOWER HAMLETS UNDER SECTION 10 (1) OF THE LONDON LOCAL AUTHORITIES ACT 1991 PRESCRIBING STANDARD CONDITIONS FOR ANNUAL SPECIAL TREATMENT LICENCES.

NOTES:

- (I) Except where the context demands otherwise the singular includes the plural and the masculine includes the feminine.
- (II) Nothing in these rules shall be construed as interfering with (I) the discretion of the licensee or his representative regarding the admission of any person or (II) the need to strictly comply with all relevant statutory requirements.
- (III) These rules are divided into three parts as follows:
- Part I - General
 - Part II - Rules which apply to all premises.
 - Part III - Rules which apply to larger premises of where there are special circumstances (e.g. complex layouts).
- (IV) In these rules all references to a British Standard (BS) shall be deemed to refer to the current standard.

Disabled People

It is the policy of the Council that there should be access and facilities for disabled people at premises licensed for special treatment. Licensees are therefore encouraged in the strongest possible terms to provide such facilities so as to enable the admission of disabled people. To this end Council officers will be pleased to discuss and advise on the best ways to achieve this.

PART 1

GENERAL

Definitions

1. In these rules, unless the context otherwise requires:

“Approval of the Council” or “Consent of the Council” means the approval or consent of the Council as Licensing Authority in writing.

“Approved”, “accepted” or “permitted” means approved, accepted or permitted by the Council in writing.

all “Approved arrangements” means the arrangement of the premises, fitting, installations and other things in connection therewith as approved by the Council.

“Council” means the appropriate licensing authority.

“Escape Lighting” (safety lighting) means lighting, obtained from a source independent of the general supply for the building provided to assist the public and staff to leave the premises without the aid of the normal lighting.

“Establishment for Special Treatment” has the meaning set out in Section 4 of the London Local Authorities Act 1991.

“Fire Authority” means the Chief Officer and Chief Executive of the London Fire and Emergency Planning Authority.

“Licence” means a special treatment licence granted under Section 6 of the London Local Authorities Act 1991.

“Licensee” means the person or corporate body licensed under Section 6 of the London Local Authorities Act 1991.

“Management Lighting” means the combination of the approved escape lighting and that portion of the normal lighting which in the absence of adequate day lighting is intended for use to facilitate easy movement about the premises during the whole time the public are present.

“Non-combustible material” means material which is deemed to be non-combustible when tested in accordance with the provisions of the current edition of British Standard 476: Part 4, or such other material or combination of materials as the Council accepts as being non-combustible for the purpose of these rules.

“Normal Lighting” means all lighting, other than escape lighting permanently installed in those parts of the premises to which the public have access. The term includes purely decorative lighting but not lighting installed solely for advertising purposes.

“Officer” means any person authorised in writing by the Council. (This may include officers of the London Fire and Emergency Planning Authority.

“Public” means any person other than a member of staff admitted to the licence premises.

“Premises” means any premises within the Council’s area licensed for special treatment and includes all installations, fittings and things in connection therewith.

Dispensation or Modification

2. (A) These rules may be dispensed with or modified by the Council in any special case.
- (B) Where in these rules there is any reference to the consent of the Council being required, such consent may be given on such terms and conditions and subject to such restrictions as may be so specified.
- (C) If the licensee wishes any of the terms of the licence to be varied an application must be made to the Council and if the Council so require the application must be advertised.

PART II

RULES WHICH APPLY TO ALL PREMISES

Type of Business

3. The establishment shall be carried on only for the treatment or business and in the trade name or style specified in the licence and at the address mentioned therein.

Exhibition of Licence

4. The licence or a clear copy shall be conspicuously exhibited at all times to the satisfaction of the Council in the premises, in such a position that it can be easily seen by all persons using the premises. The licence shall be adequately protected against theft, vandalism or defacement.

Responsibility of Licensee

5. (A) The licensee shall take all reasonable precautions for the safety of the public and employees and except with the consent of the Council, shall retain control over all portions of the premises.

(B) No poster, advertisement, photograph, sketch, synopsis or programme shall be displayed by or on behalf of the licensee at the licensed premises or at any other public place except in accordance with the Town and Country Planning (Control of Advertisement) Regulations 1989 or any Order amending or replacing the same.

(C) The premises shall not be used under the terms of the licence unless and until any necessary permission and/or consents have been obtained pursuant to the Town and Country Planning Act 1990, the London Buildings Acts 1930-1939, the Building Act 1984 and the Building Regulations 1985 or any legislation amending or replacing the same.

(D) The licensee shall at once notify the Council in writing of any change in the name or private address of the licensee or in the treatments provided or in the nature of the business carried on at the establishment.

(E) The licensee shall ensure compliance at all times with the relevant provisions of the Health & Safety at Work etc.. Act 1974.

Persons in charge of Licensed Premises

6. (A) The licensee or some responsible person nominated by him in writing for the purpose shall be in charge of, and upon, the licensed premises during the whole time that they are open to the public. Such written nomination shall be continuously available for inspection by any officer authorised in writing by the Council. The person in charge shall not be engaged in any duties which will prevent him from exercising general supervision and he shall be assisted as necessary by suitable adult persons to ensure adequate supervision. The person in charge should be conversant with these rules, a copy of which should be held on the premises..

(B) A notice showing the name of the person in charge of the premises at the time they are open under the licence shall be conspicuously exhibited in a position where it can be easily seen by customers.

Conduct of Premises

7. (A) The licensee shall maintain good order in the premises.

(B) The licensee shall ensure that no part of the premises are used by prostitutes, for soliciting or any other immoral purposes.

(C) The licensee shall ensure that the public are not admitted to any part or parts if the premises other than those which have been approved by the Council.

(D) The licensee or any other person concerned in the conduct or management of the premises shall not seek to obtain custom by means of personal solicitation outside or in the vicinity of the premises.

(E) The licensee shall not do, or permit in the establishment, any act of an indecent or disorderly character and shall take all necessary steps to exclude from the establishment a customer or any other person who has committed such an act in the establishment. The licensee shall not employ or permit or suffer to be in or upon the establishment any person who has been convicted of an offence under the Sexual Offences Acts 1956 to 1985 or the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 and shall cause all persons in his employ engaged in the establishment to be decently and properly attired, and he shall not permit the door of any room or place in the establishment for the time being in use for the giving of massage or special treatment to be locked during the period that the client is therein.

(F) The licensee shall ensure that with the exception of those persons receiving treatment in accordance with the conditions of the licence all clients present in any part of the establishment shall be decently and properly attired and separate changing accommodation for males and females shall be provided.

(G) Except with the written consent of the Council, the licensee shall not employ in the conduct of the establishment any person (a) whose licence has been revoked or to whom a licence has been refused on the ground that such person is unsuitable to hold a licence to carry on an establishment for massage or special treatment; or (b) who is unsuitable to be so employed on the ground that misconduct in connection with the employment of such person in an establishment for massage or special treatment had been proved to the satisfaction of the Council; and except with such consent, the licensee shall not allow or permit any such person to be directly or indirectly interested in the business carried on at the establishment.

(H) No poster, photograph, sketch, painting or any form of advertisement or display shall be displayed by or on behalf of the licensee on, outside or within the premises in a position where it is visible to the public if the Council regards it as unsuitable for exhibition to the public. If the licensee is notified in writing that the Council objects under this rule to a poster, photograph, sketch, painting, advertisement or display shall be removed or completely obscured from sight.

Persons who can give Treatment

8. (A) Except as provided by 8 (c) below, treatment shall only be given by qualified persons who have been approved by the Council and in respect of whom two identical full face passport size photographs taken within the 12 months preceding the application for approval have been submitted to the Council.

(B) Any certificate of qualification (or a true reproduction) of such approved persons together with a recent full face photograph shall be displayed in the reception area so that all persons who wish to receive treatment may easily examine them: and

(C) Treatment may also be given by other person provided:

(i) the person giving treatment is under the personal supervision of a person approved by the Council: and

- (II) the Council's consent in writing has first been obtained and is current at the time of treatment.

Restriction on Treatment

9. Unless otherwise expressly permitted by the Council, when treatment is given or is being received to any part of the body other than the neck and head or feet and legs below the Knee or hands and arms is not being so given by a fully qualified physiotherapist or other person entered on the register of the appropriate professional organisation whose qualifications have been approved by the Council, the treatment may be given only to the persons of the same sex as the person giving the treatment, and persons of the opposite sex shall not be present.

Moles

10. Moles shall be treated only in accordance with directions given by a registered medical practitioner with reference to each person to whom treatment is given. A record shall be kept by the licensee of every instance of treatment of moles, such record shall include the name and address of the medical practitioner by whom such treatment was prescribed, the names of the persons giving and receiving such treatment and the date of such treatment: such record shall be produced on the demand of an inspector appointed by the Council.

Eye Protection

11. The licensee shall provide suitable and sufficient eye protection to persons receiving sun tanning treatment.

Ultra-violet Radiation Equipment

12. The licensee shall ensure that all ultra-violet radiation equipment installed in the licensed establishment is used and operated in accordance with the Health and Safety Executives guidance note GS18 Commercial Ultra-Violet Tanning Equipment.

Identification of Staff

13. All staff engaged in receiving patrons or in giving treatment or in managing the premises shall wear a name badge in a manner approved by the Council. The name shown shall correspond with that shown on any certificate displayed under Condition 8 (b).

Records

14. Records shall be kept at the premises in a form approved by the Council of persons receiving treatment. The record shall include the name of the person receiving treatment, the time of admittance for treatment and the real name of the person giving treatment. In case of staff approved under Condition 8 (c) the entry shall include both the name of the person giving treatment and of the person supervising.

Tariff

15. All licensable treatment provided at the premise shall be clearly listed in a priced tariff. This tariff shall also clearly show the cost of any additional services provided at the premises together with VAT thereon if applicable. A copy of the tariff shall be supplied on request to an authorised officer of the Council.

Display of Tariff

16. There shall be prominently and legibly displayed a comprehensive tariff of charges which shall where necessary be illuminated and be placed in such a position that it can easily and conveniently be read by persons before entering the premises. Where this is impossible, the tariff may with the consent of the Council be displayed in the reception area.

Noise and Vibration

17. The licensee shall ensure that no noise shall emanate from the licensed premises or vibration be transmitted through the structure of the licensed premises which give rise to a nuisance to the occupiers of premises in the vicinity of the licensed premises.

Admission of Council's Officers

18. Officers of the Council, who are furnished with authorities which they will produce on request, shall be admitted immediately at all reasonable times to all parts of the premises.

NOTES

(I) The officers of the Council are authorised to inspect on behalf of the Council. These officers can give written notification to licensees or their responsible representatives of matters noted during inspection which are not in accordance with the approved arrangements for the premises, the conditions of the licence, or which may present a hazard to the public.

(II) Officers of the LFEPA are authorised to inspect premises licensed for special treatment under the provisions of Section 15 (1) (b) of the London Local Authorities Act 1991.

Overcrowding

19. Overcrowding shall not be allowed in any part of the premises.

Change of Use

20. No change of use of any portion of the premises from that approved by the Council's consents has been obtained thereto.

Maintenance

21. The approved arrangements shall be maintained at all times in good order, repair and condition.

Alterations

22. Alterations or additions, whether permanent or temporary, to the approved arrangements including the means of lighting, sanitation or ventilation or to the structure or layout of the premises, shall not be made except with the prior consent of the Council. Provided that this condition shall not require notice to be given to the Council of any work which is necessary for the efficient maintenance of the approved arrangements and which are carried out in accordance with these conditions.

Notice in writing shall be given to the Council of any alteration or addition proposed to be made, and such notice shall be accompanied by full details and, if necessary, by drawings (in duplicate). The work shall not be started until the consent of the Council has been obtained. Notice in writing shall be given to the Council of any intention to carry out work necessitating the use of internal or external scaffolding, cradles or plant. If the Council so require the premises shall be closed to the public until the work has been completed and the scaffolding, cradles and plant have been removed.

NOTE: Any consent under this condition does not relieve the licensee of any necessity to seek a variation in the terms of the licence e.g. changes in the parts of the premises to be licensed and if required by the Council of advertising that application.

Notice of re-opening

- 23.** In the event of any premises being closed for the purpose of effecting alterations, additions, repairs or decorating they shall not be reopened to the public unless and until the consent of the Council shall have been obtained. At least fourteen days notice in writing to the Council shall be given by the licensee of his intention to reopen the premises, and in order that necessary inspections and tests may be made at the premises by the Council's officers, a clear interval of at least 48 hours (not including Sundays and Bank Holidays) shall elapse between the completion of the building and its equipment in accordance with the requirements of the Council and the date of the proposed reopening of the premises.

ENTRANCES, EXITS, GANGWAYS, FASTENINGS AND NOTICES

Maintenance

- 24.** (a) The means of escape provided for all persons on the premises shall be maintained unobstructed, immediately available and clearly identifiable in accordance with the approved arrangements. Except with the consent of the Council, bars, wire guards or the like shall not be fitted to windows, nor shall the windows be likewise obstructed in a manner likely to render them unavailable for the purposes of exit in case of emergency.
- (b) Any mirrors, pictures, notices or advertisements which may be permitted by the Council shall be attached to or hung upon the walls in positions in which they will not be likely to cause obstruction to egress, and shall be fixed flat against the wall or kept clear of the head-line i.e. 2 metres above the floor.
- (c) Advertisement boards or easels shall not be placed in positions in which they are likely to obstruct means of egress or to be overturned. Notice in writing of any proposal to rail off a portion of such premises for the accommodation of such boards or easels shall be given to the Council and the Council's prior consent obtained in the manner prescribed by regulation 21.
- (d) All fire-resisting and smoke stop doors shall be maintained self-closing and shall not be secured open

Maintenance of Exits

- 25.** All exit doors shall be available for egress during the whole time that the public are on the premises..

Door Fastenings

- 26.** (a) Exit doors and gates shall not be secured closed while the public are on the premises by means of any fastenings other than panic bolts.
- (b) Locking bars, hasps, staples, screw eyes and other fastenings not approved by the Council shall not be fitted on exit doors.

NOTE: In smaller premises, the Council may agree to the provision of simple fastenings.

Removable Fastenings

- 27.** Any removable fastenings permitted by the Council for securing exit doors when the public are not on the premises shall be removed before the public are admitted to the premises and shall not be replaced while the public are on the premises. If a keyboard is required by the Council, it shall be provided in an approved position and before the admission of the public the removable fastenings shall be hung on such board, each in an allotted position, and shall remain on the board during the whole time the public are on the premises.

Non-slippery Surfaces

- 28.** All gangways and exitways and the treads of steps and stairways shall be maintained with non-slippery and even surfaces.

Edges of Steps

- 29.** The front edge of the tread of steps and stairways shall be made conspicuous, if so required by the Council.

Floor Coverings

- 30.** All floor coverings shall be so secured and maintained that they will not be likely to ruck, or to be in any way a source of danger. Any mats shall be fitted into matwells so as to be flush with the surface of the floor. Each treatment room shall be provided with suitable floor coverings which shall be maintained in a clean condition.

Curtains, Decorations etc.

- 31.** (a) Any curtains which may be permitted by the Council to be hung over doorways, or in or across corridors or gangways, shall be of inherently non-flammable or durably flameproof material, shall not conceal notices and shall be hung so that they can be readily drawn aside and so as not to touch the floor. Any other hangings, curtains or decorations which may be permitted by the Council shall be non-combustible, inherently non flammable or durably flameproof material, or where specified by the Council of material rendered non flammable to the Council's satisfaction.
- (b) Temporary decorations shall not be used except with the consent of the Council.
- (c) Decorations, curtains and hangings shall be flameproof to the satisfaction of the Council. Application for consent shall be made to the Council in writing together with details including documentary evidence as to the fire proof qualities of the materials to the relevant British Standard and accompanied by full details including adequate samples of the materials proposed to be used and, in the case of temporary decorations, a statement as to the period for which it is desired to retain decorations.

Fire Appliances

- 32.** (a) Fire appliances and equipment approved by the Council shall be efficiently maintained in satisfactory working order and kept available for instant use.
- (b) Portable fire appliances shall be examined at least once a year and periodically tested in accordance with the current British Standard by a competent person and the date of such test shall be clearly marked on the appropriate extinguishers or on stout tabs securely attached to them. Extinguishers which incorporate an anti freeze agent shall be examined and re-charged in compliance with manufacturer's instructions.
- (c) Where provided hydraulic hose reels shall be tested once a year to check that they are in working order and produce a satisfactory jet of water, and the test shall be recorded in a log book.
- (d) All testing of fire appliances and equipment shall be at the expense of the licensee.

Fire Warning Arrangements

- 33.** (a) Where a fire alarm system has been installed and approved by the Council it shall be efficiently maintained in satisfactory working order. The system shall be maintained and serviced in accordance with BS 5839 and tested regularly in accordance with conditions imposed by the Council. All checks, tests and defects shall be recorded in a log book.

When a fire alarm system becomes defective the licensee shall notify the Council and take immediate steps to rectify the fault to the satisfaction of the Council.

- (b) All testing of automatic/manual fire alarm systems shall be at the expense of the licensee.

Outbreak of Fire

- 34.** The Fire Brigade shall be called to any outbreak of fire, however slight. Suitable notices shall be displayed indicating how the Brigade can be summoned.

Sanitation

- 35** The licensee shall ensure that adequate sanitary accommodation is available in the premises for the use of both staff and public and in particular shall:

- (a) Maintain each sanitary convenience in clean and efficient order.
- (b) Ensure that any room which contains a sanitary convenience is suitable and sufficiently illuminated and ventilated and is kept clean.
- (c) Ensure that in the sanitary accommodation provided there are installed and maintained suitable and sufficient wash-hand basins and that each basin is provided with an adequate supply of hot and cold water or of hot water at a suitable controlled temperature, together with an adequate supply of soap and suitable hand drying facilities.
- (d) Ensure that the premises are so constructed with the adequate provision of efficient drains, suitable wall, floor and ceiling finishes, etc so that satisfactory sanitation can be maintained.
- (e) Where appropriate the sanitary accommodation shall be adequately indicated.

Sanitary Conditions of Premises

- 36.** All parts of the premises and any yard of such premises shall be kept in a clean condition to the satisfaction of the Council.

Treatment Room

- 37.** Each treatment room shall:
- (a) be maintained in a clean and structurally sound condition
 - (b) Be adequately illuminated and ventilated
 - (c) Be provided with suitable wash-hand basin or basins with a suitable supply of hot and cold water, together with soap, a nailbrush and either a supply of disposable towels or a clean towel at all times.
 - (d) Suitable and sufficient means for heating to a reasonable room temperature, appropriate for the treatment provided, shall be maintained.
 - (e) Where more than one person is being treated in a room, it shall be provided with suitable screening to maintain privacy.

Cleanliness

- 38.** Proper means to the satisfaction of the Council shall be provided for securing the cleanliness of all instruments, towels, materials and equipment used in the establishment and for their safe disposal.

Refuse Storage

- 39.** A sufficient number of suitable receptacles with properly fitting covers shall be provided to the satisfaction of the Council for the purpose of receiving rubbish, dust and refuse from the premises; and all accumulation or collections of such rubbish, dust and refuse, unless immediately removed from the premises or destroyed; shall be placed in such receptacles and kept there until so removed or destroyed; provided that hot ashes, cinders or any other substance which, when in contact with flammable material, are likely to cause smoke or fire shall not be placed in the same receptacle as flammable rubbish or refuse.

Such rubbish, dust and refuse shall be removed regularly from the premises.

The receptacles shall be maintained in a clean and wholesome condition to the satisfaction of the Council and shall be kept in positions approved by the Council

Lighting

- 40.** The owner, occupier or any other person concerned in the conduct or management of the premises licensed for special treatment shall ensure that adequate lighting is maintained to the satisfaction of the Council in all parts of the premises to which public and staff have access and is in operation continuously during the whole time the premises are open to the public.

- 41.** The general lighting shall be maintained alight and the lighting to “EXIT” or “WAY OUT” notices shall not be in any circumstances be extinguished or dimmed while clients are on the premises, provided that so long as there is sufficient daylight in any part of the premises artificial light need not be used in that part.

Electrical Installation

- 42.** The electrical installation for the premises and any equipment used therein shall be maintained in a safe working condition, as prescribed by the Electricity at Work Regulations 1989, and the current edition of the Regulations for electrical installations issued by the Institute of Electrical Engineers.

Electrical Certificates

- 43.** Unless the Council decide otherwise an inspection certificate, as prescribed in the current edition of the Regulations for Electrical Installations issued by the Institute of Electrical Engineers, for the premises licensed for special treatment and any equipment used therein shall be submitted to the Council at least annually or such other time as specified on the certificate. The certificate shall be signed by a qualified engineer.

NOTE: Certificates submitted under this regulation are retained by the Council.

The Council normally requires that any such certificates shall be signed by a Corporate Member of the Institute of Electrical Engineers, or by a contractor currently enrolled with the National Inspection Council for Electrical Installation Contracting, or by a suitable qualified representative of a Supply Authority or, with the prior approval of the Council, other persons deemed competent.

Lampholders

- 44.** All generally accessible lampholders shall be kept fitted with lamps.

Heating

- 45.** All parts of the premises regularly occupied by public or employees shall be heated to the satisfaction of the Council.

Portable Heating Appliances

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

Gas Cylinders

- 47.** Appliances utilising cylinders or containers of gas under pressure (apart from CO₂ cylinders and hand held aerosols) shall not be used on the premises except with the prior consent of the Council and in accordance with such conditions as the Council may consider necessary.

NOTE: The use of liquid petroleum gas in cylinders is unlikely to be approved.

Guards

48. Any open fireplace and all space heating apparatus of which the surface temperature is liable to exceed 66 degrees Celsius and such other apparatus as the Council may determine, shall be suitable guarded. The guards shall be so constructed and arranged as to enable the apparatus to be cleaned and adjusted.

Gas Installations

49. The gas installation shall comply with the Gas Safety Regulations 1972 as amended by the Gas Safety (Installation and Use) Regulations 1984.

Gas Fired Heating Appliances

50. All piping of the consumer gas installation shall be of rigid hard metal and shall be securely fixed away from electrical wiring and apparatus and shall, where required by the Council be efficiently protected against corrosion.

NOTE:

- (I) Any necessary flexible piping shall be of the reinforced type to resist crushing and withstand the maximum internal pressure to which it may be subjected.
- (II) Attention is drawn to the British Standard Code of Practice 331 Part 3 regarding the installation of gas pipes.
- (III) Gas consuming devices shall be installed to the Council's satisfaction so as to minimise the risk of leakage.

Gas Meter and Electrical Intake Enclosures

51. Any gas meter or electricity meter enclosure provided shall be used exclusively for the accommodation of the meter and its connections and the area around the equipment, whether enclosed or not shall be kept clear and unobstructed.

Ventilation

52. The licensee shall ensure that the premises are adequately ventilated to all areas to which the staff and clients have access. Any mechanical ventilation system shall be maintained in correct working order and shall comply with British Standard 5720: 1979. The system shall be capable of full operation during the whole of the time the public are on the premises.

NOTE: Care should be taken to ensure that neither noise nor vibration arising from the running of the equipment will cause annoyance or discomfort.

PART III

CONDITIONS APPLYING ONLY WHERE THE COUNCIL SO PRESCRIBES

Escape Lighting

53. (a) Two independent systems of lighting shall be provided to the satisfaction of the Council. The degree of illumination from each system shall be sufficient for illumination of the exit notices (if these are not of the self-luminous type) and to enable the public to see Their way out of the premises at any time.

In all portions of the premises to which the public have access, good normal lighting shall be provided during the whole time that the public are on the premises.

- (b) Where permitted by the Council a non-maintained system of escape lighting may be used (i.e. a system in which the lights are energised only when the normal lighting fails).

NOTE:

The licensee may, with the consent of the Council, provide such additional lighting for decorative or other purposes as they may think fit.

Second Batteries

54. In relation to any storage battery which may be accepted by the Council in connection with escape lighting.

- (a) It shall be fully charged before the first admission of the public on any day:

- (b) The approved "load" connected to the battery shall not be altered unless the consent of the Council is previously obtained:

- (c) A diagram of the connection of the battery and the accepted circuits connected there to shall be exhibited in the battery control room.

- (d) The battery shall be under the regular maintenance of a firm of battery manufacturers or, with the approval of the Council, other persons deemed competent, who shall arrange for a thorough examination at least once in every six months, when the battery shall be discharged by taking its full load for one half its rated discharge period of for one hour (whichever is the less). In addition, any automatic switching devices shall be frequently tested.

- (e) At least once in every six months a properly certified report as to the condition of the battery, including details of the examination and where appropriate, battery tests shall be submitted to the Council..

NOTE:

The battery voltage (measured at the battery terminals with the battery connected to its load) at the end of the discharge test should be stated in the report. Where self-contained battery powered escape lighting units are installed, the certificate shall state that each unit has been energised by its battery for the requisite period.

- 30 (f) In the event of the failure of the normal system of lighting, (I) where the escape lighting has a 1 hour capacity the public required to leave the building within a maximum period of minutes and (II) where the escape lighting has a 3 hour capacity the public shall be required to leave the building within a maximum period of 1 hour and shall not be re-admitted until the lighting from the system has been fully restored and the battery fully recharged.

Diagram of Wiring

55. Where required by the Council a diagram and/or schedule indicating clearly the arrangements of the circuits and sub circuits, the position of the distribution boards and sizes of the cables shall be provided and kept in an accessible position on the premises.

Installation for Unlicensed Portion of Premises

56. In cases in which the premises form part of larger premises, the electrical services for such part shall not be used for any purpose in connection with the remaining parts of the premises, except with the consent of the Council and in accordance with any conditions of such consent.

TO **Licensing and Safety Team**

FROM **Lekan Olomo**

REFERENCE: **Health and Beauty Centre**

DATE **8th May 2019**

Re: Healthy Paradise Limited,
T/A Health and Beauty Centre, 1 Gunthorpe Street, London E1 7RG

Reference is made to the Special Treatment License for the above premises. Currently the business holds a premises special treatments licence to carry out Massage, Facials and Spray Tanning which expires on the 20th of August 2019.

A request is being made to revoke the premises special treatments licence for the following reasons:-

1. The Council received an email from Mr Daron Pike, a local resident on 13th March 2019 stating that the business Healthy Paradise had been closed by the police. (Appendix **LOL1**).
2. The Council later received another email from Daron Pike on 13th March 2019 at 5:32PM, stating that he came home to a fracas at the Health and Beauty Centre premises and found the occupants removing furniture under police presence. Mr Pike also stated Mr Bugby the director of the company Healthy Paradise Limited (the licence holder), called at him saying "Daron! Daron! Mr Pike! I know we don't see eye to eye. Just to let you know, I'm moving out of this place now and the old owners are moving back in. I want nothing to do with it anymore." Mr Pike also stated that he believed he recognised the Chinese lady at the premises as the previous occupant when the premises was trading as The Relax Studio. (Appendix **LOL2**).
3. The previous occupants Mr Wai Ming Yau and Mrs Chak Wa Yiu who operated the premises when it was called Relax Studio were both prosecuted for offences under the London Local Authorities Act 1991 on 26th March 2019. Following a trial they were both found guilty of using 1 Gunthorpe Street E1 as an establishment for special treatment without a special treatment license. Mr Wai Ming Yau was fined £750, with a victim surcharge of £75 and ordered to pay £3526 costs. Mrs Chak Wa Yiu was fined £400, with a victim surcharge of £40.00 and ordered to pay costs of £980.
4. The application for the special treatment licence in respect of Relax Studios was refused by the Licensing Committee on 14 December 2017.
5. Mr Bobby Nagpal is the freeholder of the premises. Mr Gary Bugby is the current leaseholder of 1 Gunthorpe Street.

6. Following the complaint from Mr Pike, Health and Safety Officer Lekan Olomo carried out a visit with Environmental Health Officer Charlotte Basten on 11th April 11 April 2019 to the premises. They met a therapist who identified herself as Miss Yang; the council had not been notified that Miss Yang worked there as a therapist. This is a breach of condition 6 of the Special Treatment Licence.
7. Principal Environmental Health Officer Natalie Thompson (NAT) sent an email to the landlord of the premises Bobby Nagpal on the 16th April 2019 requesting confirmation as to whether Healthy Paradise Limited had vacated the premises. Mr Nagpal replied by forwarding the email to the leaseholder- Mr Wai Ming Yau asking the same question. (Appendix **LOL3**).
8. The council received an email from the licence holder Mr Bugby on 17th April 2019, (Appendix **LOL4**). in which he stated that he had to take leave to take care of his mother. He further stated that he found Miss Yang unsuitable and had terminated her appointment. He stated that the premises was still operating with therapist Siu man Cheung in control. He notified the council of another therapist who was due to be appointed, named Oi Ming Tsui. He attached copies of qualifications for both therapists to the email.
9. On 18 April 2019, the Council received an email from the landlord of the premises Bobby Nagpal, which he had received and forwarded from Bridge McFarland Solicitors also dated 18th April 2019. The email indicated that their client, Mr Wai Ming Yau's, (the previous licensee of the premises when it was trading as Relax Studio) position was that Mr Bugby, the sole director of Healthy Paradise Limited remains part of the management team. The email confirmed that Mr Wai Ming Yau continues to trade from the premises under the licence in situ. (This email is Appendix **LOL5**).
10. The Council's view is that Mr Wai Ming Yau could be reasonably regarded as not being a fit and proper person to be involved with the management of a premises as he has recently been convicted of offences under the London Local Authorities Act 1991.
11. Health and Safety Officer Lekan Olomo (LOL) replied to Mr Bugby's (Healthy Paradise Director)'s previous email on 24th April 2019. LOL informed him of his visit on 11 April 2019, when he met a therapist, who had not been approved by the Council to work at the premises. He re-iterated to him that he was required to notify the council if he wanted to take on any therapists and only when the council verifies that the qualifications submitted are suitable and sufficient will the therapists be allowed to work in his premises. LOL informed Mr Bugby that he was not satisfied with the qualification provided for TSUI oi MING Jo Jo and advised him that she must enrol on an NVQ/VTCT/ITEC Level 3 Massage course to start working at the premises and must complete the course within two years of enrolment, to continue working at the premises. (Appendix **LOL6**).
12. Health and Safety Officer Lekan Olomo (LOL) carried out another visit on 7th May 2019 to the premises where he met two ladies Jiao Lin and Chak Wa. Ms Lin and Ms Wa claimed to be therapists working for Mr Bugby, however they are not therapists that have been verified by the council. It is believed that 'Chak Wa who was met at the premises may have been the previous occupier that was prosecuted under the London Local Authorities Act 1991 for trading without a licence on 26 March 2019.

13. Whilst LOL was questioning Chak Wa. She then gave LOL the phone to speak to Christine Do, Mr Bugby's wife, LOL informed her that the two ladies were not authorised to work at the premises, as the council had not verified that they have the correct, suitable and sufficient qualifications to operate from the business. LOL further informed Christine Do that he was expecting Mr Bugby's response to his request for further information regards TSUI oi MING Jo Jo qualification. (Appendix **LOL7**). No response was received from Mr Bugby with therapist qualifications.

14. In summary this request to revoke the licence has been made because it is believed that one of the persons concerned in the management and conduct of the premises (Mr Wai Ming Yau) could reasonably regarded as not fit and proper person as he has recently been convicted under the London Local Authorities Act 1991 for operating a special treatment premises without a licence. The licence holder has also repeatedly breached the conditions of their licence by employing therapists who have not been approved by the council and which are unqualified to carry out the special treatments.



Lekan Olomo
Health and Safety Officer
Environmental Health and Trading Standard - Health and Safety Team

List of Appendices

LOL1 = Email from Daron Pike dated 13th March 2019 sent at 14:26.

LOL2 = Email from Daron Pike dated 13th March 2019 sent at 17:32.

LOL3 = Email from Bobby Nagpal dated 16th April 2019

LOL4 = Email from Gary Bugby dated 17th April 2019

LOL5 = Email from Bobby Nagpal dated 18th April 2019

LOL6 = Email from Lekan Olomo dated 24th April 2019 sent to Gary Bugby.

LOL7 = Email from Lekan Olomo dated 7th May 2019 sent to Gary Bugby

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Lekan Olomo

From: [REDACTED]
Sent: 13 March 2019 14:26
To: Natalie Thompson
Subject: RE: Objection - [REDACTED]

LOL1

Hello Natalie,

Hope all is good with you and thanks for the update.

Whilst I have your attention, another question otherwise related if I may? We saw that the Healthy Paradise Ltd business (Nagpal House E1 7RG) was closed by police on 28/2/2019 and has not been open since. Could you tell me anything about that? I understand if you are not able to share anything.

Thanks and regards,

Daron

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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Lekan Olomo

From: [REDACTED]
Sent: 13 March 2019 17:32
To: Natalie Thompson
Subject: Massage - Gunthorpe St

LOL2

Hello Natalie,

Our communication together today was timely.

I came home to another fracas at the massage and the occupants removing furniture under police presence

Also, the proprietor Mr Bugby called at me and said the following:

“Daron! Daron! Mr Pike! I know we don’t see eye to eye. Just to let you know, I’m moving out of this place now and the old owners are moving back in. I want nothing to do with it anymore.”

I believe and also other neighbours watching this incident recognize the Chinese lady on red as the previous occupant when named The Relax Studio.

I could make up my own story from here as to why this is happening but those are the facts.

Regards,

Daron

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Natalie Thompson

From: Bobby Nagpal [redacted]
Sent: 16 April 2019 15:34
To: mr
Cc: Natalie Thompson
Subject: Re: Unit 2 Gunthorpe Street

LOL3

Mr Yau

I do not appear to have heard back from you. Can you kindly reply as a matter of urgency? Please ensure you reply to all.

All the best

[Click to view our 2019 property requirements](#)

On Tue, 16 Apr 2019 at 10:22, Natalie Thompson <[redacted]> wrote:

Dear Mr Nagpal

Did you receive a response from Mr Yau?

Are you able to confirm whether Healthy Paradise Limited have vacated the premises as the current people say that they are still operating under their licence and we haven't been able to contact Mr Bugby.

Kind regards

Natalie

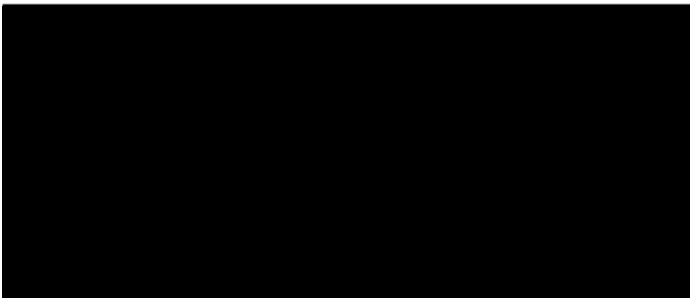
From: Bobby Nagpal [mailto:[redacted]]
Sent: 28 March 2019 15:07
To: mr
Cc: Natalie Thompson; Accounts Dept
Subject: Unit 2 Gunthorpe Street

Mr Yau

There has been an complaint lodged: regarding the premises at 1 Gunthorpe Street being open and advertising massage without a licence in place (due to the licensee's leaving the premises and the old tenants moving back).

Can you confirm how you are currently using the premises. I will require a reply in writing.

All the best



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Lekan Olomo

LOL4

From: Gary Bugby [REDACTED]
Sent: 17 April 2019 13:49
To: Lekan Olomo
Subject: Health and beauty centre

Dear Lekan apologies for my late reply firstly we had to leave to take care of my mother who broke her ankle after being diagnosed with bone and breast cancer and later has sepsis. Being in hospital we have to take care of her. The shop is still open with siu man cheung in control. Unfortunately this happened so quick I didn't have time to arrange anything the girl last Thursday was set up at the last minute and after doing some checks was found unsuitable and will not be working anymore. Another girl who will be working there is oi Ming tsui I have enclosed there details that I have at present if there is anything else please let me know. Again apologies but most of my time is spent at the hospital so I cannot always reply to you until later.

Kind regards
Gary Bugby.

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Natalie Thompson

From: Bobby Nagpal [REDACTED]
Sent: 18 April 2019 15:30
To: Natalie Thompson
Subject: Fwd: Unit 2 Gunthorpe Street

LOL5

Natalie

I hope that this is satisfactory (see below). If you do require any further information, please let me know. Otherwise, I will treat this as no further action required.

While writing Mr Yau did mention to me regarding this email [REDACTED]

All the best
Bobby Nagpal

----- Forwarded message -----

From: Joshua Hunter <jlh@bmcfc.co.uk>
Date: Thu, 18 Apr 2019 at 15:22
Subject: RE: Unit 2 Gunthorpe Street
To: Bobby@bkngroup.co.uk <Bobby@bkngroup.co.uk>

Dear Mr Nagpal,

We write further to your email to our client Mr Yau below. Mr Yau has asked that we respond direct.

Our client's position in relation to the premises licence is that Mr Bugby remains part of the management team at Unit 2 Gunthorpe Street and our client is therefore continuing to lawfully trade from the premises under the premises licence in situ.

[REDACTED]

We trust that our client's response is satisfactory and that he will be allowed to continue trading from the premises without any further disruption.

Yours faithfully,

BRIDGE McFARLAND

Joshua Hunter
Assistant Solicitor
Bridge McFarland

From: Bobby Nagpal <[REDACTED]>
Sent: Thursday, March 28, 2019 3:07:19 PM
To: mr
Cc: Natalie Thompson; Accounts Dept
Subject: Unit 2 Gunthorpe Street

Mr Yau

There has been an complaint lodged: regarding the premises at 1 Gunthorpe Street being open and advertising massage without a licence in place (due to the licensee's leaving the premises and the old tenants moving back).

Can you confirm how you are currently using the premises. I will require a reply in writing.

All the best

[REDACTED]

[REDACTED]

Lekan Olomo

From: Lekan Olomo
Sent: 24 April 2019 14:31
To: 'Gary Bugby'
Subject: EXTREMELY URGENT AND IMPORTANT - 2019.04.24 - Health and Beauty Centre - 1 Gunthorpe Street E1 7RG - New Therapists Query - Council's response

Importance: High

Dear Mr Bugby

Thank you for your response, I duly acknowledge receipt.

When I visited your premises on **11th April 2019**, I met a therapist by the name of Miss Yang who stated that that was her first day working for you and during my conversation with her she did not mention you as her boss.

I am reiterating that you are required to notify the council before taking on any therapist in future, only when the council has verified and is satisfied with the qualifications submitted, will you be allowed to take them on.

I have now reviewed all the documents submitted in your email dated 17th April 2019 and my response is as follows:

Mrs Siu man Cheung is not allowed to work at your premises, as you do not have Swedish Massage as one of the special treatments on your current licence, you can apply for a licence variation to include the Swedish Massage on your licence, if you so wish.

I am not satisfied with the qualification provided for TSUI oi MING Jo Jo and due to this she is not allowed to work as a therapist at your premises, she must enrol on an NVQ/VTCT/ITEC Level 3 Massage course to start working at your premises and must complete the course within two years of enrolment, to continue working at your premises.

I await your response confirming whether Miss Yang works for you and if she does send in her qualifications. She is not allowed to work there until her qualifications are verified.

Covert visits will be carried out at your premises and if you are found to employ unqualified therapists or are found to offer treatments you are not licenced to carry out, this will constitute a breach of your licence and you licence may be revoke by the Licensing Committee.

I now await your response.

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From: Lekan Olomo
Sent: 07 May 2019 17:37
To: 'Gary Bugby'
Subject: EXTREMELY URGENT AND IMPORTANT - 2019.05.07 - Health and Beauty Centre - 1 Gunthorpe Street E1 7RG - Visit to your premises

Importance: High

Dear Mr Bugby

I visited your premises earlier today, where I met two ladies Jiao Lin and Chak Wa, these ladies claimed to be therapists working for you, when I challenged them, due to the fact that they are not listed as therapists that have been verified by the council, Chak Wa then called your wife Christine on [REDACTED]

Chak Wa then gave me the phone to speak to your wife and I informed your wife that the two ladies were not authorised to work out of your premises, as the council had not verified that they have the correct, suitable and sufficient qualifications to operate from your business.

I still await your response to my email dated 1st May 2019.

As stated to your wife during our telephone conversation earlier today and in my email to you dated 24th April 2019 and I iterate, you are required to notify the council before taking on any therapist in future, only when the council has verified and is satisfied with the qualifications submitted, will you be allowed to take them on.

I will continue to carry out covert visit to your premises and information gathered will be used as evidence, if your case goes before a Committee Review.

I await your swift response.

Kind regards

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