

# LICENSING COMMITTEE

Wednesday, 28 November 2018 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.

**Members:**

**Chair:** Councillor Zenith Rahman  
**Vice-Chair:** Councillor Shad Chowdhury  
Councillor Faroque Ahmed  
Councillor Sabina Akhtar  
Councillor Shah Ameen  
Councillor Peter Golds  
Councillor Ehtasham Haque  
Councillor Mohammed Ahbab Hossain  
Councillor Tarik Khan  
Councillor Eve McQuillan  
Councillor Ayas Miah  
Councillor Victoria Obaze  
Councillor Leema Qureshi  
Councillor Dan Tomlinson  
Councillor Puru Miah

**Ward Represented**

Bromley North;  
Spitalfields & Banglatown;  
Whitechapel;  
Stepney Green;  
Whitechapel;  
Island Gardens;  
Blackwall & Cubitt Town;  
Bethnal Green;  
St Peter's;  
Bethnal Green;  
St Dunstan's;  
Whitechapel;  
Spitalfields & Banglatown;  
Bromley North;  
Mile End;

[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  
Tel: 020 7364 0842  
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Web: <http://www.towerhamlets.gov.uk/committee>

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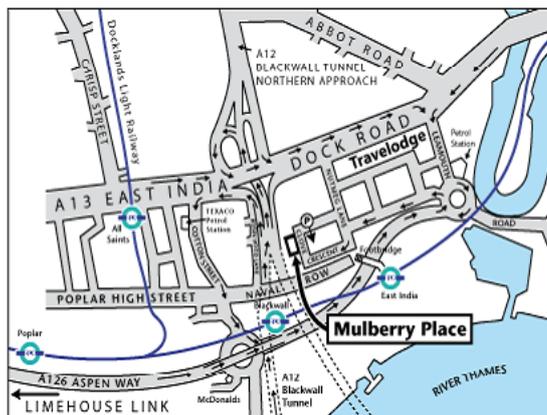
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## **APOLOGIES FOR ABSENCE**

### **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.

	<b>PAGE NUMBER</b>	<b>WARD(S) AFFECTED</b>
<b>2. MINUTES OF THE PREVIOUS MEETING(S)</b>		
	<b>9 - 20</b>	
To confirm the minutes of the meeting of the Licensing Committee held on 4 <sup>th</sup> September and the 13 <sup>th</sup> September 2018 as an accurate record of the proceedings.		
<b>3. ITEMS FOR CONSIDERATION</b>		
<b>3.1 China Five Elements</b>	<b>21 - 106</b>	Spitalfields and Banglatown
<b>3.2 China Health Spa</b>	<b>107 - 170</b>	Canary Wharf
<b>3.3 Little Jasmine Centre</b>	<b>171 - 232</b>	Blackwall and Cubitt Town

#### **Next Meeting of the Licensing Committee**

Thursday, 13 December 2018 at 6.30 p.m. to be held in C1, 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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## LONDON BOROUGH OF TOWER HAMLETS

### MINUTES OF THE LICENSING COMMITTEE

HELD AT 6.30 P.M. ON TUESDAY, 4 SEPTEMBER 2018

THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5  
CLOVE CRESCENT, LONDON, E14 2BG

#### Members Present:

Councillor Zenith Rahman (Chair)  
Councillor Shad Chowdhury (Vice-Chair)  
Councillor Faroque Ahmed  
Councillor Sabina Akhtar  
Councillor Shah Ameen  
Councillor Peter Golds  
Councillor Ehtasham Haque  
Councillor Mohammed Ahbab Hossain  
Councillor Victoria Obaze  
Councillor Leema Qureshi

#### Apologies

Councillor Tarik Khan  
Councillor Eve McQuillan  
Councillor Ayas Miah  
Councillor Dan Tomlinson  
Councillor Puru Miah

#### Others Present:

John Fitzsimons – (Counsel- Item 3.1)  
Jean Adams – (Representing Dadds Solicitors –Item 3.1)

#### Officers Present:

Tom Lewis – (Team Leader - Licensing Services)  
David Wong – (Legal Services)  
Simmi Yesmin – (Senior Committee Officer,  
Democratic Services)  
Farhana Zia – Senior Committee Services Officer

#### 1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

Councillors Victoria Obaze, Faroque Ahmed and Shah Ameen declared a personal interest on 3.1, Application for a renewal of a Sexual Entertainment Venue Licence for Whites Gentleman's Club, 32-38 Leman Street, London E1

8EW on the basis they were ward councillors for Whitechapel in which this premises was situated in. They confirmed that they had not discussed this application prior to the meeting.

## **2. RULES OF PROCEDURE - LICENCES FOR SEXUAL ENTERTAINMENT VENUES**

The rules of procedure were noted.

## **3. ITEMS FOR CONSIDERATION**

### **3.1 Local Government (Miscellaneous Provisions) Act 1982 (as amended) Application for a renewal of a Sexual Entertainment Venue Licence for Whites Gentleman's Club, 32 - 38 Leman Street, London E1 8EW**

At the request of the Chair, Mr Tom Lewis introduced the report for the renewal application for Whites Gentleman's Club, 32-38 Leman Street, London E1 8EW. He referred Members to the report contained in the agenda and explained that the current renewal application is to permit the premises to operate as a sexual entertainment venue. It was noted that the premises was visited on the 1<sup>st</sup> February 2018 and a checklist of questions was completed with the Applicant which covered a range of points from the code of conduct of performers to CCTV coverage etc. it was noted that the Licensing Officers were satisfied that all conditions of the licence had been met and management at the premise were cooperative and records had been kept in working order.

Mr Lewis went on to explain the assessment and information for the locality, he explained that Appendix 11, page 98 -110 contained the Ward Profile for Whitechapel produced by the corporate research unit in May 2014 to provide Members with details in relation to the locality of the premises. It was noted that though this was produced in 2014 it was the most up-to-date information available. He also referred Members to Appendix 12 page 111 which provided details of the character and location of venues in 2017 and Appendix 13 page 113 provided the changes to the character of the area from 2015-2017. The relevant locality was assessed as being within a 100 metre radius centred on the premise. It was noted that the vicinity was a mix of commercial and residential accommodation and had around 5.8% of Borough's resident population.

The consultation process was explained and it was noted that no Responsible Authority had objected to the application. However, there was one objection from a local resident, the objection was on the basis that the premise location was in close proximity to a local school and this premise would have no contribution to the area or local community.

Mr Lewis concluded by informing Members that they should consider the relevant legislation, the Council's SEV Policy and standard conditions when making their decision.

Members then heard from Mr John Fitzsimons, Counsel for the Applicant, he explained that Mr Lewis had summarised the report in full and was content with the details provided. He stated that there has been a licence at the premises since 2006 and at the last renewal licence in 2017 further conditions were added to the licence which were specific to the premises. It was noted that the visit in February 2018 by Licensing Officers found the premises to be compliant with all conditions. It was noted that over the last year there has been no enforcement actions, no issues, no complaints and no objections from Responsible Authorities or Ward Councillors.

He explained that there was only one single objection from a local resident, who was not present at the meeting and it was noted that attempts had been made to mediate with the objector. Mr Fitzsimons stated that this was a business creating employment, and a functioning business paying tax and attracting customers. He highlighted Appendix 13 on page 113 and detailed the fact that there had been very little change in the character of the location over the past years.

The objector was not present at the meeting, therefore Members noted and considered the written objection contained in Appendix 16 on pages 119-120.

In response to questions from the Committee the following was noted;

- That the SEV entertainment would start from 7.30pm till 04:00am the following day.
- That the Applicant limited flyers to private hirer vehicles and hackney carriage licence holders.
- That the Applicant would be happy not to distribute door to door flyers.
- That there was a demand/clientele for this type of establishment.
- That the Whitechapel ward profile was last updated in 2014 and this was the most up to date information available.
- That the premises licence is renewed annually.
- The Legal Representative was unsure of the make-up of employees at the premises, ie. whether they were local residents etc.
- That there had been no changes in housing units since 2016.
- The consultation process was further explained
- That Ward Councillors were emailed as part of the consultation process.
- All Responsible Authorities were also informed as part of the consultation process.
- That the visit made at the premise on 1<sup>st</sup> February 2018 by Licencing Officers was an unannounced visit/inspection.
- The legal officer stated that previous allegations could not form a part of the hearing as there have been licences granted since then.

Members retired to consider their decision at 7.40pm and reconvened at 8.35pm.

Decision

Accordingly, the Licensing Committee made a majority decision –

**RESOLVED**

That the application for a renewal of a Sexual Entertainment Venue Licence for Whites Gentleman's Club, 32-38 Leman Street, London E1 8EW be **GRANTED an identical licence with conditions** .

At a hearing of the London Borough of Tower Hamlets Licensing Committee on Tuesday September 4th September 2018 the Licensing Committee, by a majority vote, resolved to grant the renewal of a Sexual Entertainment Venue Licence to Whites Venues Ltd for the Premises at 32-38 Leman Street, London E1 8EW subject to the Standard Conditions of the London Borough of Tower Hamlets made under paragraph 13 of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, as revised on 23rd June 2015, and the following additional conditions specific to the Premises made in accordance with Tower Hamlets Sex Establishment Licensing Policy.

- 42 "Relevant entertainment" as defined in paragraph 2A(2) of Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 is permitted only during the hours set out in the table below

Monday	19.30hrs-24.00hrs
Tuesday	00hrs-04.00hrs 19.30hrs-24.00hrs
Wednesday	00hrs-04.00hrs 19.30hrs-24.00hrs
Thursday	00hrs-04.00hrs 19.30hrs-24.00hrs
Friday	00hrs-04.00hrs 19.30hrs-24.00hrs
Saturday	00hrs-04.00hrs 19.30hrs-24.00hrs
Sunday	00hrs-04.00hrs

43. Without prejudice to Standard Condition 5, at least six SIA registered door supervisors shall constantly monitor the striptease entertainment in the Premises and ensure that all relevant conditions of this Licence are being complied with.
44. The relevant tariff must be drawn to the attention of each customer before they pay any fee or charge.

45. No charge may be made to any customer for any drink provided to a performer, hostess or companion unless a customer has expressly ordered it having been informed of the cost.
46. No charge shall be made to any customer for hire or use of any room, or reserved area within the Premises, unless the customer has first been made aware of the cost and signed an order from consenting for the charge to be made. The order form shall be counter-signed by the manager of the Premises. The order form shall state in a legible form:
- (a) the date and time of signature;
  - (b) the room, or area to be used or hired by the customer;
  - (c) the date, time and duration of the agreed hire or use of the room, or area;
  - (d) the details as to what, if any, sexual or other entertainment will be provided and by how many performers;
  - (e) the names of any agreed performers;
  - (f) the total agreed price and manner of payment;
  - (g) the full name of the manager; and
  - (h) the full name of the customer.
- The order form must be filled in and signed, and payment for the room or area taken, in the designated area shown on the attached plan. The designated area must be well-lit and covered by a CCTV camera which accurately records the transaction and the time and date of the footage. After payment is taken, the customer shall be provided with a receipt and the Licensee shall retain a copy.

The SEV Licence will expire on 31<sup>st</sup> May 2019.

In reaching its decision the Licensing Committee had regard to Tower Hamlets' Sex Establishment Licensing Policy (Policy) made pursuant to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, and the single objection.

None of the relevant authorities objected to the renewal of the SEV Licence.

The objection was based on Grounds 4(a) and (b) of the Policy. However, there was no evidence to support the objection, and the objector did not attend the hearing. Therefore the Committee did not take account of the objection.

Six of the additional conditions specific to the Premises were carried over from the previous Licence. The Committee resolved to add a new Condition 42 to promote the objectives of the Policy, and in particular to control the impact of the venue in relation to its locality, namely the English Martyrs Primary School, and residential accommodation, and to distinguish between when the Premises operated as a Sexual Entertainment Venue as opposed to when the Premises operated as a Licensed Premises pursuant to the Licensing Act 2003.

Counsel for the Applicant agreed to the Committee adding new condition 42 as it reflected the hours set out in "Section H Operation of the Premises" in the Application for the Renewal of the SEV Licence dated 24th May 2018.

The meeting ended at 8.45 p.m.

Chair, Councillor Zenith Rahman  
Licensing Committee

**LONDON BOROUGH OF TOWER HAMLETS**

**MINUTES OF THE LICENSING COMMITTEE**

**HELD AT 6.30 P.M. ON THURSDAY, 13 SEPTEMBER 2018**

**THE COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5  
CLOVE CRESCENT, LONDON, E14 2BG**

**Members Present:**

Councillor Zenith Rahman (Chair)  
Councillor Shad Chowdhury (Vice-Chair)  
Councillor Mohammed Ahbab Hossain  
Councillor Leema Qureshi  
Councillor Dan Tomlinson

**Apologies**

Councillor Sabina Akhtar  
Councillor Shah Ameen  
Councillor Peter Golds  
Councillor Ehtasham Haque  
Councillor Tarik Khan  
Councillor Eve McQuillan  
Councillor Victoria Obaze  
Councillor Puru Miah

**Others Present:**

Farida Yasmin	– Member of the Public
Dinah Glover	– Member of the Public
Jason Pritchard	– Councillor – City of London
Haijun Zuo	– Objector & Licence Holder – 3.1

**Officers Present:**

Agnes Adrien	– (Team Leader, Enforcement & Litigation, Legal Services)
Tom Lewis	– (Team Leader - Licensing Services)
David Tolley	– (Head of Environmental Health and Trading Standards)
Amran Ali	– Health and Safety Officer, Trading Standards
Farhana Zia	– Senior Committee Services Officer

**1. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST**

There were no declarations of disclosable pecuniary interest.

**2. MINUTES OF THE PREVIOUS MEETING(S)**

The minutes of 17<sup>th</sup> July 2018 were agreed and approved as an accurate record of the meeting.

**3. ITEMS FOR CONSIDERATION****4. LONDON LOCAL AUTHORITIES ACT 1991 HEARING TO CONSIDER THE REVOCATION OF THE SPECIAL TREATMENT LICENCE OF CHENG XIANG CHINESE MEDICINE LIMITED TRADING AS HEALTH ONE 66 MIDDLESEX STREET, LONDON, E1 7EX**

Mr Tom Lewis, Team Leader for Licensing and Safety, Environmental Health informed members the application before them was to consider the revocation of a Special Treatment licence for Cheng Xiang Chinese Medicine Limited trading as Health One, 66 Middlesex Street, London E1 7EX.

He said the revocation was sought following the successful prosecution of the Licence Holder at Thames Magistrates Court on the 19<sup>th</sup> June 2018. He referred Members to points 3.1, 3.2 and 3.3 of the report which gave further details of the circumstances for which a Special Treatment Licence is required. Mr Lewis also referred Members to point 4.4 which listed the grounds for revocation, as per the London Local Authorities Act 1991.

Amran Ali, Health and Safety Officer provided Members with a detailed account of the investigation he had undertaken. He said the team had conducted covert surveillance of premises with Special Treatment licences and had employed a test purchasing company to conduct test purchases. The table at 8.2 of the report, showed the number of visits made in the last 24 months. Mr Ali stated the first test purchase was carried out on the 7<sup>th</sup> June 2017 followed by another on the 23<sup>rd</sup> June 2017. He said the test purchasers were two different individuals who were both offered services of a sexual nature at the end of the massage.

Mr Ali stated the Licence Holder was prosecuted at the Thames Magistrates Court on the 19<sup>th</sup> June 2018, on which occasion the defendant pleaded not guilty to breaching the conditions of the licence. The Court found Cheng Xiang Chinese Medicine Limited guilty of breaching the conditions of the licence by allowing the premises to be used for purposes other than to carry out special treatments. They were fined £1250 for the breach of the licence together with costs of £2000 totalling £3,375.

Mr Ali stated the Licensing Authority hoped the Licence Holder would have learnt lessons from the prosecution, however when a further test purchase was conducted on the 26<sup>th</sup> July 2018, it was evident the Licence Holder continued to breach the terms of the Licence by offering services of a sexual nature.

Furthermore, the Licencing Authority received a complaint on the 14<sup>th</sup> August 2018 which provided further evidence of the misuse of the premises. The evidence was from a website called UKpunting. Mr Ali drew the attention of Members to an entry made on the 16<sup>th</sup> July 2018 which included references to sexual services being received by customers of the premises Health One, 66 Middlesex Street, London E1 7EX.

Mr Ali said the Licence Holder, Mr Haijun Zuo and Ms Xiaoli Song were listed as the Directors of business and the application for the Licence showed Mr Zuo and Ms Song as the persons responsible for managing the business. Mr Ali stated it was evident that both individuals had failed to conduct and manage the business in a fit and proper manner by running a brothel business whilst masquerading as a massage parlour. Mr Ali continued stating the Licensing Authority had concerns of illegal human trafficking of vulnerable individuals, especially young women, prostitution and money laundering as well as public health concerns of sexually transmitted diseases.

Mr Ali asked Members of the Licensing Committee to revoke the Licence based on the evidence before them.

Mr Haijun Zuo, the Licence Holder was also present at the meeting. Mr Zuo stated his understanding of English was not particularly good but in defence said that he could not always control staff and their behaviour. He said the licensing conditions were displayed on the wall and staff had been told not to offer extra services. He said the therapist was dismissed when he received the letter from the Council.

Members of the Committee asked questions in relation to the application and in response the following was noted:

- Two massage therapists were employed by Health One, but on further questioning Mr Zuo stated four were employed.
- Mr Zuo said he could not control his staff nor could he enter the therapy rooms as the clients would not like this and what happened in there was private.
- After the prosecution, the staff member was dismissed however the new staff member also broke the law, as per the test purchase of 26<sup>th</sup> July 2018.
- Mr Zuo said had he known he would be questioned he'd have brought his solicitor. He said the letter sent to him did not make clear that he would be questioned. The Legal Officer asked to see the letter and said it was clear the letter set out the reason for the hearing and it was for Mr Zuo to instruct a solicitor.
- Mr Zuo said he would like to give up the licence. The Legal Officer asked if he understood that this meant and Mr Zuo said he no longer wanted a licence.

Members adjourned the meeting at 19:07 hours for deliberations and reconvened at 19:20 hours.

### **Decision**

Accordingly, the Committee unanimously

### **RESOLVED**

That the Application for the revocation of a Special Treatment Licence, under the London Local Authorities Act 1991 for Cheng Xiang Medicine Limited trading as Health One, 66 Middlesex Street, London E1 7EX be **REVOKED** :

1. As the licence holder has been found to have improperly conducted its business on 7<sup>th</sup> June 2017, 23<sup>rd</sup> June 2017 and 26<sup>th</sup> July 2018 as per the test purchase evidence, in breach of Regulation 7 (b) (Appendix 2) and:

As per paragraph 4.4 of the report the following grounds for revocation applied:

- (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;
- (e) the premises have been or are being improperly conducted.

### **5. STATEMENT OF LICENSING POLICY 2018 - 2023**

Mr David Tolley, Head of Environmental Health presented the Licensing Policy 2018 -2023. Mr Tolley explained the policy was a statutory policy of the Council which requires the Council to update it, every five years. Mr Tolley said a twelve week consultation had been undertaken and Cabinet had considered the policy. The Statement of Licensing Policy would be further discussed at Full Council on the 19<sup>th</sup> September 2018, before the proposed policy would be adopted.

Mr Tolley referred Members to point 3.9 of the report and said various stakeholders and the public had been consulted in devising the policy. Over 1,000 letters had been sent and the policy detailed the responsibility of the Licensing Committee and its sub-committee. Mr Tolley stated the main changes to the policy, was the introduction of a Cumulative Impact Zone in Bethnal Green. Point 3.13, page79 of the agenda pack, outlined the council's framework hours which would remain unchanged. Mr Tolley said the Licensing Team would continue to consult residents within a 40 meter radius and were looking to revamp the website so to ensure the customer journey, systems and processes were more transparent and sufficient.

Mr Tolley stated the report was for noting and upon Full Council accepting the policy, adoption of the policy would be from the 1<sup>st</sup> November 2018.

Members of the Committee asked questions in relation to the report and the following was noted:

- Mr Tolley was asked what the motivation was for the introduction of a CIZ in Bethnal Green. Mr Tolley explained the public consultation and consultation with the police supported an introduction of a CIZ in the area due to the concentration of businesses such as pubs and clubs and the increase in anti-social behaviour.
- Mr Tolley was asked if he could provide statistical information on the number of Anti-Social Behaviour incidents in Bethnal Green. Mr Tolley confirmed he would circulate this information to the committee.
- Mr Tolley clarified the Statement of Licencing Policy did not include the Council's policy on Sexual Entertainment Venues. This was a separate policy. Members queried if the SEV policy could be reviewed. After discussion it was agreed that a workshop of the Council's SEV policy may benefit members.

The Members of the Licensing Committee:

1. Noted the proposed the Statement of Licensing Policy that will be put before full Council on the 19<sup>th</sup> September 2018.

The meeting ended at 7.37 p.m.

Chair, Councillor Zenith Rahman  
Licensing Committee

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Non-Executive Report of the:	
<p><b>Licensing Committee</b></p> <p>28<sup>th</sup> November 2018</p>	
<p><b>Report of:</b> David Tolley, Head of Environmental Health and Trading Standards Directorate of Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>London Local Authorities Act 1991 Hearing to consider the objection to China Five Elements Limited, 35 Artillery Lane, E1 7LP renewing their Special Treatment Licence</b></p>	

<b>Originating Officer(s)</b>	Charlotte Basten, Environmental Health Officer
<b>Wards affected</b>	Spitalfields and Banglatown

## 1. EXECUTIVE SUMMARY

Licence Holder:	<b>China Five Elements Ltd</b>
Name and Address of Premises:	<b>China Five Elements 35 Artillery Lane London E1 7LP</b>
Licence sought to refuse to renew:	<b>Special Treatment Licence under The London Local Authorities Act 1991 Application to renew a Special Treatment Licence</b>
Objectors:	<b>Natalie Thompson, Principal Environmental Health Officer, Licensing and Safety Team</b>

## 2. RECOMMENDATIONS

- 2.1 The Licensing Committee is recommended to consider the objection to the renewal of the special treatment licence and then adjudicate accordingly.

## 3. BACKGROUND

- 3.1 This is a report by the Licensing and Safety Team to object to the renewal of the special treatment licence for China Five Elements Limited trading as China Five Elements, 35 Artillery Lane, London, E1 7LP following evidence obtained that services of a sexual nature have been offered by the business at the premises. The business was prosecuted by the Council for breaches of

regulation 7 (B) of the Regulations made by the London Borough of Tower Hamlets under section 10 (1) of the London Local Authorities Act 1991 - for allowing the premises to be used by prostitutes, for soliciting or other immoral purposes and Condition 12 of the Massage and Special Treatment Licence-allowing female therapists to massage male clients without prior approval from the Council.

The matter of China Five Elements Limited was considered by the Stratford Magistrates Court on 27 September 2018 in accordance with the Single Justice Procedure. The Company pleaded guilty to the two charges of breaching its special treatment licence conditions. It was sentenced to pay a fine of £500, Victim surcharge of £50 and Costs of £1286.50.

- 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.
- 3.3 A renewal of a special treatment licence may be refused under The London Local Authorities Act 1991 Section 8.
- 3.4 China Five Elements Ltd has applied to renew its special treatment licence which expired on the 30<sup>th</sup> of September 2018. 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 refuse to renew 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 refusing a licence, the applicant may within twenty one days of being notified of the Council's refusal 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 renewal is refused under section 13(5) (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 renewal of the Licence**

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

- China Five Elements Limited was prosecuted at Stratford Magistrates Court on 27 September 2018 in accordance with the Single Justice Procedure. The Company pleaded guilty to the two charges of breaching its special treatment licence conditions.
- The evidence relied on for this prosecution included a report from Netwatch Global an internet surveillance company whose investigation found that detailed reviews that indicated services of a sexual nature were provided at the premises, such as a “topless HE” (Happy Ending) “for £40” detailed in a review from the 14th April 2017.
- On the 13/04/2018 a test purchase was carried out by an external company contracted by the Council to check if services of a sexual nature were being offered at the premises. Services of a sexual nature were offered to the test purchaser. In his witness statement, the test purchaser stated that he entered the premises China Five Elements at approximately 14:00 on 13.04.2018 and paid for a £45 massage. A woman of Eastern European appearance conducted the massage and asked the test purchaser towards the end if he wanted anything more than a massage. The test purchaser enquired as to what this meant, to which she replied a “happy ending was £40”, “with breasts was £60” and “completely naked was £100”. The test purchaser declined these offers and left the premises.
- The director of the company Mr Wei Lin is responsible for the management of the business, the persons concerned in the conduct and management of the premises. He should be reasonably regarded as not being fit and proper persons to hold such a licence on basis of the guilty plea.
- During an inspection of the premises on the 12th October 2018 an officer overheard a male customer at the premises asking if the therapist was ‘Chinese or European’. The officer recalled online customer comments suggested staff of European origin were offering services of a sexual nature. Mr Lin answered with ‘European’.
- Of the eight therapists listed in the application form only 2 have provided evidence that they have the level of qualification required to carry out massage treatments in special treatment premises in Tower Hamlets
- Under The London Local Authorities Act 1991 the Council may refuse to renew a licence held by a person for grounds mentioned in Section 8 of the Act which include the licence holder not being a fit and proper person to hold a licence [section 8 (c)], the persons giving the

treatment not being suitably qualified [section 8 (d)], the premises being improperly conducted [ section 8(e)].

## 6. Recommendations

- 6.1 Following the objection the renewal of the licence, Members are asked to consider the representation when determining whether to refuse to renew the licence.

## 7. Summary of Premises and Licence History

- 7.1 The premises were first issued with a Massage and Special Treatment Licence on the 20<sup>th</sup> of September 2012.

## 8. Complaints and Enforcement History

- 8.1 On the 13th April 2017 a petition containing 101 signatures of residents local to the Liverpool Street area was handed to the council by the Corporation of London. The petition requested that all massage premises in the area were investigated for compliance with their licence conditions. The premises run by China Five Elements Limited are in that area.

- 8.2 The premises has received the following visits from the Local Authority in the last 7 years:

Date	Authority	Nature of visit
20/19/2012	Licensing and Safety	Collection of Special treatment licence application form and cheque payment from Mr Wei.
14/11/2012	Licensing and Safety	Licence inspection. Several points required action. - No first aid box on site. -No accident book on site. -Therapists' details and qualifications not provided.
14/11/2013	Licensing and Safety	Licence Renewal Inspection. Several points required action. -Qualification and passport photos not provided for therapists. -Unsatisfactory medical history checks for acupuncture clients. - Portable electrical appliances not tested. - Clients not given verbal and written after care advice - Accident book not provided on the premises
06/10/2014	Licensing and Safety	Licence Renewal Inspection. Several points required action: - Client records not confidentially stored

		<ul style="list-style-type: none"> <li>- No fire exit signs</li> <li>- No accident book</li> </ul>
10/11/2015	Licensing and Safety	Visit following complaint about fleas in the premises. The business owner was not available.
20/11/2015	Licensing and Safety	Follow up visit to fleas complaint. No evidence of infestation was found.
26/11/2015	Licensing and Safety	<p>Licence Renewal inspection. Several Points required action.</p> <ul style="list-style-type: none"> <li>- A large amount of lime scale deposit on shower head.</li> <li>- Infection control issues (towels not changed between clients)</li> <li>- Lack of adequate means of cleaning and disinfecting the premises</li> <li>- Client medical history checks not satisfactory</li> <li>- Lack of a suitable number of persons as adequate for rendering first aid</li> </ul>
17/10/2016	Licensing and Safety	Licence Renewal Inspection. Issues of therapists passport photos and qualifications raised.
27/09/2017	Licensing and Safety	<p>Licence Renewal Inspection. Several points required action:</p> <ul style="list-style-type: none"> <li>- Hepatitis B Vaccination for therapists</li> <li>- Lack of lidded bins</li> <li>- Alarm system linked to reception to be installed in the treatment room</li> <li>- Request for therapist passport photos</li> <li>- Expired therapist qualifications.</li> </ul>
13/04/2018	Licensing and Safety	Test purchase. Services of a sexual nature offered.
12/10/2018	Licensing and Safety	<p>Licensing renewal visit</p> <p>A male customer observed requesting nationalities of masseuse.</p>

8.3 The licence holder was prosecuted under the London Local Authorities Act 1991. The case was considered by the Stratford Magistrates Court on 27 September 2018 in accordance with the Single Justice Procedure. The Company pleaded guilty to the two charges of breaching its special treatment licence conditions. It was sentenced as follows:

8.4 China Five Elements Limited was sentenced as follows;  
 Fine: £500  
 Costs: £1286.50  
 Victim surcharge: £50

## 9. Special Treatment Licences and Determination

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

## **10. 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 Environmental considerations: There are no environmental implications.

11.3 Crime reduction: One of the key objectives of the Council is to 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 licences. Illegal activity has been proven to occur at the premises.

11.4 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.

11.5 Risk Management: The Council will be at risk of legal challenge if its processes are not transparent and evidentially based.

## **12. COMMENTS OF THE CHIEF FINANCE OFFICER**

12.1 The Chief Finance Officer has been consulted on this report and has no additional comments to make.

## **13. COMMENTS OF LEGAL SERVICES**

13.1 Section 10 of the London Local Authorities Act 1991 enables the local authority to make regulations prescribing standard conditions applicable to all licenses for special treatment premises.

13.2 The London Borough of Tower Hamlets made such regulations which are produced as Appendix 3 to this report, and one of those regulations, 7(B) says, "The licensee shall ensure that no part of the premises are used by prostitutes, for soliciting or any other immoral purposes." Condition 6 says 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.

- 13.3 Section 9(2) of the London Local Authorities Act 1991 empowers the Council to revoke a special treatments licence for any of the reasons set out in section 8 of that Act.
- 13.4 Section 8 of that Act sets out a number of grounds under which a special treatments licence can be revoked by the Council, as set out in paragraph 4.4 of this report.
- 13.5 On 27<sup>th</sup> September 2018, Stratford Magistrates' Court dealt with a prosecution of the licence holder by the London Borough of Tower Hamlets for offering services of a sexual nature and for having masseuses working at the premises who were not approved by the Council's Licensing and Safety Team to work as masseuses.
- 13.6 The licence holder pleaded guilty, and was fined £500, also being ordered to pay costs of £1286.50 and a victim surcharge of £50.

#### 14. **APPENDICES**

<b>Appendix 1</b>	A copy of the current special treatment licence.
<b>Appendix 2</b>	A copy of the standard conditions for special treatment licences.
<b>Appendix 3</b>	Regulations for annual special treatment licences under section 10 (1) of the London Local Authorities Act 1991
<b>Appendix 4</b>	Report from the Environmental Health Department
<b>NAT.CFE.1</b>	Special treatment licence renewal application and supporting documents.
<b>NAT.CFE.2</b>	Witness statement of first test purchase conducted on the 13/04/2018
<b>NAT.CFE.3</b>	Internet Searches
<b>NAT.CFE.4</b>	Single Justice Procedure Notice
<b>NAT.CFE.5</b>	List of directors from Companies House
<b>NAT.CFE.6</b>	Special treatment licence renewal application regarding licence in place at the time of the test purchase.

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#### **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:**

Charlotte Basten, Environmental Health Officer  
Ext: 6646

# APPENDIX 1



**TOWER HAMLETS**

Licence / Registration

Certificate Number

**24054**

## **LONDON LOCAL AUTHORITIES ACT 1991 LICENCE FOR SPECIAL TREATMENT PREMISES**

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

**To: China Five Elements Ltd**

**T/A: China Five Elements  
35 Artillery Lane  
London E1 7LP**

for the provision of the following special treatments

**Massage, Tui-Na, Reflexology, Acupuncture**

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

**Fee: £328.40**

**Date Licence Issued: 24<sup>th</sup> October 2017**

**Date Licence Expires: 20<sup>th</sup> September 2018**

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 25708 Fee Paid £328.40 Fee Req.  Date 19/9/17 Initial DT

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# APPENDIX 2

## LONDON BOROUGH OF TOWER HAMLETS

### MESSAGE 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 **20/09/2018** 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
<b>China Five Elements 35 Artillery Lane London E1 7LP</b>	<b>China Five Elements Ltd</b>	<b>Massage Tui-Na Reflexology Acupuncture</b>



# APPENDIX 3

## 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.
  - "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.

Licences/Spetreat.007

#### 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 of 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 Executive's 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 premises 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 suitably 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.

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**TO**                      **Licensing and Safety Team**

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**FROM**                  **Natalie Thompson**

**REFERENCE:**        **China Five Elements**

**DATE**                    **5<sup>th</sup> October 2018**

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**Re: China Five Elements Ltd**  
**T/A China Five Elements, 35 Artillery Lane, London, E1 7LP**

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, tui-na, reflexology and acupuncture. The premises made an application to renew their licence which was received by the council on the 19<sup>th</sup> September 2018. See **NAT.CFE.1** for the application form and supporting documents.

An objection to the renewal of the special treatment licence is being made for the following reasons;

1. The Licensing and Safety Team has evidence of the premises being improperly conducted. *London Local Authorities Act 1991, Section 8 (e)*. The business *China Five Elements* has been investigated and found to be offering services of a sexual nature to customers. Evidence of this is attached in the form of a witness statement from a test purchaser from a company hired by the council to carry out these visits. This is included as **NAT.CFE.2**. An internet search of the company was carried out which revealed that there had been reviews in the past which also detailed services of a sexual nature were offered to customers. See **NAT.CFE.3** for these reviews. The matter has been brought to the courts for prosecution by the council. The Single Justice Procedure Notice shows the charges that were made against the company in relation to the business at the premises of China Five Elements, 35 Artillery Lane, London, E1 7LP. See Appendix **NAT.CFE.4**.
2. The matter was heard in court on the 27<sup>th</sup> September 2018. The applicant pleaded guilty. The applicant was fined £500 and ordered to pay costs of £1286.50 and a victim surcharge of £50.
3. The director of the company, China Five Elements Ltd is Mr. Wei Lin. See the list of directors from companies House as **NAT.CFE.5**. Mr. Wei Lin is the applicant on the special treatment licence renewal application and has also identified himself as the person responsible for the management of the premises. See **NAT.CFE.1** for a copy of the application form and supporting documents such as qualifications. Mr Wei Lin was also the applicant of the special treatment licence and responsible for management at the time of the test purchase. See **NAT.CFE.6** for the previous renewal application form. As Mr Wei Lin is responsible for the management of the business and pleaded guilty to the prosecution charges, the persons concerned in the conduct and management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a licence. (Section 8c).

4. I conducted an inspection of the premises on the 12<sup>th</sup> October 2018. At the time of my inspection a male customer entered the premises for a massage treatment. The customer asked if the therapist was '*Chinese or European*' and Mr Lin answered with '*European*'. Mr Lin informed me that it was because certain therapists give certain massages- Swedish or Tui-Na for example. However I consider this to be further evidence that the premises is being improperly conducted as the nationality of the therapist does not have bearing on the type of massage given. It is also a contravention of condition 12 of the standard licensing conditions for a female therapist to give a full body massage to a man.
5. Of the eight therapists listed in the application form only 2 have provided evidence that they have the level of qualification required to carry out massage treatments in special treatment premises in Tower Hamlets. Of the others, one has a certificate from Romania which has been translated and certified. However there was no statement of comparability from UK NARIC\* which is required for non UK qualifications. Two therapists have a membership with the Association of Chinese Medicine Practitioners (ACMP). This is not sufficient evidence of the correct level of training required to carry out massage services. Three therapists have submitted membership with the Chinese Tui Na and Reflexology Therapists Association UK (CTNRTA) rather than recognised qualifications. The qualifications are included as the supporting documents in **NAT.CFE.1**. Therefore many of the persons giving the treatments may not be suitably qualified. This is grounds for not renewing the licence. (Section 8d)
6. Under The London Local Authorities Act 1991 the Council may refuse to renew a licence held by a person for grounds mentioned in Section 8 of the Act which include the licence holder not being a fit and proper person to hold a licence (c) the persons giving the treatment not being suitably qualified (d) the premises being improperly conducted (e).

**Natalie Thompson**  
**Principal Environmental Health Officer**  
**Licensing and Safety**

**List of Appendices**

NAT.CFE.1 = Special treatment licence renewal application

NAT.CFE.2 = Witness statement of test purchase conducted on the 13/04/2018

NAT.CFE.3 = Internet searches.

NAT.CFE.4 = Single Justice Procedure Notice

NAT.CFE.5 = List of directors from Companies House

NAT.CFE.6 = Special treatment licence renewal application regarding licence in place at the time of the test purchase.

**\*UK NARIC is the designated United Kingdom national agency for the recognition and comparison of international qualifications and skills. It performs this official function on behalf of the UK Government.**

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



Customer Use On-line Receipt No.
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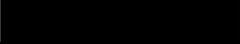
**ESTABLISHMENTS FOR SPECIAL TREATMENTS**

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,

Renewal 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>Name: <b>WEI LMY</b>                  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: <b>China Five Elements</b>                  Address: <b>35 Artillery Lane                  London E1 7LP</b>                  Telephone No:                   Email:                   Opening hours (proposed) <b>10:30Am ~ 9:00 Pm</b></p>
<p>3. Please supply details of person responsible for the management of the establishment if other than the applicant.</p> <p>Please enclose 2 passport-sized photographs of applicant</p>	<p>Full Name:                  Address (private):                  Date of birth:                  Telephone No:                  Passport No:                  OR NI No:</p> <p><input type="checkbox"/> Enclosed (tick if applicable)</p>

<p>4. (a) Is it proposed to employ staff at the establishment?</p> <p>(b) If so state numbers</p>	<p>(a) YES/NO</p> <p>(b)</p>
<p>5. (a) What is the legal title of the applicant(s) to occupy the premises (e.g. freehold, leasehold etc.)</p> <p>(b) If leasehold please give details of the name and address of the landlord.</p>	<p>(a) leasehold</p> <p>(b)</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 <b>all</b> 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>Acupuncture . massage . Tui-Na . Reflexology</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>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</p> <p>(a) Owner or director of owning company; or (b) employee</p>	<p>Address:</p> <p>(a) (b)</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) Yes</p>

<p>12. Please indicate whether the following are enclosed with your application. (A licence cannot be issued without them. These must be provided at every renewal application)</p> <p>If you have already submitted current qualifications for each operative and they are still employed at your premises you will not need to supply these documents again.</p>	<p><input type="checkbox"/> Electrical inspection certificate for portable appliances, as requested under the Electricity at Work Regulations 1989</p> <p><input type="checkbox"/> Two passport-sized photographs of applicant and operators</p> <p><input 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</p> <p><input type="checkbox"/> Cheque/PO for £338.00 / £544.00(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>
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<p><b>13. DETAILS OF PREVIOUS CONVICTIONS, DISQUALIFICATION ETC.</b></p>
<p>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).</p>

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
①	[Redacted]	Acupuncture Massage. Tuina			
②	[Redacted]	Tuina. massage			
③	[Redacted]	Tuina Massage Reflexology			
④	[Redacted]	Tuina Thai Reflexology			
⑤	[Redacted]	(Massage)			
⑥	[Redacted]	Tuina Massage Reflexology			
⑦	[Redacted]	Thai			
⑧	[Redacted]	Tuina			

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 12/09/2018 ..... 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	China Five Elements Ltd
Registered Office address of Limited Company	35 Artillery Lane London E1 7LP
Telephone number	
Registered Company number	
Names of all Directors and position.	WEI LIN
Are any of the Directors involved with other companies that hold a Special Treatments Licence? Please detail.	None
Does the Limited Company have licensed premises elsewhere?	None
If so, please detail.	

This form has been completed by WEI LIN.....(name)  
Director.....(position)  
.....(signature)  
12/09/2018.....(date)

### NOTE

- A. The application should be made by the occupier of the premises.
- B. In the case of a limited company, please also complete Part 4 which seeks details of the company.
- C. Four sets of plans of the premises must be submitted in accordance with directions contained in the Council's rules governing applications for licences.
- D. If required, a notice on the form prescribed by the Council must be exhibited at the premises for twenty-eight days from the date on which the application is made, and within seven days the application must be advertised in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagents.
- E. Licences normally expire 12 months from the date of issue.
- F. If premises are not already constructed or adapted so as to permit access to and from the premises by disabled people, the Council will expect proposals to be submitted to the Environmental Health Department indicating how such access will be afforded.
- G. Premises are reminded that it is against the law to smoke in all 'enclosed' and 'substantially enclosed' public places and workplaces. No smoking signs must be displayed in all smokefree premises. Staff smoking rooms and indoor smoking areas are no longer allowed.
- H. Two identical full-face passport size photographs (taken within the previous 12 months) of all persons who will be giving treatments at the premises must be supplied with this form. Each photograph should be endorsed with the date on which it was taken, bear the name in block capitals of the person whose likeness it bears, and be signed by the applicant.
- I. No person may give treatments until the Council's approval has first been obtained.
- J. Where 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.

<ul style="list-style-type: none"><li>• THE LICENCE FEE IS NON REFUNDABLE – IN ANY EVENT YOU DECIDE TO WITHDRAW YOUR APPLICATION THE LICENCE FEE WILL BE RETAINED TO COVER ADMINISTRATION COSTS.</li></ul>
--



### Certificate of Professional Liability Insurance

Name	China 5 Elements Ltd	
Certificate Number	[REDACTED]	
Reason for Issue	New Business	
Business	Acupuncture, Massage Therapy,  If you are carrying out, or have in the past carried out, any activities or therapies not listed, you must notify us immediately so we can extend your cover as necessary.	
Insurer	Axa Insurance PLC and ARAG plc in respect of Legal Expenses Insurance	
Master Policy Number	[REDACTED]	
Period of Insurance	From 15/09/2018	To 14/09/2019 Both dates inclusive
Limit of Indemnity	£1,000,000 in any one claim but £1,000,000 in the annual aggregate in any one Period of Insurance in respect of pollution contamination	
Endorsements	1, 2, 3B,8	

Professional Liability Insurance includes cover normally provided by:

**Public Liability** – your liability for death of, or injury to, third parties or the loss of, or damage to, their property;

**Professional Indemnity** – the risk of being sued for an error in your professional activities;

**Product Liability** – your liability for injury, loss or damage caused by products supplied, or by errors in products supplied;

**Libel & Slander** – your liability for allegations that you have libelled or slandered someone else in good faith.

1

Towergate Insurance is a trading name of Towergate Underwriting Group Limited  
Registered Office: Towergate House, Eclipse Park, Sittingbourne Road, Maldstone, Kent ME14 3EN Authorised and regulated by the Financial Conduct Authority. This can be checked on the FCA's register by checking the FCA website at [www.fca.org.uk/register](http://www.fca.org.uk/register) or by contacting them on 0800 111 6768

**This certificate forms part of and attached to the policy wording. Both Documents must be read together**

**Legal Expenses**

This service is provided by ARAG Legal Services Ltd and is available 24 hours per day, 365 days per year.

**Scheme Number**

[Redacted]

**Telephone**

Please quote the Scheme number when calling the Helpline and advise the operator of the service that you require.

**Operative Covers**

- Employment Disputes (applicable to policy holders with employees)
- Employment Compensation Awards (applicable to policy holders with employees)
- Tax Protection
- Property
- Compliance and Regulation
- Employees' extra protection
- Contract and Debt recovery
- Business Legal Advice Helpline
- Counselling Helpline

**Limit of Indemnity**

£100,000 per claim

**Aggregate Limit**

£1,000,000 per annum (Employment Compensation Awards)

2

Towergate Insurance is a trading name of Towergate Underwriting Group Limited  
Registered Office: Towergate House, Eclipse Park, Sittingbourne Road, Maidstone, Kent ME14 3EN Authorised and regulated by the Financial Conduct Authority. This can be checked on the FCA's register by checking the FCA website at [www.fca.org.uk/register](http://www.fca.org.uk/register) or by contacting them on 0800 111 6768

Therapy / Activity	Endorsements Applicable
Acupuncture	9 15 16
Massage Therapy	None

Please refer to the policy wording for the description of any Endorsements.

**Non Standard Endorsement(s)**

Axa Insurance UK Plc – A member of the AXA Group of Companies. Registered in England No. 78950.

Registered office: 5 Broad Street, London, EC2N 1AD, ARAG plc

ARAG plc is Authorised and Regulated by the Financial Conduct Authority, registration number 452369. ARAG plc and Brit Syndicate 2987 at Lloyd's are covered by the Financial Ombudsman Service.

Authorised and Regulated by the Financial Conduct Authority. These can be checked by visiting the FCA Website at [www.fca.gov.uk](http://www.fca.gov.uk) or by contacting the FCA on [REDACTED]

3

Towergate Insurance is a trading name of Towergate Underwriting Group Limited  
 Registered Office: Towergate House, Eclipse Park, Sittingbourne Road, Maidstone, Kent ME14 3EN Authorised and regulated by the Financial Conduct Authority. This can be checked on the FCA's register by checking the FCA website at [www.fca.org.uk/register](http://www.fca.org.uk/register) or by contacting them on [REDACTED]



Association of Chinese Medicine Practitioners

英国中医执业医师学会

Chinese Massage Practitioner Certification

中医推拿从业人员证书

We hereby certify that

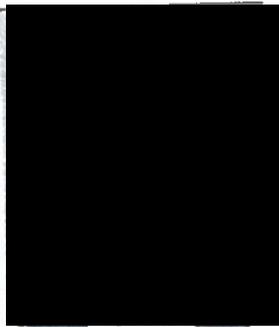


赵丹丹

Has been accepted as a member of  
Association of Chinese Medicine Practitioners(ACMP)  
And is a fully qualified practitioner of  
Chinese massage(Tuina)

All members of Register  
Are bound to uphold the highest Chinese Medicine  
And are bound by  
The Code of Ethics of the Association

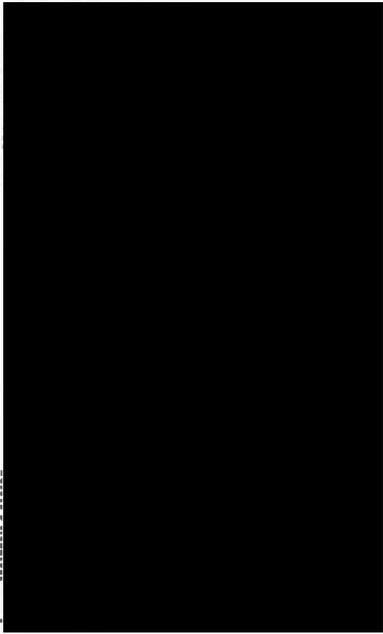
Membership No: 



President: 

Date of issue: 18 November, 2017

Expiry Date: 30 November, 2018





THE ASSOCIATION  
OF  
TRADITIONAL CHINESE MEDICINE AND ACUPUNCTURE UK

This is to certify that



茅 建 芳

having been admitted as a Full Member of  
the Association of Traditional Chinese Medicine and Acupuncture UK,  
is qualified to practise Traditional Chinese Medicine  
including Chinese Herbal Medicine, Acupuncture and Tuina therapy.

*All registered members of the Association are bound by  
The Code of Practice and the Code of Professional Conduct  
of the Association to uphold the highest standard of Chinese Medicine.*

Registration No:



President:



Registrar:



Date of Issue: **11<sup>th</sup> January 2013**



**The Chinese Tui Na & Reflexology  
Therapists Association UK  
CERTIFICATE OF MEMBERSHIP**

This is to certificate that

[REDACTED]

has been accepted as a member of The Chinese Tui Na & Reflexology Therapists Association UK (CTNRTA) and is a fully qualified practitioner of  
**Chinese Tui Na Massage                      Reflexology**

All registered members of CTNRTA are bound by code of conduct and ethics of the Association to uphold the highest standard of Chinese Tui Na Massage & Reflexology

**President: Hanbing Zhang**

[REDACTED]

[REDACTED]

[REDACTED]

Web: [www.chinesetuina.co.uk](http://www.chinesetuina.co.uk)

**Section one** To be completed by the employee

Please complete section one and then hand the form back to your present employer. If you later receive a form P45 from your previous employer, hand it to your present employer. Use capital letters when completing this form.

**Your details**

National Insurance number

This is very important in getting your tax and benefits right

[Redacted]

Title - enter MR, MRS, MISS, MS or other title

[Redacted]

Surname or family name

[Redacted]

[Redacted]

[Redacted]

First or given name(s)

[Redacted]

[Redacted]

[Redacted]

Gender. Enter 'X' in the appropriate box

Male  Female

Date of birth DD MM YYYY

[Redacted]

Address

House or flat number

[Redacted]

Rest of address including house name or flat name

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Postcode

[Redacted]

**Your present circumstances**

Read all the following statements carefully and enter 'X' in the one box that applies to you.

A - This is my first job since last 6 April and I have not been receiving taxable Jobseeker's Allowance or taxable Incapacity Benefit or a state or occupational pension.

OR

B - This is now my only job, but since last 6 April I have had another job, or have received taxable Jobseeker's Allowance or Incapacity Benefit. I do not receive a state or occupational pension.

OR

C - I have another job or receive a state or occupational pension.

**Student Loans**

If you left a course of Higher Education before last 6 April and received your first Student Loan instalment on or after 1 September 1998 and you have not fully repaid your Student Loan, enter 'X' in box D. (If you are required to repay your Student Loan through your bank or building society account do not enter an 'X' in box D.)

**Signature and date**

I can confirm that this information is correct

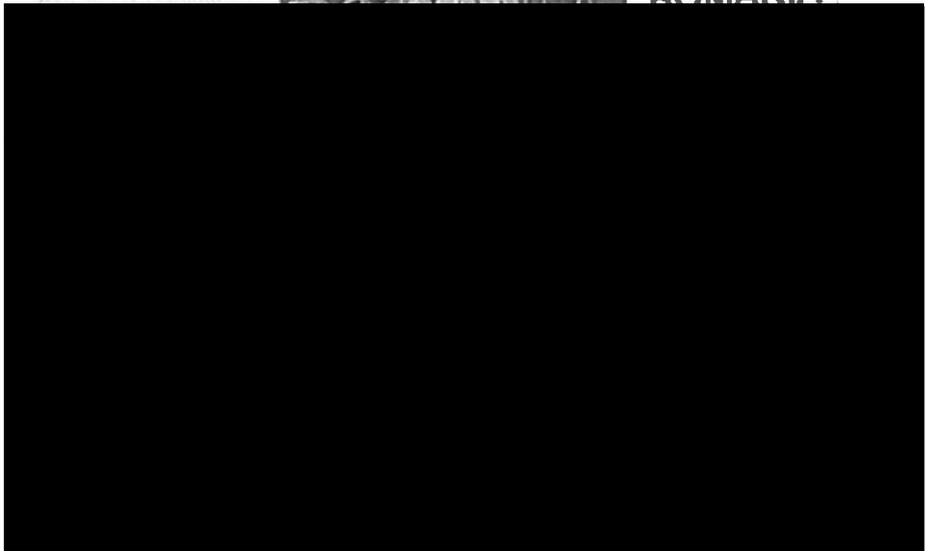
Signature

[Redacted]

Date DD MM YYYY

04 04 2018

ROMANIA



Glasgow Portcullis (LN) Jobcentre Plus Office  
5th Floor, Portcullis House, 21 India Street, Glasgow, G2 4PH  
Telephone: [REDACTED]

**jobcentreplus**

Department for  
Work and Pensions

Contact Telephone No: 0345 6000643  
Date: 1st August 2016

[REDACTED]

Dear Miss [REDACTED]

**About your National Insurance Number (NINo)**

You recently applied for a NINo.

**Your NINo has now been allocated and I can confirm it as:**

[REDACTED]

**Please note that this letter, containing your NINo, does not prove your Right to Work in the UK and, on its own, cannot be used to prove your identity.**

It is important to keep this letter safe. To help prevent identity fraud; do not give your NINo to anyone who does not need it.

**You must give your NINo to your employer when you start work.** This will make sure you pay the correct amount of tax and National Insurance contributions. If you do not tell your employer your NINo it may cause a delay in the payment of any benefits you may claim in the future.

To find out more about your NINo, why it is important and what to do if you lose it go to [http://www.direct.gov.uk/en/MoneyTaxAndBenefits/Taxes/BeginnersGuideToTax/NationalInsurance/IntroductiontoNationalInsurance/DG\\_190057](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/Taxes/BeginnersGuideToTax/NationalInsurance/IntroductiontoNationalInsurance/DG_190057)

If you are receiving benefits and your circumstances change, including changes to address, name or marital status, you must inform the office paying your benefit.

If you are not receiving benefits you should let HM Revenue & Customs (HMRC) know about any changes by writing to: HMRC, National Insurance Contributions & Employer Office, Benton Park View, Newcastle upon Tyne, NE98 1ZZ

Yours sincerely

On behalf of Manager



The Chinese Tui Na & Reflexology  
Therapists Association UK

**CERTIFICATE OF QUALIFICATION**

This is to certificate that

[Redacted Name]

has been assessed by The Chinese Tui Na & Reflexology Therapists Association UK, is a fully qualified practitioner of Chinese Tui Na Massage Thai massage Reflexology

President: Hanbing Zhang

Certificate No: [Redacted]

Issue Date: [Redacted]

Web: [www.chinesetuina.co.uk](http://www.chinesetuina.co.uk)

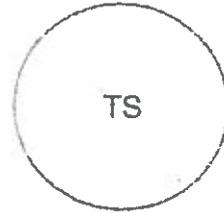
[Redacted]



ROMÂNIA

MINISTERUL MUNCII,  
FAMILIEI, PROTECȚIEI SOCIALE  
ȘI PERSOANELOR VÂRSTNICE

MINISTERUL  
EDUCAȚIEI NAȚIONALE



**CERTIFICAT  
DE CALIFICARE PROFESIONALĂ**



DIRECTOR  
DANALACHE MARIUS



PRESEDINTE  
ZAMEIR LENUTA



Data eliberării: anul 2011, luna ..... 03 ..... ziua 21.....

The undersigned [redacted] sworn translator for English & German languages, based on the authorization No. 718 /1998 issued by the Ministry of Justice of Romania, hereby confirm the accuracy of this translation from Romanian into English, the text seen by me has been translated completely/excerpt without omissions, and by its translation was not distorted its content and meaning.

The document whose translation is required in full / in excerpt has in its entirety 1 page, its title / name is **CERTIFICATE OF PROFESSIONAL QUALIFICATION** was issued by S.C. MAGIC ANDREEA BEAUTY SRL and was submitted to me in full / in excerpt.

The translation of this document has 1 page and was made according to the request registered under Nmb. 1/16.08.2017, kept in the archive of the undersigned.

Was paid the fee of 8 lei with the receipt / fiscal receipt / PO no 235 / 2017

Subsemnata [redacted] interpret și traducător autorizat pentru limba străină germana / engleza în temeiul autorizației nr. 718 din data de 15.10.1998, eliberată de Ministerul Justiției din România, certific exactitatea traducerii efectuate din limba romana în limba engleza, că textul prezentat a fost tradus complet/extras, fără omisiuni, și că, prin traducere, înscrisului nu i-a fost denaturat conținutul și sensul.

Înscrisul a cărui traducere se solicită în întregime/ în extras are, în integralitatea sa, un număr de 1 pagina, poartă titlu / denumirea de **CERTIFICAT DE CALIFICARE PROFESIONALĂ**, a fost emis de S.C. MAGIC ANDREEA BEAUTY SRL și a fost prezentat mie în întregime / în extras.

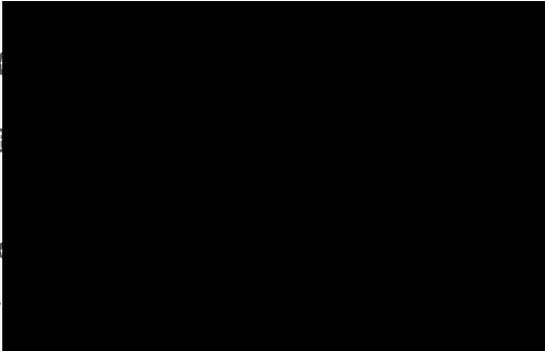
Traducerea înscrisului prezentat are un număr de 1 pagina și a fost efectuată potrivit cererii scrise înregistrate cu nr 1/16.08.2017 păstrate în arhiva subsemnatului.

S-a încasat onorariul de 8 lei, cu chitanță/bon fiscal/ ordin de plată nr 235 /2017.



Interpreter and certified translator,  
INTERPRET ȘI TRADUCĂTOR AUTORIZAT,

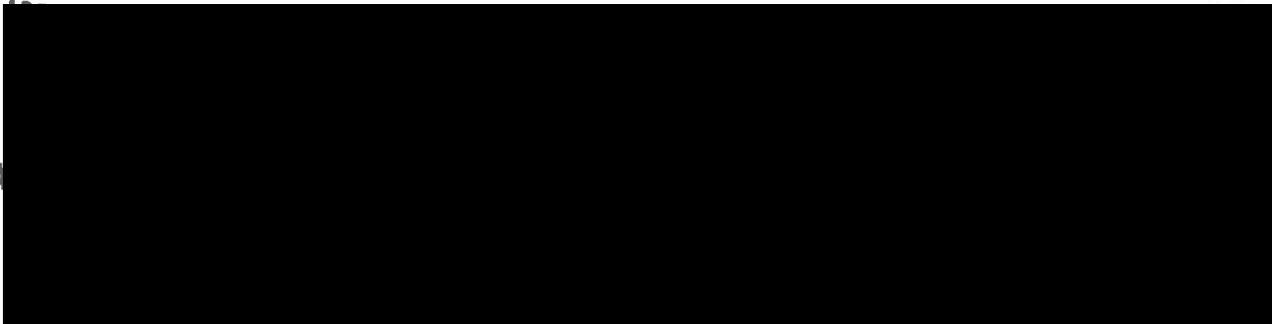
*Caramuzi*  
TRADUCĂTOR AUTORIZAT / AL  
MINISTERULUI DE JUSTITIE  
CARAMUZI CRISTINA  
nr. 718  
germană, engleză



ROMANIA / ROMÂNIA  
NATIONAL UNION OF NOTARIES PUBLIC / UNIUNEA NAȚIONALĂ A NOTARILOR PUBLICI  
NOTARY OFFICE / BIROUL NOTARIAL.....  
OPERATING LICENSE / LICENȚA DE FUNCȚIONARE NR.....  
REGISTERED OFFICE / SEDIUL:.....

**AUTHENTICATION OF THE TRANSLATOR'S SIGNATURE**  
**ÎNCHEIERE DE LEGALIZARE A SEMNĂTURII TRADUCĂTORULUI, NR [redacted]**

year/an: 2017 month /luna: 08 day/zi: 16



S-a încasat onorariul de 8 lei, cu chitanță/bon fiscal/ ordin de plată nr. 235 / 2017



ROMANIA

MINISTRY OF LABOR, FAMILY,  
SOCIAL PROTECTION AND OLD PEOPLE

MINISTRY OF NATIONAL  
EDUCATION

Series I No: [REDACTED]

*Embossed seal*

## **CERTIFICATE OF PROFESSIONAL QUALIFICATION**

**Mrs.** [REDACTED]

personal identification number: [REDACTED] born on [REDACTED]  
daughter of MARIAN and FLORICA attended during the period [REDACTED] the  
qualification /requalification/apprenticeship program for

### **MASSEUR TECHNICIAN**

with a duration of **1080** hours, organized by **S.C. MAGIC ANDREEA BEAUTY SRL**, with the  
registered office in **BUCHARET**, 5th district, registered in the National register of providers of  
adult vocational training under the No. 40/ 11708/2011 and passed the graduation exam in the  
year: 2014, month: 3, day: 1 with the average **10.00 (ten 00%)** and got the qualification of  
**Maseur Technician**.

This certificate is issued according to the provisions of the G.O. 129/2000, new edition  
and is accompanied by the descriptive supplement to the certificate.

**MANAGER,**  
**DANALACHE MARIUS**  
*Illegible signature*  
*Round seal*

**PRESIDENT,**  
**ZAMFIR LENUTA**  
*illegible signature*

Registrar,  
**IONESCU GABI,**  
*Illegible signature*

[REDACTED]

=====

Contact Telephone No: 0345 6000643  
Date: 5th December 2017

Dear Mrs [REDACTED]

**About your National Insurance Number (NINo)**

You recently applied for a NINo.

**Your NINo has now been allocated and I can confirm it as:**

**Please note that this letter, containing your NINo, does not prove your Right to Work in the UK and, on its own, cannot be used to prove your identity.**

It is important to keep this letter safe. To help prevent identity fraud; do not give your NINo to anyone who does not need it.

**You must give your NINo to your employer when you start work.** This will make sure you pay the correct amount of tax and National Insurance contributions. If you do not tell your employer your NINo it may cause a delay in the payment of any benefits you may claim in the future.

To find out more about your NINo, why it is important and what to do if you lose it go to [http://www.direct.gov.uk/en/MoneyTaxAndBenefits/Taxes/BeginnersGuideToTax/NationalInsurance/IntroductiontoNationalInsurance/DG\\_190057](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/Taxes/BeginnersGuideToTax/NationalInsurance/IntroductiontoNationalInsurance/DG_190057)

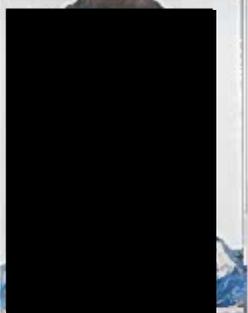
If you are receiving benefits and your circumstances change, including changes to address, name or marital status, you must inform the office paying your benefit.

If you are not receiving benefits you should let HM Revenue & Customs (HMRC) know about any changes by writing to: HMRC, National Insurance Contributions & Employer Office, Benton Park View, Newcastle upon Tyne, NE98 1ZZ

Yours sincerely

On behalf of Manager







**The Chinese Tui Na & Reflexology  
Therapists Association UK  
CERTIFICATE OF MEMBERSHIP**

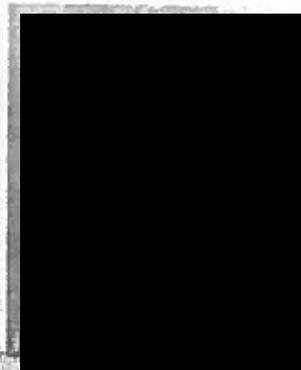
This is to certificate that



has been accepted as a member of The Chinese Tui Na & Reflexology Therapists Association UK (CTNRITA) and is a fully qualified practitioner of  
**Chinese Tui Na Massage                      Reflexology**

All registered members of CTNRITA are bound by code of conduct and ethics of the Association to uphold the highest standard of Chinese Tui Na Massage & Reflexology

**President: Hanbing Zhang**



Certificate No: [Redacted]  
Issue Date: 30 [Redacted]  
Expiry Date: 3 [Redacted]  
Web: [www.chinesetuina.co.uk](http://www.chinesetuina.co.uk)





has satisfied the requirements for the qualification

# VTCT Level 3 Certificate in Thai Massage



at

## The Lotus Academy

Date:

Registration No:

The award of this qualification is based on the successful attainment of the National Standards in units of competence as detailed on a Record of Achievement and/or one of more Certificates of Unit Credit.



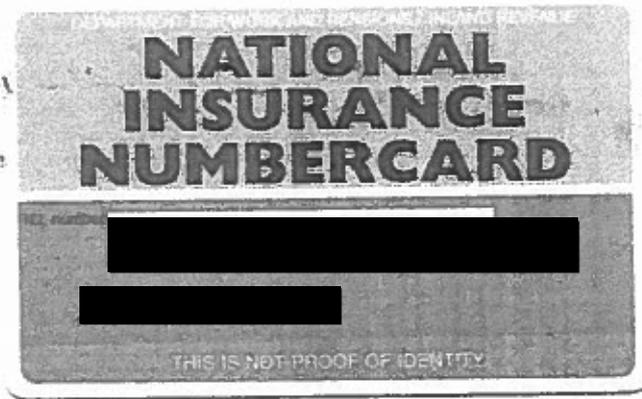
Alan Woods OBE  
Chief Executive

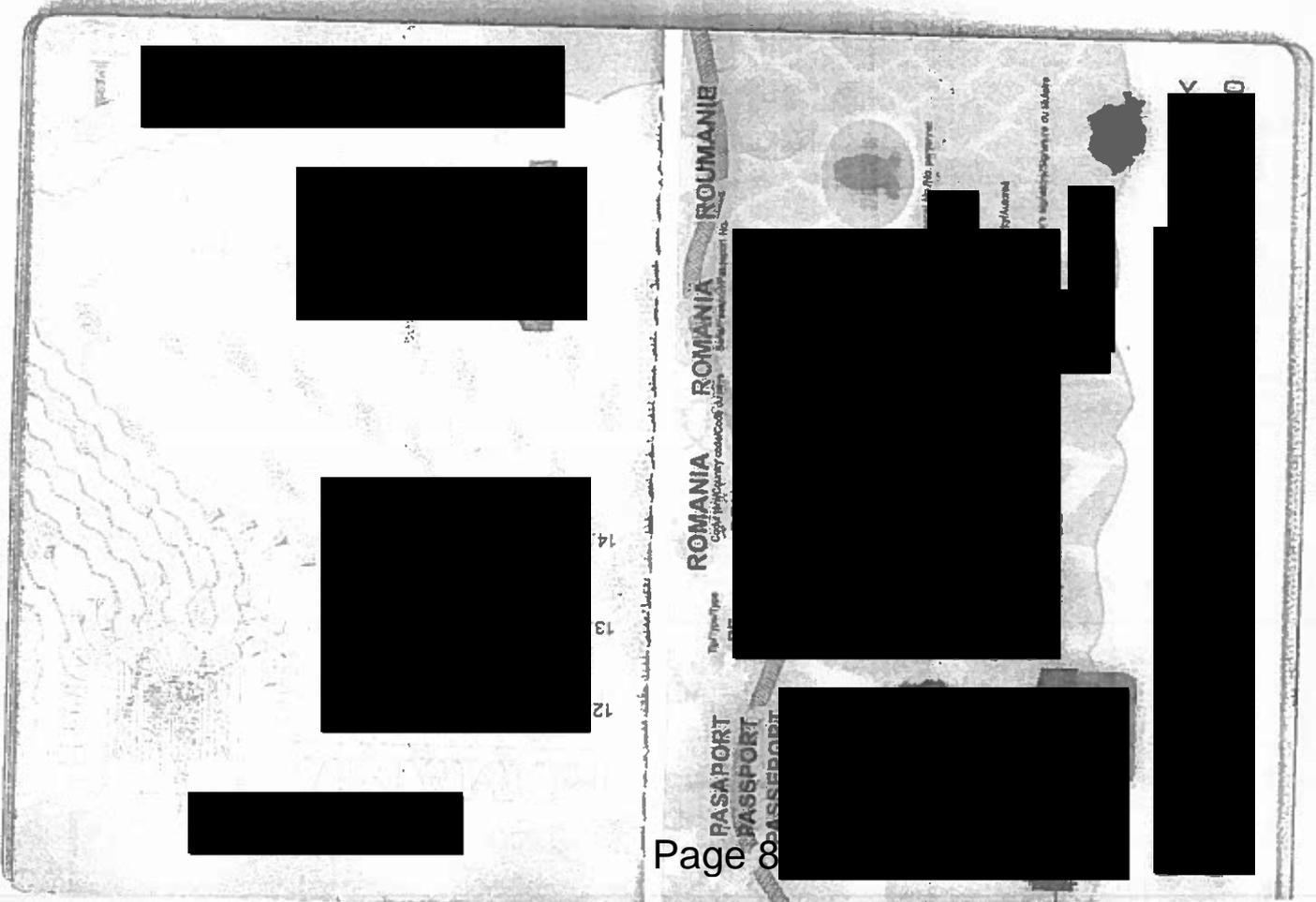


Registered in England and Wales number 2050044  
Registered as a national charity in Great Britain number 295192

The regulatory logos on this certificate indicate the qualification is accredited for England and Wales.







[Redacted]

[Redacted]

[Redacted]

[Redacted]

12  
13  
14

ROMANIA ROMANIA ROUMANIE

PASAPORT  
PASAPORT  
PASSEPORT

[Redacted]

[Redacted]

[Redacted]

V D



**Association of Chinese Medicine Practitioners**

**英国中医执业医师学会**

**Chinese Massage Practitioner Certification**

**中医推拿从业人员证书**

**We hereby certify that**



**Has been accepted as a member of  
Association of Chinese Medicine Practitioners(ACMP)  
And is a fully qualified practitioner of  
Chinese massage(Tuina)**

**All members of Register  
Are bound to uphold the highest Chinese Medicine  
And are bound by  
The Code of Ethics of the Association**

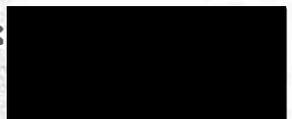
**Membership No:**



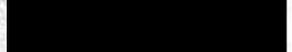
**President:**

*Minghua* **賈明華**

**Date of issue:**



**Expiry Date:**



PATIENT REF NO \_\_\_\_\_

PATIENTS RECORD:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Email Address \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_

SEX \_\_\_\_\_

OCCUPATION \_\_\_\_\_

TEL NO. (HOME) \_\_\_\_\_

(WORK) \_\_\_\_\_

(MOBILE) \_\_\_\_\_

GENERAL SYMPTOMS:

ARE YOU UNDERGOING MEDICAL TREATMENT?  
DETAILS (IF YES)

YES  NO (Please tick)

HAVE YOU HAD  ACUPUNCTURE /  ACUPRESSURE /  CHINESE HERBAL MEDICINE BEFORE  
(Please tick)

IF YES, WHEN \_\_\_\_\_ WHERE \_\_\_\_\_

ALLERGIES: (Please tick)

DRUGS  MEDIATION  OTHERS

IMMUNISATION: (Please tick)

TETANUS  POLIOMYELITIS  FOODS DIPHTHERIA  WHOOPING COUGH  
 MUMPS  TYPHOID  CHOLERA  HEPATITIS  A  B

HERBMEDIC specialises in traditional Chinese medicines, traditional and modern acupuncture, acupressure (without needle) and other Chinese therapies including cupping and moxibustion. The treatment is carried out by fully qualified and experienced practitioners. In the case of acupuncture treatment, only pre-sterilized and disposable needles are used to guarantee complete safety. I agree to take such treatments as proposed by the qualified Herbmédic practitioners.

SIGNED (patient) \_\_\_\_\_

DATE \_\_\_\_\_

PRACTITIONERS REMARKS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10mins/£10 15mins/£15 20mins/£20

- Mini - Chair Massage

30mins/£30 45mins/£40 60mins/£50

- Neck and Shoulder Massage
- Pregnancy Massage
- Slimming Massage
- Indian Head Massage

30mins/£30 45mins/£40 60mins/£50 90mins/£70

- Chinese Massage
- Swedish Massage
- Aromatherapy Massage
- Thai Massage
- Shiatsu
- Sports Massage
- Japanese (Sei Tai) Massage

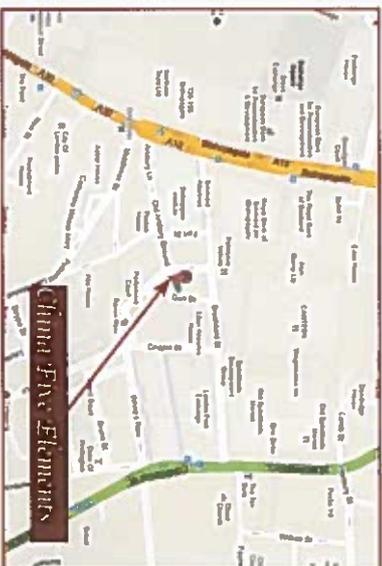
30mins/£35 60mins/£55

- Reflexology
- Deep Tissue Massage

### Pricing

- Consultation ..... FREE
- Acupuncture ..... 30mins £30.00  
60mins £50.00
- Massage ..... 30mins £30.00  
60mins £50.00
- Acupressure (Tui Na) ..... 30mins £30.00  
45mins £40.00  
60mins £50.00
- Herbs ..... per day £6.00
- Herbs Powder ..... per day £8.00
- Cupping ..... per session £20.00
- Moxibution ..... £10.00
- Ear Candle ..... £20.00
- Allergy Test ..... £40.00
- Chinese Herbal Product Varied
- Beauty & Skin Care ..... 45mins £45.00  
60mins £60.00

Acupuncture and Massage are Available at Discounted Price



## China Five Elements

- Acupuncture
- Massage
- Chinese Medicine



Tel:

020 7392 7605

Opening Hour

10:30am - 10:00pm

35 Artillery Lane, London E1 7LP

## Acupuncture

Acupuncture involves the expert and precise insertion of fine sterilised needles into specific locations on the body, called 'acupuncture points' to encourage a healing and corrective response. Acupuncture has been practised in eastern countries for well over 5000 years.

Acupuncture is a holistic approach to health. It treats the person, not just the symptoms of the illness, so there is no definitive list of treatable conditions. Acupuncture can be used for all health conditions. Among the more commonly treated disorders are:

- Digestive disorders such as Irritable Bowel Syndrome (I.B.S), constipation, diarrhoea, stomach ache, inflammatory bowel disorders etc.
- Psychological problems including depression, anxiety, panic attack and mood swings
- Stress and stress related conditions such as insomnia, hair loss
- Gynaecological disorders including painful periods, fibroids, menopausal symptoms, infertility, P.M.S.
- Sex drive problems, low sperm count, impotence, prostatitis
- Low energy, fatigue, M.E, poor immune function
- Migraine and headaches
- Pain including arthritis, sports injury, muscle strain etc.
- Backache, neck and shoulder tension, tennis elbow, frozen shoulder
- Skin disease including psoriasis, eczema, acne, dermatitis
- Sinusitis, hay fever and other allergies, sore throat
- Addictions, cravings, weight loss and stop smoking
- High blood pressure and poor blood circulation

## Massage

Massage therapy can rid your body of life's everyday stress, relax muscles, ease and soothes your aches and pains. Massage can restore balance to your body and mind, leaving you feel refreshed and helping you maintain a life of wellness and good health.

At Natural Wellness, you can select the massage treatment that best fits your needs all for the same affordable rate. If you aren't certain what type of massage you would enjoy most, our experienced massage therapists could help you to determine the best customized massage for you.



## Chinese herbal medicine

Chinese herbal medicine is one of the oldest and greatest herbal systems of the world. It consists of naturally occurring leaves, barks, flowers and roots which possess different characteristics and have different actions on body. Chinese herbal medicine works to correct internal imbalances, activate the body's self-healing processes and has long been proved to have dramatic healing effects.



## Reflexology

Ancient medical books say that the foot to a man is like a root to a tree. The root dies before a tree withers. A person's foot becomes weak before he gets old. To protect one's foot is the way to prevent one from getting old. The foot is called "the second heart in medicine." Reflexology is an ancient natural therapy that utilizes energy zones on the hands and feet to provide relief for a variety of illnesses as well as to energize the body system.

## Cupping

Cupping is an ancient Chinese practice where a cup is placed on the patient's skin. The pressure in the cup is removed, using different methods, creating a vacuum allowing the skin and superficial muscle layer to be drawn into the cup. This "pulling" effect on the skin stimulates the acupuncture point where the cup is placed. This regulates the flow of energy and Blood, and helps to draw out and eliminate pathogenic factors such as Wind, Cold, Damp, and Heat. Cupping is even more effective when used in conjunction with acupuncture & Chinese herbs.



**CHINA FIVE ELEMENTS**

• Acupuncture • Massage • Chinese Medicine •



**35 ARTILLERY LANE  
LONDON E1 7LP**

**Tel: 020 7392 7605**

**Opening Hours:  
10.00am - 9.00pm  
[www.chinafiveelements.com](http://www.chinafiveelements.com)**



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Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

URN:

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Statement of:

[REDACTED]

Age if under 18 (if over insert "over 18"): over 18

Occupation: Surveillance Operative

This statement (consisting of [REDACTED] Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature:

[REDACTED]

Date: 13/04/2018

Tick if witness evidence is visually recorded:  (Supply witness details on last page)

**Statement**

1. I am [REDACTED] and I am employed by [REDACTED], of [REDACTED].
2. I was instructed by [REDACTED] to attend China Five Elements, 35 Artillery Lane, London, E1 7LP, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 14:00 hrs on the 13/04/2018 I visited China Five Elements, 35 Artillery Lane, London, E1 7LP, in order to conduct a test purchase task.
4. Upon entering the premises, I was greeted by a male who appeared to be Asian. This male was wearing a suit. The male was seated behind a desk and was using both a mobile phone and a laptop. I asked the male for massage prices, to which he responded by showing me a price list. The price list stated prices from between £45 for 30 minutes up to £120 for 120 minutes. I opted for the £45 massage and paid in cash.
5. The male led me to a room which was the third door on the left. This door was one of what appeared to be a total of six doors. There was a massage bed within the centre of the room, there were two candles on a table and there was a sink on the far wall under the window. The room was painted light brown.
6. Within the room a female was waiting. This female appeared to be Eastern European. The female was tall and had jet black hair. The female was wearing blue jeans, a white t-shirt and black boots. The female asked me to take off my clothes and lay on the bed. The female left the room whilst I undressed, without removing my underwear. A few minutes later the female knocked on the door and re-entered the room.

Name / Signature:

[REDACTED]

[REDACTED]

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

7. *The female began to massage me. I would describe this as a soft and relaxing massage. The theme song from the film "Titanic" was playing on repeat during the massage. During conversation the female stated that she only works on Fridays and that she works until 21:00 hrs.*
8. *A few minutes into the massage, the female requested that I removed my underwear. I replied "If that's what's needed", after which the female then removed my underwear and continued the massage.*
9. *After approximately 20 further minutes, the female began to touch my crotch area. It appeared as though the female was attempting to incite a reaction.*
10. *Towards the end of the massage the female asked if I wanted anything more than a massage. I enquired as to what this meant, to which she replied a "happy ending" was £40, "with breasts" was £60 and "completely naked" was £100. I refused these offers, stating that I had no remaining cash. The massage then continued.*
11. *After the 30 minutes had expired I put my clothes on and departed the premises.*
12. *During this visit I was offered, without any previous suggestion by myself, services of an apparent sexual nature.*
13. *I declined all offers of such services.*
14. *Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 27/03/2018. I exhibit these as DH.004.*
15. *I believe the facts stated in this witness statement are true.*

Name / Signature: .....

Log of events for China five elements, 35 Artillery Ln, London E1 7LP on 13/04/18

At approximately 1400 I entered China five elements. I was greeted by a well dressed Asian male. The male was in a suit and seated behind a desk on a mobile phone also using a laptop. I asked the male for prices for massages to which I was shown price list it stated £45 - 30 mins all the way up to £120 for - 120 mins. I paid £45 cash and was taken by the male to the 3rd door on the left of a possible 6 in total. On entering there was a massage bed in the centre of the room, two candles on a table, a sink on the far wall under the window. The room painted light brown. Waiting in the room was a tall eastern European female with jet black hair. The female was wearing blue jeans and white t-shirt with black boots. The female left the room asking me to take off my clothing and lay on the bed. Few minutes later the female knocked and entered. Female started a soft,relaxing massage. After a few minutes the female asked that I took my underwear off too which I replied "If that's what's needed" the female then took them off. Continued massage. After approximately 20 minutes the female began touching me in the crotch area almost trying to get a few tions from me. Towards the end I was asked if I wanted anything more than a massage. I then asked what she meant and was told..... happy ending £40 with breasts I show £60 and completely naked was £100. Op refused saying I had no cash left. Massage continued. After 30 was up I got changed and departed. During the Massage, titanic was playing I repeat. In convo the female states she works Friday's only and until 9pm

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Our spa is the perfect escape for you where you can rest your mind and body whilst experiencing first class treatments at a very affordable price. Our treatments include acupuncture, traditional Chinese massage, Swedish massage and Thai massage and prices begin at just £30 for a 30 minute massage that will leave you glowing and rejuvenated.

There are currently eleven Google reviews for the business, one of which was left by a [REDACTED] 2 years ago. He explains that after booking a 30-minute sports massage, he was "covered with a towel which was removed after 2 minutes". He exclaimed that the "back massage seemed wrong", and that his masseuse focussed on his "groin/upper thigh area for a few minutes", before offering him services of a sexual nature.

D

[REDACTED]

1 review

★★★★★ 2 years ago - [REDACTED]

I had a sore lower and upper back. I booked a 30 minute sports massage and was given a booking immediately. I was shown into the massage room and asked to undress so removed shirt/shoes. The lady came in and asked me to remove trousers so I did, she then asked me to remove underwear which for some reason I did, I then quickly lay on my stomach. I was covered with a towel which was removed after 2 minutes.

The back massage seemed wrong as she stood at my head and massaged down my spine, from neck to buttocks, I am not a qualified masseuse but I was always taught you massage up the spine towards the heart. After 15 minutes I was asked to lie on my back (I had no underwear on) so I did which felt awkward. She paid particular interest in massaging my groin/upper thigh area for a few minutes at which point she grabbed my 'thing' and asked if I wanted a happy ending for £20.

I have had my wallet stolen before and been stabbed in a taxi in Cape Town South Africa, the feeling I got here was no different, I feel violated, I am a family man and only wanted some immediate relief to a painful back which 2 hours after the massage is more painful than when I went in there.

Needless to say I wont be going back, and would recommend going to a registered physiotherapist for treatment instead.

Our searches also enabled us to locate several discussions regarding China Five Elements on a site dedicated to reviews of 'punting' in the UK. The topic, entitled 'London massage shop mini reviews', contained a post<sup>2</sup> by a user under the name of [REDACTED] on 14<sup>th</sup> April 2017, who describes his experience at the business. He stated that he was attended to by a woman named "tanya or tara", and details that the service he received there was of a sexual nature.

[REDACTED]

[Reply #3 on: April 14, 2017, 11:22:26 pm](#)

Quote

Posts: 866

Reviews: 15

China five elements - 35 artillery lane  
 Girl - tanya or tara I think. Romanian. Very hot body - mid twenties. Got topless HE for £40 (plus 30 for 30) which is a tad expensive for me. She asked for much more. So-so effort and so-so massage but fuck was she hot

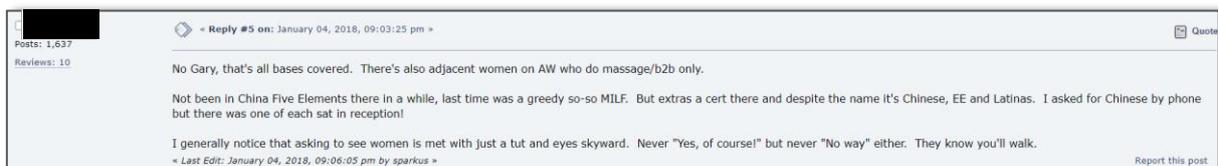
Report this post

<sup>2</sup> <https://www.ukpunting.com/index.php?topic=139562.msg1547249#msg1547249>

Furthermore, another discussion<sup>3</sup> was located in which an [REDACTED] stated on 21<sup>st</sup> October 2017 that he said "seen some good intel on... china five elements", although he did not go into detail as to what this information pertained to.

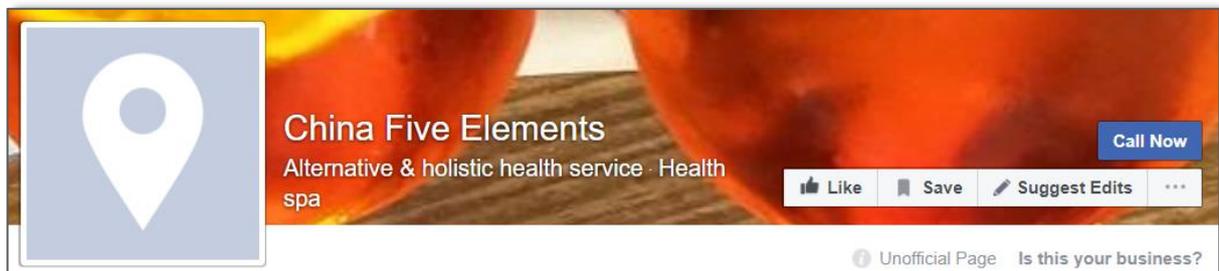


In addition, our searches also enabled us to identify a discussion<sup>4</sup> entitled 'Liverpool Street Area Massage', in which a user under the name of [REDACTED] posted on 4<sup>th</sup> January 2018 that "extras a cert there", suggesting that the business offers services of a sexual nature.



## Social Networking Analysis

Searches were carried out on all major social networking sites to locate social media accounts for the company, which revealed a Facebook page for 'China Five Elements'. We were able to identify an unofficial Facebook page<sup>5</sup> for the business. It lists a contact number of [REDACTED] which is currently live.



Extensive search term analysis has been conducted on social media using a variety of key words and phrases designed to locate any social media discussing the location of China Five Elements, but these searches did not return any pertinent information.

## Location Searches

Searches were carried out on the area around the location of the supplied address to see if there were any posts of note but unfortunately no posts could be located with any relevance to China Five Elements.

<sup>3</sup> <https://www.ukpunting.com/index.php?topic=166193.msg1783903#msg1783903>

<sup>4</sup> <https://www.ukpunting.com/index.php?topic=177396.msg1875246#msg1875246>

<sup>5</sup> <https://www.facebook.com/pages/China-Five-Elements/307102889418764>



## Single Justice Procedure Notice

China Five Elements Limited  
35 Artillery Lane  
London E1 7LP

Case reference: [REDACTED]  
Company no: 7997820

Posting Date: 3 August 2018

You have been charged with the offence on the Charge Sheet overleaf

**You now have 21 days to plead either guilty or not guilty to the offence**

### What happens next?

You must plead guilty or not guilty by post to the charge detailed on the Charge Sheet overleaf

Fill in the forms in this pack, including the Statement of Assets and financial circumstances (MC100)

If you **plead guilty** using one of the options in this notice, you will usually get a 33% reduction on any fine

### Important

***You have 21 days to respond*** or the case may proceed without you and you may be found guilty and sentenced in your absence.

If you want to consult a solicitor or advice agency, you must do so immediately.

*Fill in the forms in this pack, including the 'Statement of Financial Circumstances' (Form MC100) and send them to:*

Thames Magistrates Court  
58 Bow Road  
London  
E3 4DJ

To contact Legal Services please write to  
Mulberry Place, 5 Clove Crescent, E14 2BG

(Tel: [REDACTED])  
(Email: [REDACTED])

You have been charged with the following offences:

- (1) On 13 April 2018, China Five Elements, 35 Artillery Lane, London E1 7LP was used as an establishment for special treatment otherwise in accordance with the terms, conditions or restrictions to which the licence is held IN THAT the premises was used for the purpose of soliciting services of prostitution

**Contrary to section 14(2) of the London Local Authorities Act 1991**

- (2) On 13 April 2018, China Five Elements, 35 Artillery Lane, London E1 7LP was used as an establishment for special treatment otherwise than in accordance with the terms, conditions or restrictions to which the licence is held IN THAT treatment by way of massage was given below the neck and above the knee to a male client by a female masseuse without prior written consent of the Council

**Contrary to section 14(2) of the London Local Authorities Act 1991**

These charges are authorised by Asmat Hussain, Corporate Director: Governance and Monitoring Officer.

Date: 3 August 2018

# Companies House

**BETA** This is a trial service — your [feedback](https://www.research.net/r/chbeta) (https://www.research.net/r/chbeta) helps us improve it.

Search for companies or officers

## CHINA FIVE ELEMENTS LTD

Company number **07997820**

- [Officers](#)
- [Persons with significant control](https://beta.companieshouse.gov.uk/company/07997820/persons-with-significant-control) (https://beta.companieshouse.gov.uk/company/07997820/persons-with-significant-control)

### Filter officers

Current officers

[Apply filter](#)

**1 officer / 0 resignations**

#### LIN, Wei

Correspondence address: [REDACTED]

Role Active **Director**

Date of birth [REDACTED]

Appointed on **20 March 2012**

Nationality **British**

Country of residence **United Kingdom**

Occupation **Doctor**

[Is there anything wrong with this page?](#)

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Official Use Only	
Fee	£328.40
On-Line Receipt No.	
C&D Receipt No.	257080
Licence No.	

Customer Use  
On-line Receipt 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,



Renewal 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>Name: WEI LIN Maiden name (if applicable): Address (private):  Date of birth: [REDACTED] Telephone No: [REDACTED] Passport No: [REDACTED] OR NI No:</p>
<p>2. Trade name and address of premises</p>	<p>Name: China Five Elements Address: 35 Artillery Lane London E1 7LP  Telephone No: [REDACTED] Email: [REDACTED] Opening hours (proposed) 10:00 Am ~ 9:00pm</p>
<p>3. Please supply details of person responsible for the management of the establishment if other than the applicant.</p> <p>Please enclose 2 passport-sized photographs of applicant</p>	<p>Full Name: Address (private):  Date of birth: Telephone No: Passport No: OR NI No:</p> <p><input type="checkbox"/> Enclosed (tick if applicable)</p>

<p>4. (a) Is it proposed to employ staff at the establishment?</p> <p>(b) If so state numbers</p>	<p>(a) <input checked="" type="checkbox"/> YES/NO</p> <p>(b)</p>
<p>5. (a) What is the legal title of the applicant(s) to occupy the premises (e.g. freehold, leasehold etc.)</p> <p>(b) If leasehold please give details of the name and address of the landlord.</p>	<p>(a) leasehold</p> <p>(b)</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>Acupuncture. Massage. Tui-Na Reflexology</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>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</p> <p>(a) Owner or director of owning company; or (b) employee</p>	<p>Address:</p> <p>(a) (b)</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) Yes</p>

12. Please indicate whether the following are enclosed with your application. (A licence cannot be issued without them. These must be provided at every renewal application)

If you have already submitted current qualifications for each operative and they are still employed at your premises you will not need to supply these documents again.

- Electrical inspection certificate for portable appliances, as requested under the Electricity at Work Regulations 1989
- Two passport-sized photographs of applicant and operators
- Copies of each operator's current qualifications under the conditions of licence
- A copy of the customer vetting/history card
- Copies of the current treatment list and price list
- Third-party insurance
- 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.

**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
You must list all the therapists working at your premises even if we already have their details	Please list all the treatment each therapist will be performing	Please provide their qualifications, unless you have already submitted these previously. If that is the case please state: previously			
[REDACTED]	Acupuncture Massage Tui Na Massage	Practitioner Council ATCM		[REDACTED]	[REDACTED]
[REDACTED]	Acupuncture Massage Tui Na/Massage	AC/MDS		[REDACTED]	[REDACTED]
[REDACTED]	Massage Tui Na Massage Shiatsu Sports Massage Acupressure Reflexology	IPTI		[REDACTED]	[REDACTED]
[REDACTED]	Thai Massage	IPTI (C&F Level) VCHSTA		[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 15/09/2017 ..... 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	China Five Elements
Registered Office address of Limited Company	35 Artillery Lane London E1 7LP
Telephone number	
Registered Company number	
Names of all Directors and position.	WEI LIN
Are any of the Directors involved with other companies that hold a Special Treatments Licence? Please detail.	None
Does the Limited Company have licensed premises elsewhere?	None
If so, please detail.	

This form has been completed by WEI LIN.....(name)  
.....Director.....(position)

..........(signature)  
.....10/09/2017.....(date)

NOTE

- A. The application should be made by the occupier of the premises.
- B. In the case of a limited company, please also complete Part 4 which seeks details of the company.
- C. Four sets of plans of the premises must be submitted in accordance with directions contained in the Council's rules governing applications for licences.
- D. If required, a notice on the form prescribed by the Council must be exhibited at the premises for twenty-eight days from the date on which the application is made, and within seven days the application must be advertised in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagents.
- E. Licences normally expire 12 months from the date of issue.
- F. If premises are not already constructed or adapted so as to permit access to and from the premises by disabled people, the Council will expect proposals to be submitted to the Environmental Health Department indicating how such access will be afforded.
- G. Premises are reminded that it is against the law to smoke in all 'enclosed' and 'substantially enclosed' public places and workplaces. No smoking signs must be displayed in all smokefree premises. Staff smoking rooms and indoor smoking areas are no longer allowed.
- H. Two identical full-face passport size photographs (taken within the previous 12 months) of all persons who will be giving treatments at the premises must be supplied with this form. Each photograph should be endorsed with the date on which it was taken, bear the name in block capitals of the person whose likeness it bears, and be signed by the applicant.
- I. No person may give treatments until the Council's approval has first been obtained.
- J. Where 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.

• THE LICENCE FEE IS NON REFUNDABLE – IN ANY EVENT YOU DECIDE TO WITHDRAW YOUR APPLICATION THE LICENCE FEE WILL BE RETAINED TO COVER ADMINISTRATION COSTS.

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<p>Non-Executive Report of the:</p> <p><b>Licensing Committee</b></p> <p>28<sup>th</sup> November 2018</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> David Tolley, Head of Environmental Health and Trading Standards Directorate of Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>London Local Authorities Act 1991 Hearing to consider the objection to China Health Spa Limited, Unit 1-2 Horizon Building, 15 Hertsmere Road, London, E14 4AW renewing their Special Treatment Licence</b></p>	

<b>Originating Officer(s)</b>	Charlotte Basten, Environmental Health Officer
<b>Wards affected</b>	Canary Wharf

## 1. EXECUTIVE SUMMARY

Licence Holder:	<b>China Health Spa Ltd</b>
Name and Address of Premises:	<b>China Health Spa Unit 1-2 Horizon Building 15 Hertsmere Road London E14 4AW</b>
Licence sought to refuse to renew:	<b>Special Treatment Licence under The London Local Authorities Act 1991 Application to renew a Special Treatment Licence</b>
Objectors:	<b>Natalie Thompson, Principal Environmental Health Officer, Licensing and Safety Team</b>

## 2. RECOMMENDATIONS

- 2.1 The Licensing Committee is recommended to consider the objection to the renewal of the special treatment licence and then adjudicate accordingly.

## 3. BACKGROUND

- 3.1 This is a report by the Licensing and Safety Team to object to the renewal of the special treatment licence for China Health Spa Limited trading as China Health Spa, Unit 1-2 Horizon Building, 15 Hertsmere Road, London, E14 4AW following evidence obtained that services of a sexual nature are being offered by the business at the premises.
- 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 renewal of a special treatment licence may be refused under The London Local Authorities Act 1991 Section 8.
- 3.4 China Health Spa Ltd has applied to renew their Special Treatment licence which expired on the 1<sup>st</sup> of October 2018. 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 refuse to renew 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 refusing to renew a licence, the applicant may within twenty one days of being notified of the Council's decision, 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 renewal is refused under section 13(5) (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 by the Licensing Committee to refuse to renew the licence. The report detailing the reasons for this can be found at **Appendix 4**. Find below a summary of the comments.

- On the 23rd March 2018, a male test purchaser visited China Health Spa as a customer to conduct a test purchase. The test purchaser paid £50 for a Swedish massage. The female masseuse instructed him to take all of his clothes off and had only a small towel to cover his buttocks. During the massage, the masseuse had taken the towel off to massage the buttocks and occasionally touched his private parts. The masseuse behaved in a manner which could be said to be sexually suggestive.,

- On the 21st May 2018, a second test purchase visit was undertaken at the premises. The male test purchaser opted to pay £45 cash for a deep tissue massage. During the massage, the female masseuse offered him 'extra services'. Towards the end of the massage, the masseuse focused on his buttocks and asked if there was anything else that he wanted. When asked what she meant by this, she responded that her prices started at £40. When asked again what this would entail, she stated that it would be for 'hand relief' with 'teasing' and that she did not offer 'mouth relief'."
- An alleged former employee of China Health Spa who says they worked as a masseuse in the premises in 2016 and requested to remain anonymous advised an Officer in the licensing and safety team that this business was not run in a professional manner and has written a statement to this effect. Members need to consider how much weight they give to the alleged ex employee's statement because it is unsigned. The employee wished to remain anonymous as she was afraid of repercussions.
- The persons concerned in the conduct and management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a licence. (Section 8c) as they were in control of the business at the time of the test purchases.

## **6. Recommendations**

- 6.1 Following the report to refuse the renewal of the licence, Members are asked to consider the representation when determining whether to refuse the renewal of the licence.

## **7. Summary of Premises and Licence History**

- 7.1 China Health Spa Limited was first issued a special treatment licence on the 5<sup>th</sup> of December 2011.

## **8. Complaints and Enforcement History**

- 8.1 On the 13th April 2017 a petition containing 101 signatures of residents local to the Liverpool Street area was handed to the council by the Corporation of London. The petition requested that all massage premises in the area were investigated for compliance with their licence conditions. China Health Spa which is not local to this area was included in the investigation due to comments received from an alleged former employee and also from a Tower Hamlets Council employee.
- 8.2 The premises has received the following visits from the Local Authority in the last 24 months:

Date	Authority	Nature of visit
01/09/2011	Licensing and Safety	Licence inspection. Several points required action. - No accident book on site. -Portable Electrical Equipment not tested
09/09/2011	Smoke Free	Smoke free complaint visit
22/11/2012	Licensing and Safety	Licence inspection. Several points required action. -No accident book on site. - Portable Appliance Test Certificate not provided -Therapists' details and qualifications not provided/ satisfactory - Expiry of professional liability insurance - No gloves available for use Items stored in electrical cupboard - Sharps containers not adequately disposed of.
13/11/2013	Licensing and Safety	Licence Renewal Inspection. Several points required action.  -Unsatisfactory medical history checks for clients. - Loose flooring in massage room presenting a slips and trips hazard - Lack of Accident book
22/10/2014	Licensing and Safety	Licence Renewal Inspection. Several points required action: - Expiry of therapists qualification certificate - Shower not flushed on a weekly basis
03/11/2015	Licensing and Safety	Licence Renewal Inspection. No issues found.
11/10/2016	Licensing and Safety	Licence Renewal Inspection. The following required action: - The sharps box in the acupuncture room was full
27/10/2017	Licensing and Safety	Licence Renewal inspection. Several Points required action. - Requirement for therapist qualification for Facials - Lino floor joint separated in the Acupuncture room , potential tripping hazard - Lack of suitable lidded bins in every treatment room

		<ul style="list-style-type: none"> <li>- Fire extinguishers not serviced and not wall mounted</li> <li>- A clean lidded container not being on hand to store sterile nail tools</li> <li>- A no smoking sign not provided at the entrance of the premises</li> </ul>
23/03/2018	Licensing and Safety	Test purchase. Services of a sexual nature were not offered, but there was sexually suggestive behaviour by the masseuse during the test purchase.
21/05/2018	Licensing and Safety	Test purchase. Services of a sexual nature were offered to the test purchaser at the time of the visit.
23/05/2018	Licensing and Safety	Test purchase. Services of a sexual nature not offered.
29/10/2018	Licensing and Safety	Licensing renewal visit- No hot water
5/11/2018	Licensing and Safety	Revisit to check – hot water provided

8.3 The licence holder has been referred to the Council's Legal team for prosecution under the London Local Authorities Act 1991.

## 9. **Special Treatment Licences and Determination**

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

## 10. **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 Environmental considerations: There are no environmental implications.

11.3 Crime reduction: One of the key objectives of the Council is to 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.

11.4 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.

11.5 Risk Management: The Council will be at risk of legal challenge if its processes are not transparent and evidentially based.

## **12. COMMENTS OF THE CHIEF FINANCE OFFICER**

12.1 The Chief Finance Officer has been consulted on this report and has no additional comments to make.

## **13. COMMENTS OF LEGAL SERVICES**

13.1 Section 10 of the London Local Authorities Act 1991 enables the local authority to make regulations prescribing standard conditions applicable to all licenses for special treatment premises.

13.2 The London Borough of Tower Hamlets made such regulations which are produced as Appendix 2 to this report, and one of those regulations, 7(B) says, "The licensee shall ensure that no part of the premises are used by prostitutes, for soliciting or any other immoral purposes."

13.3 Section 9(2) of the London Local Authorities Act 1991 empowers the Council to revoke a special treatments licence for any of the reasons set out in section 8 of that Act.

13.4 Section 8 of that Act sets out a number of grounds under which a special treatments licence can be revoked by the Council, as set out in paragraph 4.4 of this report.

13.5 This matter is currently the subject of a pending prosecution, with an initial court hearing due on 13<sup>th</sup> December 2018. Although the matter has not been concluded at court, Members may still consider the application to revoke the licence if satisfied it is more probable than not that on 21<sup>st</sup> May 2018, services of a sexual nature were offered by a masseuse employed at the premises, contravening regulation 7 (B) above of the London Borough of Tower Hamlets' regulations regarding the operation of a special treatment licence.

## **14. APPENDICES**

<b>Appendix 1</b>	A copy of the current special treatment licence.
<b>Appendix 2</b>	A copy of the standard conditions for special treatment licences.
<b>Appendix 3</b>	Regulations for annual special treatment licences under section 10 (1) of the London Local Authorities Act 1991
<b>Appendix 4</b>	Report from the Environmental Health Department
<b>NAT.CHS.1</b>	Special treatment licence renewal application and supporting documents
<b>NAT.CHS.2</b>	Statement from an alleged former employee of China Health

	Spa
<b>NAT.CHS.3</b>	Witness statement of test purchase conducted on 23/3/18
<b>NAT.CHS.4</b>	Witness statement of test purchase conducted on 21/5/18
<b>NAT.CHS.5</b>	Court summons
<b>NAT.CHS.6</b>	List of directors from Companies House
<b>NAT.CHS.7</b>	List of persons with significant control of the company
<b>NAT.CHS.8</b>	Special treatment licence renewal application regarding licence in place at the time of the test purchase

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**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:**

Charlotte Basten, Environmental Health Officer  
Ext: 6646

# APPENDIX 1



## TOWER HAMLETS

Licence / Registration

Certificate Number

24063

### LONDON LOCAL AUTHORITIES ACT 1991 LICENCE FOR SPECIAL TREATMENT PREMISES

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

To: **China Health Spa Ltd**

T/A: **China Health Spa  
Unit 1-2 Horizon Building  
15 Hertsmere Road  
London E14 4AW**

for the provision of the following special treatments

**Acupuncture, Tui-Na (Acupressure), Massage, Manicure, Pedicure,  
Facials**

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

Fee: **£328.40**

Date Licence Issued: **7<sup>th</sup> November 2017**

Date Licence Expires: **1<sup>st</sup> October 2018**

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 **257082** Fee Paid **328.40** Fee Req. **328.40** Date **26/9/17** Initial

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# APPENDIX 2

## 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 1/10/18 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
<b>China Health Spa Unit 1-2 Horizon Building, 15 Hertsmere Road, London, E14 4AW</b>	<b>China Health Spa Ltd</b>	<b>Acupuncture, Tui-Na (Acupressure), Massage, Manicure, Pedicure, Facials</b>



# APPENDIX 3

## **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 CO<sub>2</sub> 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 suitably 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.

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**TO** Licensing and Safety Team

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**FROM** Natalie Thompson

**REFERENCE:** China Health Spa

**DATE** 29<sup>th</sup> October 2018

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**Re: China Health Spa Limited**

**T/A China Health Spa, Unit 1-2 Horizon building, 15 Hertsmere Road, London, E14 4AW**

Reference is made to the Special Treatment License for the above premises. Currently the business holds a premises special treatments licence to carry out acupuncture, tui-na (acupressure), massage, manicure, pedicure and facials. The premises made an application to renew their licence which was received by the council on the 2<sup>nd</sup> October 2018 See **NAT.CHS.1** for a copy of the application and supporting documents.

An objection to the renewal of the special treatment licence is being made for the following reasons;

1. The Licensing and Safety Team has evidence of the premises being improperly conducted. *London Local Authorities Act 1991, Section 8 (e)*. In May 2018 the Licensing and Safety team received intelligence from an alleged former staff member of China Health Spa at Unit 1-2 Horizon building, 15 Hertsmere Road, London, E14 4AW that China Health Spa was breaching several of its licence conditions. This was in the form of an unsigned statement. Please see the statement as **NAT.CHS.2** The statement alleges that male clients were permitted to be massaged by female masseuses, that they were permitted to be naked during the massage, and that masseuses worked there without the necessary qualifications. During correspondence with council officers the employee also alleged that masseuses were expected to offer services of a sexual nature to male clients. She found clients stark naked waiting in expectation for sexual services and when she declined she was threatened with losing her job. Clients were also allowed to choose their own masseuses based on physical attributes.
2. The business *China Health Spa* has been investigated and found to be offering services of a sexual nature to customers. Evidence of this is attached in the form of witness statements from test purchasers from a company hired by the council to carry out the visits. One was conducted on the 23<sup>rd</sup> March 2018. During a massage the masseuse had taken a towel that was covering the test purchaser's private parts off to massage the buttocks and used this as an opportunity to occasionally touch his private parts. The test purchaser was touched in a manner which was of a sexually suggestive nature. The statement can be seen as **NAT.CHS.3** During a second test purchase on the 21<sup>st</sup> May 2018 the female masseuse voluntarily offered the test purchaser 'extra services'. Towards the end of the massage, the masseuse focused on his buttocks and asked if there was anything else that he wanted. When asked what she meant by this, she responded that her prices started at £40. When asked again what this would

entail, she stated that it would be for 'hand relief' with 'teasing' and that she did not offer 'mouth relief.'" This was a clear offering of a sexual service in addition to the massage. The witness statement for this test purchase is included as **NAT.CHS.4.**

3. This matter has been brought to the courts for prosecution by the council. The summons shows the charges that have been made against the company in relation to the business at the premises of China Health Spa, Unit 1-2 Horizon building, 15 Hertsmere Road, London, E14 4AW. See Appendix **NAT.CHS.5.** The first hearing is on the 13<sup>th</sup> December 2018.
4. The director of the company, China Health Spa Ltd is Ying Zhou. Mr Bud Klair is the company Secretary. See the list of officers from companies House as **NAT.CHS.6.** Mr Bud Klair has been secretary of the company since 2009. Ying Zhou has been director since 2011. Mr Bud Klair is the applicant on the special treatment licence renewal application and has also identified himself as the person responsible for the management of the premises by leaving section 3 of the form blank. See **NAT.CHS.1.** At the time of the test purchase Zhiming Chen was listed on the application form as having management responsibility. Zhiming Chen is listed on companies house as a person with significant control of the company. See **NAT.CHS.7** See **NAT.CHS.8** for the previous renewal application form. The persons concerned in the conduct and management of the premises used for special treatment could be reasonably regarded as not being fit and proper persons to hold such a licence. (Section 8c) as they were in control of the business at the time of the test purchase.
5. Under Section 8 of the London Local Authorities Act 1991 the Borough Council may choose not to renew a licence for grounds mentioned in Section 8 (c) which includes premises being improperly conducted and the licence holder not being a fit and proper person to hold a licence.

**Natalie Thompson**

**Principal Environmental Health Officer  
Licensing and Safety**

**List of Appendices**

NAT.CHS.1 = Special treatment licence renewal application and supporting documents.  
NAT.CHS.2 = Statement from an alleged former employee of China Health Spa.  
NAT.CHS.3 = Statement detailing test purchase carried out on 23/03/18  
NAT.CHS.4 = Witness statement of the test purchase conducted on 21/05/2018  
NAT.CHS.5 = Court summons  
NAT.CHS.6 = List of directors from Companies House  
NAT.CHS.7 = List of persons with significant control of the company  
NAT.CHS.8 = Special treatment licence renewal application regarding licence in place at the time of the test purchase.

Official Use Only	
Fee	£338.00
On-Line Receipt No.	
C&D Receipt No.	259219
Licence No.	



Customer Use  
On-line Receipt 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,

Renewal 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>Name: <i>Buel Blair</i>  Maiden name (if applicable):  Address (private): [REDACTED]  Date of birth: [REDACTED]  Telephone No: [REDACTED]  Passport No: [REDACTED]  OR NI No: [REDACTED]</p>
<p>2. Trade name and address of premises</p>	<p>Name: <i>CHINA HEALTH SPA</i>  Address: <i>Unit 1, Horizon Building  15 Hartsmere Road, London  E14 4AW</i>  Telephone No: [REDACTED]  Email: [REDACTED]  Opening hours (proposed) <i>10:30-9:30</i></p>
<p>3. Please supply details of person responsible for the management of the establishment if other than the applicant.</p> <p>Please enclose 2 passport-sized photographs of applicant</p>	<p>Full Name:  Address (private):  Date of birth:  Telephone No:  Passport No:  OR NI No:</p> <p><input type="checkbox"/> Enclosed (tick if applicable)</p>

<p>4. (a) Is it proposed to employ staff at the establishment?</p> <p>(b) If so state numbers</p>	<p>(a) <del>YES</del> NO</p> <p>(b) 3-5</p>
<p>5. (a) What is the legal title of the applicant(s) to occupy the premises (e.g. freehold, leasehold etc.)</p> <p>(b) If leasehold please give details of the name and address of the landlord.</p>	<p>(a) Leasehold</p> <p>(b) [REDACTED]</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>Acupuncture, Tui-Na (Acupressure)          Massage, Manicure          Pedicure, Massage.</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>NO</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</p> <p>(a) Owner or director of owning company; or</p> <p>(b) employee</p>	<p>Address:</p> <p>ML</p> <p>(a)</p> <p>(b)</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) YES</p>

12. Please indicate whether the following are enclosed with your application. (A licence cannot be issued without them. These must be provided at every renewal application)

If you have already submitted current qualifications for each operative and they are still employed at your premises you will not need to supply these documents again.

- Electrical inspection certificate for portable appliances, as requested under the Electricity at Work Regulations 1989
- Two passport-sized photographs of applicant and operators
- Copies of each operator's current qualifications under the conditions of licence
- A copy of the customer vetting/history card
- Copies of the current treatment list and price list
- Third-party insurance
- Cheque/PO for £338.00 / £544.00 (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.

**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]	M manicure & Spa Pedicure	The Cartier Institute	[REDACTED]	[REDACTED]	Italy
[REDACTED]	Massage Reflexology Sports Massage	Ministry of Human Resources and Social Security	[REDACTED]	[REDACTED]	Guangxi China
[REDACTED]	Acupuncture Tuina Massage	Chengde Medical University	[REDACTED]	[REDACTED]	HeBei China

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 28/9/18 ..... 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	China Health Spa
Registered Office address of Limited Company	Unit 1, Horizon Building 15 Hertsmere Road EL4 4AW
Telephone number	[REDACTED]
Registered Company number	07085058
Names of all Directors and position.  Are any of the Directors involved with other companies that hold a Special Treatments Licence? Please detail.	Buel Clair
Does the Limited Company have licensed premises elsewhere?  If so, please detail.	ML

This form has been completed by ..... Buel Clair .....(name)  
..... Director .....(position)  
..... [REDACTED] .....(signature)  
..... 28/9/18 .....(date)

# Certificate

of Electrical Appliance Testing

Valid Until:

14/09/2019



METRO PAT LTD YOUR ELECTRICAL SAFETY SERVICE  
PROVIDER



Testing carried out by:

Web: [WWW.METRO-PAT.CO.UK](http://WWW.METRO-PAT.CO.UK)

Certificate issued to:

CHINA HEALTH SPA  
HORIZON BUILDING  
15 HERTMERE ROAD  
E14 4AW

## CERTIFICATE OF EMPLOYERS LIABILITY INSURANCE(a)

(Where required by regulation 5 of the Employers' Liability (Compulsory Insurance) Regulations 1998 (the Regulations), one or more copies of this Certificate must be displayed at each place of business at which the Policyholder employs persons covered by the Policy)

Policy No:



1. Name of Policyholder including where applicable all Subsidiary Companies, except any specially excluded below: China Health Spa Ltd

Excluded Subsidiary Companies

2. Date of commencement of Insurance Policy 21/09/2018

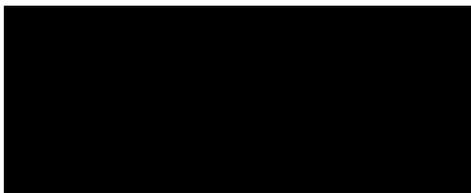
3. Date of expiry of Insurance Policy 20/09/2019

We hereby certify that subject to paragraph 2:

1. the Policy to which this Certificate relates satisfies the requirements of the relevant law applicable to the compulsory insurance of liability to employees in Great Britain, Northern Ireland, the Isle of Man, the Island of Jersey, the Island of Guernsey and the Island of Alderney (b); and

2. (a) the minimum amount of cover provided by this Certificate is no less than £5,000,000(c);

Signed on behalf of Allianz Insurance plc and other insurers, being the insurers as defined in the Policy (Authorised Insurer)



**Paul Dilley**  
Chief Executive Officer  
Geo Underwriting Services Limited

### Notes

- (a) Where the employer is a company to which regulation 3(2) of the Regulations applies, the certificate shall state in a prominent place, either that the policy covers the holding company and all its subsidiaries, or that the policy covers the holding company and all its subsidiaries except any specifically excluded by name, or that the policy covers the holding company and only the named subsidiaries.
- (b) Specify applicable law as provided for in regulation 4(6) of the Regulations.
- (c) See regulation 3(1) of the Regulations and delete whichever of paragraphs 2(a) or 2(b) does not apply. Where 2(b) is applicable, specify the amount of cover provided by the relevant policy.

### Towergate Commercial

Towergate Commercial is a trading name of Geo Underwriting Services Limited, Registered in England No. 4070987  
Registered Address: Towergate House, Eclipse Park, Sittingbourne Road, Maidstone, Kent ME14 3EN  
Authorised and regulated by the Financial Conduct Authority. FCA Register Number 308400



**THE ASSOCIATION  
OF  
TRADITIONAL CHINESE MEDICINE AND ACUPUNCTURE UK**

**This is to certify that**



**王 树 军**

**having been admitted as a Full Member of  
the Association of Traditional Chinese Medicine and Acupuncture UK,  
is qualified to practise Traditional Chinese Medicine  
including Chinese Herbal Medicine, Acupuncture and Tuina therapy.**

*All registered members of the Association are bound by  
The Code of Practice and the Code of Professional Conduct  
of the Association to uphold the highest standard of Chinese Medicine.*

**Registration No:**



**President:**



**Registrar:**



**Date of Issue: 27<sup>th</sup> November 2012**

PATIENT REF NO \_\_\_\_\_

PATIENTS RECORD:

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Full Address \_\_\_\_\_

DATE OF BIRTH \_\_\_\_\_  
 SEX \_\_\_\_\_  
 OCCUPATION \_\_\_\_\_  
 TEL NO. (HOME) \_\_\_\_\_  
 (WORK) \_\_\_\_\_  
 (MOBILE) \_\_\_\_\_

GENERAL SYMPTOMS:

ARE YOU UNDERGOING MEDICAL TREATMENT?  YES  NO (Please tick)  
 DETAILS (IF YES) \_\_\_\_\_

HAVE YOU HAD  ACUPUNCTURE /  ACUPRESSURE /  CHINESE HERBAL MEDICINE BEFORE?  
 (Please tick)

YES, WHEN \_\_\_\_\_ WHERE \_\_\_\_\_

ALLERGIES: (Please tick)  
 DRUGS  MEDICATION  OTHERS

IMMUNISATION: (Please tick)  
 TETANUS  POLIOMYELITIS  FOODS DIPHTHERIA  WHOOPING COUGH  
 MUMPS  TYPHOID  CHOLERA  HEPATITIS  A  B

Herbmedic specialises in traditional Chinese medicines, traditional and modern acupuncture, acupressure (without needles) and other Chinese therapies including cupping and moxibustion. The treatment is carried out by fully qualified and experienced practitioners. In the case of acupuncture treatment, only pre-sterilized and disposable needles are used to guarantee complete safety. I agree to take such treatments as proposed by the qualified Herbmedic practitioners.

SIGNED (patient) \_\_\_\_\_ DATE \_\_\_\_\_

PRACTITIONERS REMARKS:  
 \_\_\_\_\_  
 \_\_\_\_\_



**CHINA HEALTH SPA**

• Acupuncture • Massage •  
Chinese Medicine • Nails and Beauty



Unit 1, Horizon Building,  
15 Hertsmere Road  
Canary Wharf, E14 4AW  
Tel: 0207 515 0868  
Mon-Sun 10:30am-9:30pm



LONDON BOROUGH OF TOWER HAMLETS 259219

Received : Cheque P.O., M.O. C100118 Date 2nd October 2018  
Cash

Received of M China Health Spa Ltd  
the sum of Three Hundred and Thirty Eight pounds  
and Nil pence, in respect of

China Health Spa, Unit 1 Horizon Bldg, 15 Hertsmere  
Road, London, E14 4AW MST Licence:-

Amount  
£ 338.00 Bob Johnstone  
for Director of Finance

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**Witness Statement**

NAT.CHS.2

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure R

URN:

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Statement of:

Age if under 18 (if over insert "over 18"):

Occupation: Massage therapist

This statement (consisting of **2** Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature: XXX

Date: 4/05/2018

Tick if witness evidence is visually recorded:

(Supply witness details on last page)

**Statement**

I provide my services as a Massage therapist in China Health Spa in 2016.

I want to confirm that the company does not follow a very professional procedure.

I was never asked for sexual services but I experienced some procedures into the company very unprofessional.

-They allow customers; to be naked in the room

Free choice to choose the therapist in a funny way.

-Therapist are not using professional uniforms, they wear short dress, low-cut blouses and heels.  
( majority of them Asian women)

-Some of the therapist are not certified as a qualified massage therapist ( they only are in the salon to do "extra service").

-The receptionist manage bookings for their regular male clients only "nice ladies" that are not qualified.

I experienced one time I had a client waiting for a massage and when and get into the room the customer was completely naked even covered with a towel, I left the room rejecting this client and the manager swop for another therapist instead of ask for this customer leave.

Also in other occasion I was performing a treatment and the customer was having an erection during the massage expecting an extra service, I just stop the massage and the receptionist did not care about this, this was a regular client.

Their regular clients always are get ready into the room completely naked and with the wallet ready on the table.

I would like to support my statement giving some details of some employees if that can help in the investigation. Probably might be changed as it was 2 years ago.

Name / Signature:

Signature Witnessed by:

**Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

██████████

(they might change the therapists but they will always have a Chinese women)

I hope this information can help you.

Best regards

Ex employee of China Spa

**4/05/2018**

Name / Signature: ..... Signature Witnessed by: .....

URN:				
Crown Court No:				

at

Witnesses ( 1 ) \_\_\_\_\_ ( 4 ) \_\_\_\_\_  
 \*Insert No.: ( 2 ) \_\_\_\_\_ ( ) \_\_\_\_\_  
 ( 3 ) \_\_\_\_\_ ( ) \_\_\_\_\_

Mark dates when Investigators and other witnesses are NOT available. Codes for non-availability  
 R = Rest day L = Leave C = Course N = Night duty S = Sickness O = Other

Date	Month				Date	Month																		
	Witness number																							
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'O', 'C' and 'S' codes — give full details:

**EX employee of China Health Spa**  
 Name of person submitting form and date

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CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

URN: 

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Statement of: [REDACTED]

Age if under 18 (if over insert "over 18"): over 18

Occupation: Surveillance Operative

This statement (consisting of 

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 Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Name / Signature: [REDACTED]

Date: 23/03/2018

Tick if witness evidence is visually recorded:  (Supply witness details on last page)

**Statement**

1. I am [REDACTED] and I am employed by The Surveillance Group Ltd, of Brook Court, Whittington Hall, Whittington Road, Worcester WR5 2RX.
2. I was instructed by The Surveillance Group Ltd to attend China Health Spa, Unit 1-2 Horizon Building, 15 Hertsmere Road, London, E14 4AW, in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At 14:01 hrs on the 23/03/2018 I visited China Health Spa, Unit 1-2 Horizon Building, 15 Hertsmere Road, London, E14 4AW, in order to conduct a test purchase task.
4. Upon entering the premises, I was greeted by a female within the reception area. This female appeared to be Asian and appeared approximately 50 years of age. I requested a massage and the female stated that she could arrange a massage for me immediately. The female asked if I would like a "Swedish" or a "deep tissue" massage. I opted for the "Swedish" massage and paid £50.
5. The female proceeded to request the attention of another female, who it was indicated would be performing my massage. This female appeared to be Asian and appeared to be approximately in her late 40's. The female was wearing a leopard print dress.
6. This female led me to a room. Within the room the female asked me to remove all of my clothes and lay face down on a bed. She then left the room as I removed my all of my clothing and lay face down on the bed. I had a small towel covering my buttocks. The female shortly returned.
7. The female began to massage me. She asked if I was okay and mentioned that I had nice tattoos.

Name / Signature: [REDACTED]

Witness Statement

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

8. *Later into the massage, as the female massaged my lower half, she removed the towel and spent a few minutes massaging my buttocks. The female seemed to occasionally briefly touch my penis during this time.*
9. *Shortly later, the female asked me to turn over. I did so and lay facing upwards uncovered before she then laid a small towel covering my groin. The massage continued.*
10. *After massaging my lower legs and my feet, the female then proceeded to massage my quadriceps. The female would often briefly touch my penis during this time. The female then proceeded to massage my chest.*
11. *Shortly later, the female asked if I would like my head massaging. I agreed and the female proceeded to massage my head and scalp. After the female had finished the head massage, she said "okay" and left the room. I inferred that this meant that the massage was finished and proceeded to put my clothes on.*
12. *As I departed towards the exit of the premises, the female was near the reception area. She thanked me and said goodbye. I exited the premises at 15:09 hrs.*
13. *During this visit I was touched, without any previous suggestion by myself, in a manner which was of a sexually suggestive nature.*
14. *I did not respond to any such actions.*
15. *Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 23/03/2018. I exhibit these as NH.001.*
16. *I believe the facts stated in this witness statement are true.*

Name / Signature: \_\_\_\_\_



**Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

8. *The wallpaper was noticeably faded and the paint finish was of a low standard. She asked if I would like a glass of water and requested that I take all of my clothes off as she left the room.*
9. *On her return, she commented that I had left my underwear on and said it would be easier if I removed them. I did so and she covered me with a towel. While massaging me, we chatted about working out, The DVLA, and her ambition to work for herself. She also stated that she only worked Monday and Friday at China Health Spa.*
10. *Towards the end of the massage, she focused on my buttocks and asked if there was anything else that I wanted. I asked what she meant by this and she responded by telling me that her prices started at £40. I asked again what this would entail and she stated that it would be for 'hand relief' with 'teasing' and that she did not offer 'mouth relief'.*
11. *After I declined, she finished the massage and wiped my body down with paper towels. I replaced my clothes and she thanked me as I left at around 13:00 hrs.*
12. *During this visit I was offered, without any previous suggestion by myself, services of an apparent sexual nature.*
13. *I declined all offers of such services.*
14. *Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 21/05/2018. I exhibit these as KC.002*
15. *I believe the facts stated in this witness statement are true.*

**Name / Signature:** .....

.....

.....



**HER MAJESTY'S  
COURTS AND TRIBUNALS  
SERVICE**

**EAST LONDON LOCAL  
JUSTICE AREA (2574)  
(HACKNEY, NEWHAM,  
TOWER HAMLETS AND  
WALTHAM FOREST)**

**SUMMONS/INFORMATION**

Date: 24<sup>th</sup> October 2018

Ref: [REDACTED]

To: **China Health Spa Limited**  
(co. regn no. 7085058)  
Unit 1, Horizon Building,  
15 Hertsmere Road,  
London E14 4AW

**(DOB: << insert >>)**

Information has been laid this day by Asmat Hussain, Corporate Director Governance & Monitoring Officer, on behalf of the Mayor and Burgesses of the London Borough of Tower Hamlets Council for that:

On 21<sup>st</sup> May 2018, China Health Spa Limited trading as China Health Spa at Unit 1-2, Horizon Building, 15 Hertsmere Road, London E14 4AW, and said premises were used as an establishment for special treatment otherwise than in accordance with the terms, conditions or restrictions to which the licence is held, in that the premises were used for the purpose of prostitution, soliciting or any other immoral purposes in breach of condition 7(B) of the prescribed standard conditions of the licence, contrary to section 14 (2) of the London Local Authorities Act 1991

**YOU ARE THEREFORE hereby SUMMONED to appear before the Magistrates' Court sitting at 58 Bow Road, London, E3 4DJ on 13<sup>th</sup> December 2018 at 9.30am for 10am to answer the said Information**

Dated this                      day of

District Judge  
Justice of the Peace for the Greater London Area  
Clerk to the Justices

-----  
This slip should be detached AT ONCE from the body of the summons and returned duly completed and signed to:-

**THE CLERK TO THAMES MAGISTRATES' COURT, HACKNEY & TOWER  
HAMLETS DIVISION  
58 BOW ROAD  
LONDON E3 4DJ**

London Borough of Tower Hamlets Council v **China Health Spa Limited**

I acknowledge receipt of the summons in the above matter due for hearing at Thames Magistrates' Court, Hackney and Tower Hamlets Division, 58 Bow Road, London E3 4DJ on 13th December 2018 at 9.30am for 10am

Signed

[REDACTED]

Dated

[REDACTED]

**It is the Council's intention at the conclusion of the case to apply to the Magistrate for costs incurred in bringing this prosecution**

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## Companies House

**BETA** This is a trial service — your [feedback \(https://www.research.net/r/chbeta\)](https://www.research.net/r/chbeta) will help us to improve it.

Search for companies or officers

# CHINA HEALTH SPA LIMITED

Company number **07085058**

- [Officers](#)
- [Persons with significant control \(https://beta.companieshouse.gov.uk/company/07085058/persons-with-significant-control\)](https://beta.companieshouse.gov.uk/company/07085058/persons-with-significant-control)

## Filter officers

Current officers

Apply filter

## 3 officers / 1 resignation

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### KLAIR, Bud

Correspondence address [REDACTED]

Role Active **Secretary**

Appointed on **24 November 2009**

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### ZHOU, Ying

Correspondence address **Unit 1,Horizon Building, 15 Hertmere Road, London, England, E14 4AW**

Role Active **Director**

Date of birth

Appointed on **3 October 2011**

Nationality **Chinese**

Country of residence **United Kingdom**

Occupation **Director**

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## Companies House

**BETA** This is a trial service — your [feedback \(https://www.research.net/r/chbeta\)](https://www.research.net/r/chbeta) will help us to improve it.

Search for companies or officers

# CHINA HEALTH SPA LIMITED

Company number **07085058**

- [Officers \(https://beta.companieshouse.gov.uk/company/07085058/officers\)](https://beta.companieshouse.gov.uk/company/07085058/officers)
- [Persons with significant control](#)

1 active person with significant control / 0 active statements

---

## Mr Zhiming Chen Active

Correspondence address **Unit 1,Horizon Building, 15 Hertmere Road, London, England, E14 4AW**

Notified on **6 April 2016**

Date of birth 

Nationality **British**

Nature of control **Ownership of shares – More than 50% but less than 75%**

Country of residence **England**

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[Is there anything wrong with this page?](#)

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Official Use Only	
Fee	£328.40
On-Line Receipt No.	
C&D Receipt No.	257082
Licence No.	



Customer Use On-line Receipt No.
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**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,

Renewal 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>Name: <b>ZHIMING CHEN</b>  Maiden name (if applicable):  Address (private): [REDACTED]  Date of birth: [REDACTED]  Telephone No: [REDACTED]  Passport No: [REDACTED]  OR NI No: [REDACTED]</p>
<p>2. Trade name and address of premises</p>	<p>Name: <b>CHINA HEALTH SPA</b>  Address: <b>Unit 1, Horizon Building  15 Hertshere Road,  LONDON, E11 4AW</b>  Telephone No: [REDACTED]  Email: [REDACTED]  Opening hours (proposed) <b>10:30-9:30</b></p>
<p>3. Please supply details of person responsible for the management of the establishment if other than the applicant.</p> <p>Please enclose 2 passport-sized photographs of applicant</p>	<p>Full Name:  Address (private):  Date of birth:  Telephone No:  Passport No:  OR NI No:</p> <p><input type="checkbox"/> Enclosed (tick if applicable)</p>

<p>4. (a) Is it proposed to employ staff at the establishment?</p> <p>(b) If so state numbers</p>	<p>(a) YES/NO</p> <p>(b) 3-5</p>
<p>5. (a) What is the legal title of the applicant(s) to occupy the premises (e.g. freehold, leasehold etc.)</p> <p>(b) If leasehold please give details of the name and address of the landlord.</p>	<p>(a) Leasehold</p> <p>(b) [REDACTED]</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>Acupuncture, Moxibustion, Tui-Nai Acupressure, Massage (Indra Head, Aromatherapy, Shiatsu, Reflexology, Sports, Hot stone, Thai, Deep Tissue), Manicure, Pedicure, Facial</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>No</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</p> <p>(a) Owner or director of owning company; or</p> <p>(b) employee</p>	<p>Address:</p> <p>NIL</p> <p>(a)</p> <p>(b)</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) YES</p>

<p>12. Please indicate whether the following are enclosed with your application. (A licence cannot be issued without them. These must be provided at every renewal application)</p> <p>If you have already submitted current qualifications for each operative and they are still employed at your premises you will not need to supply these documents again.</p>	<p><input checked="" type="checkbox"/> Electrical inspection certificate for portable appliances, as requested under the Electricity at Work Regulations 1989</p> <p><input type="checkbox"/> Two passport-sized photographs of applicant and operators</p> <p><input 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</p> <p><input 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>
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<p><b>13. DETAILS OF PREVIOUS CONVICTIONS, DISQUALIFICATION ETC.</b></p> <p>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).</p>
---

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] we already have their details	Acupuncture Acupressure Massage	The Association of Traditional Chinese Medicine (UK)	[REDACTED]	[REDACTED]	Changchun China
[REDACTED]	Manicure & Spa Pedicure	The CarttonistHe	[REDACTED]	[REDACTED]	Italy
[REDACTED]	Massage Reflexology Sports Massage	Ministry of Human Resources and Social Security	[REDACTED]	[REDACTED]	Guangxi China

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 20/9/17 ..... 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	CHINA HEALTH SPA Ltd
Registered Office address of Limited Company	Unit 1, Horizon Building 15 Hertsmeare Road LONDON, E14 4AW
Telephone number	[REDACTED]
Registered Company number	07085058
Names of all Directors and position.  Are any of the Directors involved with other companies that hold a Special Treatments Licence? Please detail.	ZHIMING CHEN
Does the Limited Company have licensed premises elsewhere?  If so, please detail.	NIL

This form has been completed by ZHIMING CHEN.....(name)  
.....Director.....(position)

[Redacted Signature]

.....(signature)

.....20/9/2017

.....(date)

### NOTE

- A. The application should be made by the occupier of the premises.
- B. In the case of a limited company, please also complete Part 4 which seeks details of the company.
- C. Four sets of plans of the premises must be submitted in accordance with directions contained in the Council's rules governing applications for licences.
- D. If required, a notice on the form prescribed by the Council must be exhibited at the premises for twenty-eight days from the date on which the application is made, and within seven days the application must be advertised in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagents.
- E. Licences normally expire 12 months from the date of issue.
- F. If premises are not already constructed or adapted so as to permit access to and from the premises by disabled people, the Council will expect proposals to be submitted to the Environmental Health Department indicating how such access will be afforded.
- G. Premises are reminded that it is against the law to smoke in all 'enclosed' and 'substantially enclosed' public places and workplaces. No smoking signs must be displayed in all smokefree premises. Staff smoking rooms and indoor smoking areas are no longer allowed.
- H. Two identical full-face passport size photographs (taken within the previous 12 months) of all persons who will be giving treatments at the premises must be supplied with this form. Each photograph should be endorsed with the date on which it was taken, bear the name in block capitals of the person whose likeness it bears, and be signed by the applicant.
- I. No person may give treatments until the Council's approval has first been obtained.
- J. Where 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.

<ul style="list-style-type: none"><li>• THE LICENCE FEE IS NON REFUNDABLE – IN ANY EVENT YOU DECIDE TO WITHDRAW YOUR APPLICATION THE LICENCE FEE WILL BE RETAINED TO COVER ADMINISTRATION COSTS.</li></ul>
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<p>Non-Executive Report of the:</p> <p><b>Licensing Committee</b></p> <p>28<sup>th</sup> November 2018</p>	 <p><b>TOWER HAMLETS</b></p>
<p><b>Report of:</b> David Tolley, Head of Environmental Health and Trading Standards Directorate of Place</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>London Local Authorities Act 1991 Hearing to consider an application for the new special treatment licence for Little Jasmine Centre, 56 Skylines Village, E14 9TS</b></p>	

<b>Originating Officer(s)</b>	Natalie Thompson, Principal Environmental Health Officer
<b>Wards affected</b>	Blackwall and Cubitt Town

## 1. EXECUTIVE SUMMARY

Applicant:	<b>Acu &amp; Herbs Limited</b>
Name and Address of Premises:	<b>Little Jasmine Centre 56 Skylines Village London E14 9TS</b>
Licence sought:	<b>Special Treatment Licence under The London Local Authorities Act 1991 Application for a new Special Treatment Licence</b>
Objectors:	<b>Lekan Olomo, Health and Safety Officer, Licensing and Safety Team</b>

## 2. RECOMMENDATIONS

The Licensing Committee is recommended to consider the application and objections and then adjudicate accordingly.

## 3. BACKGROUND

- 3.1 This is an application made on the 29<sup>th</sup> August 2018 by Acu & Herbs Limited for a new special treatment licence under section 6 (2) of the London Local Authorities Act 1991 for Little Jasmine Centre, 56 Skylines Village, London, E14 9TS.
- 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 may be refused under grounds in section 8 of The London Local Authorities Act 1991.

- 3.3 The current application is to permit the premises to operate as an establishment for special treatments offering massage and reflexology.

#### **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 1**.
- 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 2**.
- 4.4 Under section 8 of the London Local Authorities Act 1991 the borough may refuse to grant 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 refusing to grant, or renew a licence or at any condition or restrictions imposed, the applicant may within twenty one days of being notified of the Council's refusal, appeal to a Magistrates Court. The Court may grant an order for the issue of a licence or may remove any condition or restriction imposed. Should the applicant still feel aggrieved at the court's decision there is a right of appeal to the Crown Court.

## **5. Consultation**

- 5.1 The application has been consulted on in accordance with the London Local Authorities Act 1991. This has included:
- 5.2 A site notice at the premises displayed by the applicant during the required period.
- 5.3 A press advert was placed in the Docklands and East London Advertiser on the 6<sup>th</sup> September 2018 by the applicant.
- 5.4 The following is a list of those also consulted in regards to the application:
  - The Police
  - The Fire Brigade
  - Environmental Health

## **6. Objections/ Responses to the Consultation**

- 6.1 On the 6<sup>th</sup> September 2018 an objection to the grant of the licence was received from an anonymous member of the public stating that the premises was being improperly conducted.
- 6.2 The Environmental Health- Licensing and Safety Team are objecting to the new application on the grounds that the premises have been or are being improperly conducted. Please see **Appendix 3**. The objections have already been made available to the licence holder. Find below a summary of the comments.
  - The premises was observed trading and advertising special treatments without a licence on 17<sup>th</sup> and 20<sup>th</sup> September 2018.

- A test purchase was conducted at the premises on the 20<sup>th</sup> September 2018, which found that the test purchaser was offered services of a sexual nature at the end of a massage at the premises. Therefore the business is being improperly conducted which is a basis for refusal to grant a licence: section 8(e) of the London Local Authorities Act 1991 and paragraph 7 (B) of the London Borough of Tower Hamlets regulations for special treatment licences set out at **Appendix 2**.
- During an inspection of the premises therapists who were not notified to the council were carrying out special treatments at the premises.

## **7. Recommendations**

- 7.1 Following objection from the Environmental Health, Licensing and Safety Team and an anonymous objection from a member of the public, Members are asked to consider the representations when determining whether to grant the new application.

## **8. Summary of Premises and Enforcement History**

- 8.1 On the 10<sup>th</sup> August 2018 the Licensing and Safety team visited the premises following a report that the premises was offering and advertising special treatments without a licence. Officers then spoke with one of the therapists there, who was instructed that special treatments must cease immediately and advertisements of special treatments must be taken down until a licence was in place. The officer noted on the council's database that the therapist was wearing a red mini skirt and revealing top which is unusual for a massage therapist.
- 8.2 On the 29<sup>th</sup> August 2018 the special treatment licence application was received. A public notice was placed in the newspaper on the 6<sup>th</sup> September 2018.
- 8.3 On the 17<sup>th</sup> September an inspection of the premises was carried out by an officer in the Licensing and Safety Team. The premises was found to be trading without a licence and to have undeclared therapists working at the establishment.
- 8.4 On the 20<sup>th</sup> September 2018 a test purchase was carried out at the premises. The test purchaser was offered services of a sexual nature by the therapist.

## **9. Special Treatment Licences and Determination**

- 9.1 Members should consider the relevant legislation and Standard Conditions (see **Appendix 1** and **Appendix 2** respectively).

## **10. 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 Environmental considerations: There are no environmental implications.
- 11.3 Crime reduction: One of the key objectives of the Council is to 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. Illegal activity has been proven to occur at the premises.
- 11.4 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.
- 11.5 Risk Management: The Council will be at risk of legal challenge if its processes are not transparent and evidentially based.

## **12. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 12.1 The Chief Finance Officer has been consulted on this report and has no additional comments to make.

## **13. COMMENTS OF LEGAL SERVICES**

- 13.1 Section 10 of the London Local Authorities Act 1991 enables the local authority to make regulations prescribing standard conditions applicable to all licenses for special treatment premises.
- 13.2 The London Borough of Tower Hamlets made such regulations which are produced as Appendix 2 to this report, and one of those regulations, 7(B) says, "The licensee shall ensure that no part of the premises are used by prostitutes, for soliciting or any other immoral purposes." There are a number of standard conditions to a London Borough of Tower Hamlets special treatment licence. One of those is condition 6, which says 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.
- 13.3 Section 8 of that Act sets out a number of grounds under which an application for a special treatments licence can be refused by the Council, as set out in paragraph 4.4 of this report.
- 13.4 As shown in Appendix 3, on 17<sup>th</sup> September 2018, the premises were offering special treatments without a licence being in place.
- 13.5 As shown in the document appended as LOL.LJC.001, on 20<sup>th</sup> September 2018, not only were the premises providing special treatment without a licence

for that yet being in place, but a masseuse working at the premises offered services of a sexual nature.

- 13.6 The Licensing Committee can therefore refuse to grant this application for a special treatment licence on the grounds that as set out in paragraph 8(e) of the London Local Authorities Act 1991, the premises have been or are being improperly conducted.

#### 14. APPENDICES

<b>Appendix 1</b>	A copy of the standard conditions for special treatment licences
<b>Appendix 2</b>	Regulations for annual special treatment licences under section 10 (1) of the London Local Authorities Act 1991
<b>Appendix 3</b>	Objection from the Environmental Health Department
<b>LOL.LJC.001</b>	Witness statement of test purchase conducted on the premises including the typed notes of the test purchaser referred to in his statement
<b>LOL.LJC.002</b>	Copy of anonymous letter objecting to the new licence application.
<b>LOL.LJC.003</b>	A copy of the received application and supporting documents
<b>LOL.LJC.004</b>	A copy of a record of visit sheet for the premises inspection.
<b>LOL.LJC.005</b>	List of directors from Companies House

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#### **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, Principal Environmental Health Officer  
Ext: 6703

## 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 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 Licensing and Safety Team Leader, 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
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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 suitably 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 or 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.

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**TO**                      **Licensing and Safety Team**

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**FROM**                  **Lekan Olomo**

**REFERENCE:**        **Little Jasmine centre**

**DATE**                  **12<sup>th</sup> October 2018**

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**Re: Acu & Herbs Ltd**

**T/A Little Jasmine Centre, 56 Skylines Village, London, E14 79TS**

Reference is made to the application for a new Special Treatment License for the above premises. Currently the business does not hold premises Special Treatments Licence. The premises submitted an application for a new licence to carry out massage and reflexology treatments. The application was received by the council on the 29<sup>th</sup> August 2018.

An objection to the application of the special treatment licence is being made for the following reasons;

1. The Licensing and Safety Team has evidence of the premises being improperly conducted. *London Local Authorities Act 1991, Section 8 (e)*. The business *Little Jasmine Centre* has been investigated and found to be offering services of a sexual nature to customers. Evidence of this is attached in the form of a witness statement following a test purchase carried out on **20<sup>th</sup> September 2018**. A company was hired by the council to carry out these visits. The statement is included as **LOL.LJC.001**.
2. The council received an anonymous letter on 6<sup>th</sup> September 2018 from someone who allegedly worked in one of the units, objecting to the issuance of a MST licence, the individual alleged that the premises was being improperly conducted. This is included as **LOL.LJC.002**
3. The licence application is included as **LOL.LJC.003**. As part of the application review process, I visited the premises to carry out an inspection on 17<sup>th</sup> September 2018. I arrived at Skylines Village E14 9TS at 12:30PM. As I was parking my car up in the visitors' section of the car park which faces the front of unit 56 Skylines Village I noticed a white male dressed in a light grey suit with a white shirt entering the building. When I entered the premises I was met by a woman of East Asian appearance who greeted me by asking 'Hello darling what service do you want?'. The woman then started quoting me prices. I then informed her that they were not allowed to trade until the license had been granted. During my inspection I needed to check in all of the treatment rooms but the door of one of the rooms was locked. A few minutes later the man a saw earlier and a therapist exited the room. I then asked the therapist what her name was and she stated that her name was Linda Lan, I then informed that she was not named as a therapist on the application, to which she stated that she was helping out. As I concluded the inspection and was about to exit the premises, a male entered the premises requesting a service, due to my presence, there was an awkward silence whilst I was exiting the premises. A copy of the record of visit sheet is included as **LOL.LJC.004**. This shows that the premises were trading without a licence and a therapist whose qualifications had not been sent to the council was giving treatments. Female therapists may also be carrying out treatments on male customers which would be a contravention of the standard conditions of a special treatment licence.

4. List of company directors printed out from companies' house. This is included as **LOL.LJC.005**. The only director is Li Wa Hodgkinson who is also listed on the application form as person responsible for the management of the premises.

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

**List of Appendices**

LOL.LJC.001 = Witness statement of test purchase conducted on the premises

LOL.LJC.002 = Copy of anonymous letter objecting to the licence application.

LOL.LJC.003 = A copy of the received application and supporting documents

LOL.LJC.004 = A copy of my record of visit sheet

LOL.LJC.005 = List of directors from Companies House

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

URN: 

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**Statement of:**

**Age if under 18 (if over insert "over 18"):** over 18

**Occupation:** Surveillance Operative

This statement (consisting of		Pages(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.
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**Name / Signature:**

[Redacted Signature]

**Date:** 20/09/2018

Tick if witness evidence is visually recorded:  (Supply witness details on last page)

**Statement**

1. I am [Redacted] and I am employed by The Surveillance Group Ltd, of Brook Court, Whittington Hall, Whittington Road, Worcester WR5 2RX.
2. I was instructed by The Surveillance Group Ltd to attend Little Jasmine Therapy Centre, Unit 56, Skylines Village, London, E14 9TS in order to conduct a test purchase task on behalf of the London Borough of Tower Hamlets.
3. At approximately 12:15 hrs on the 20/09/2018 I visited Little Jasmine Therapy Centre, Unit 56, Skylines Village, London, E14 9TS, in order to conduct a test purchase task.
4. I entered the premises, which was set within a commercial unit, through two sets of doors. These lead into a very small reception/waiting area where there was a small sofa, a coffee table and small reception desk. There were no signs of life at the time and relaxing music was playing from a CD player in the corridor.
5. From the waiting area, I could see an Asian female, who appeared to be 35-40 years old, lying down fully-clothed on a massage bed in one of the treatment rooms. She appeared to be sleeping, therefore I opened the door behind me once again and shut it louder this time, which woke the female.
6. The female then rose from the bed and greeted me wearing a tight black dress, with a cardigan over the top, and flat black shoes. As she greeted me, she looked me up and down at least three times, before asking what it was that I required. I stated that I would like a thirty-minute massage and she confirmed that it would cost £25, so I handed over £30 in cash.
7. The female then led me down a corridor, past a closed door, and into my treatment room. The room was small and contained a massage bed, fake plant, lamp and several clothes hooks. The windows

**Name / Signature:**

[Redacted Signature]

**Witness Statement**

CJ Act 1967, s.9; MC Act 1980, ss.5A(3) (a) and 5B; Criminal Procedure Rules 2005 , Rule 27.1

*behind the curtains had been blacked out and there were baby wipes, toilet roll and baby oil on the window sill.*

- 8. The female then asked me, in seemingly very limited English, to get ready for the massage whilst she left the room to retrieve my change. Upon her return, she handed me £5 and removed her cardigan.*
- 9. After applying oil to her hands, the female then began to massage my back as I lay face down on the bed, wearing only my underwear. She quickly moved her hands down and began to remove my underwear, at the same time asking if I wanted to remove them. I politely replied 'no'.*
- 10. The female still continued to pull down my underwear partially in order to expose approximately 75% of my buttocks. The massage continued and focus was given predominantly to my lower back and buttock region, however, the rest of my back, shoulders and legs were massaged too.*
- 11. As the female moved from my upper body to my legs, she pulled my boxers back up around my waist, before pushing them up from the bottom to expose my upper thighs. The massage at this point took the form of long, slow strokes from just above my knee to the top of my thighs. On several occasions, she grazed my genitals with her hands at the top of these strokes.*
- 12. After approximately twenty minutes, the female stopped the massage and I asked her if it was over. She then requested that I turn over and, no sooner had I done so, she asked me if 'I would like anything else'. I replied 'anything else?', and she then asked me if I would like a 'happy ending', at the same time making a suggestive hand gesture.*
- 13. I asked the female how much this service would cost, to which she informed me that a 'happy ending' would cost £20 and 'body on body' would cost £40.*
- 14. After I politely declined these two offers, the massage continued on the front of my legs. The female focused on the lower parts first, before moving on to my thighs. In a similar fashion to the earlier massage technique, she used long, slow strokes all the way to the top of my thighs. During this period, she again grazed my genitals on several occasions.*
- 15. After the massage, the female removed the oil from my body using paper towels, before leaving the room. I replaced my clothes and exited the room myself, to find her waiting outside the door. She then led me to the exit and opened the door for me as I departed at 12:50 hrs.*
- 16. During this visit I was offered, without any previous suggestion by myself, services of an apparent sexual nature.*
- 17. I declined all offers of such services.*
- 18. Following my visit, I immediately returned to my vehicle and wrote notes on the details of the event within a document on my work-issued smart-phone on 20/09/2018. I exhibit these as KC.004.*
- 19. I believe the facts stated in this witness statement are true.*

**Name / Signature:**



## Little Jasmine Therapy Centre

Unit 56, Skylines Village, London, E14 9TS

20/09/2018



The Little Jasmine Therapy Centre is housed within a commercial unit. Through two sets of doors leads into a very small reception/waiting area. In here is a small sofa and coffee table next to a small reception desk. Upon entry there were no signs of life, just relaxing music playing from a CD player in the corridor. From the waiting area I could see an Asian female, fully clothed lying on a massage bed in one of the treatment rooms, she appeared to be dozing. I opened the door behind me and shut it again, louder this time, which awoke this female from her slumber. She jumped up and greeted me wearing a tight black dress, with a cardigan over the top and black flat shoes. She looked me up and down at least three times as she greeted me, and appeared to be 35-40 years old. After she greeted me and asked what I required, to which I had stated that I required a thirty minute massage, she confirmed it would cost £25. I handed over thirty pounds cash. She then led me down the corridor away from the reception area and first treatment room, past another closed door, and into my treatment room. The room was small and contained a massage bed, fake plant, lamp and some clothes hooks. The windows behind the curtains had been blacked out, and on the window sill were baby wipes, toilet roll and baby oil. As she left the room she told me to get ready while she went to get my change. On her return she handed me five pounds and removed her cardigan. Her English was very limited. The massage began with me face down wearing just underwear. She applied oil to her hands and started to work my back. She quickly moved them down and began to remove my underwear, at the same time asking if I wanted to take them off, I politely replied 'no'.

She then still pulled them down partially, to expose approximately 75% of my buttocks. The massage continued and a large focus was on my lower back and buttock region. However, the rest of my back, shoulders and legs were covered too. When she moved from my upper body to my legs, my boxers were pulled back up to normal around the waist, and then pushed up from the bottom to expose my upper thighs. The massage at this point took the form of long slow strokes from just above my knee, to the top of my thighs, all the way, and on several occasions she grazed my particulars with her hands at the top of these strokes. After approximately 20 minutes she stopped, and I asked her if that was it. She requested that I turn over. No sooner had I done so, she asked me if I would like anything else. I replied 'anything else?'. She then asked me if I would like a 'happy ending', at the same time making a suggestive hand gesture. I asked her how much this would cost, to which she informed me that a 'happy ending' would cost me £20 and 'body on body' would cost £40. After I politely declined these two offers, the massage continued on the front of my legs. Lower part first, then moving on to my thighs. In a similar fashion to the earlier massage technique of long slow strokes, she serviced my thighs, and again, all the way too the top. During this period she again grazed my particulars of several occasions. After the massage, she removed the oil from my body using paper towels, then left the room. I replaced my clothes and exited the room myself to find her waiting outside the door. She led me to the exit and opened the door for me as I left.

LOL.LJC.002

Environmental Health and Trading Standards – Health and Safety Team

London Borough of Tower Hamlets

John Onslow House

1 Ewart Place

London

E3 5EQ

Notice of Application

RE: 56 Skylines Village Limeharbour E14 9TS

Dear Whom It may Concern at the London Borough of Tower Hamlets.

I am contacting you regarding the application for the Ground level of 56 Skylines Village's Planning Application to get permission to operate and obtain a licence for 'Special Treatments'.

I really needed to contact you today as I saw this notice on this unit's window and had to contact someone stating my absolute rejection of this application.

I work in another unit of Skylines Village and it is considered by many that this place calling for this "Special Treatment" license is being used unsavourily.

This ground floor unit has its windows completely blacked out at the front and rear. From lunchtime until late evening there are ONLY men who go into the ground floor unit and men who come out. There are a couple of Chinese women who work there. It is well in the area that this place is a place where only men go to get a massage AND Special extras. Some in the area would call this place a brothel. Therefore, given this is a working village where I work it is not pleasant to have this type of business so nearby and I reject the license application.

A few residents here really think this unit needs to be investigated.

Thank you for your time



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

Customer Use  
On-line Receipt 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,

TRADING STANDARDS &  
29 AUG 2018  
ENVIRONMENTAL HEALTH  
(COMMERCIAL)

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>Name: ACU &amp; HERBS LTD  Maiden name (if applicable):  Address (private): 56 SKYLINES VILLAGE  LIMEHARBOR  E14 9TS  Date of birth:  Telephone No: [REDACTED]  Passport No:  OR NI No:</p>
<p>2. Trade name and address of premises</p>	<p>Name: LITTLE JASMINE CENTRE  Address: 56 SKYLINE VILLAGE  LIMEHARBOR  E14 9TS  Telephone No: [REDACTED]  Email:  Opening hours (proposed) 10-30am to 9-00pm</p>
<p>3. Please supply details of person responsible for the management of the establishment if other than the applicant.</p> <p>Please enclose 2 passport-sized photographs of applicant</p>	<p>Full Name: LI WA HODGKINSON  Address (private): [REDACTED]  Date of birth: [REDACTED]  Telephone No: [REDACTED]  Passport No: [REDACTED]  OR NI No:  Enclosed (tick if applicable) <input checked="" type="checkbox"/></p>
<p>Do you have planning permission to use the premises for the intended purpose?</p>	<p>Yes / <del>No</del> (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?</p> <p>(b) If so state numbers</p>	<p>(a) YES/NO</p> <p>(b) 2</p>
<p>5. (a) What is the legal title of the applicant(s) to occupy the premises (e.g. freehold, leasehold etc.)</p> <p>(b) If leasehold please give details of the name and address of the landlord.</p>	<p>(a) LEASEHOLD</p> <p>(b) STRONG DRIVE LTD 32-33 SKYLINES BUSINESS VILLAGE E14 9TS</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>MASSAGE REFLEXOLOGY</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>N/A</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</p> <p>(a) Owner or director of owning company; or (b) employee</p>	<p>Address:</p> <p>NONE</p> <p>(a) (b)</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) N/A</p> <p>(c) N/A</p>

licences docs/spc/treat.005

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)

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.

- Electrical inspection certificate for portable appliances, as requested under the Electricity at Work Regulations 1989
- Two passport-sized photographs of applicant and operators
- Copies of each operator's current qualifications under the conditions of licence
- A copy of the customer vetting/history card
- Copies of the current treatment list and price list
- Third-party insurance (advisable to have)
- Cheque/PO for £338.00 / £544.00 (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.
- Copy of Public Notice placed in Newspaper.  
*Applied 25/6/18*

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
	MASSAGE	VTCT LEVEL 3 NVG DIPLOMA			
	MASSAGE	PRACTITIONER OF CHINESE MASSAGE			
	MASSAGE	INDEPENDENT PROFESSIONAL THERAPISTS INT			

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) .....  
or applicants solicitor or other duly authorised agent

Date 25/5/18 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	ACU = HERBS LTD
Registered Office address of Limited Company	56 SKYLINES VILLAGE LIME HOUSE E14 9TS
Telephone number	[REDACTED]
Registered Company number	0689 8458
Names of all Directors and position.	[REDACTED] 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

[REDACTED] (name)  
DIRECTOR (position)  
[REDACTED] (signature)  
25/5/15 (date)

**NOTE**

- A.** The application should be made by the occupier of the premises
- B.** In the case of a limited company, please also complete Part 4 which seeks details of the company.
- C.** Four sets of plans of the premises must be submitted in accordance with directions contained in the Council's rules governing applications for licences.
- D.** If required, a notice on the form prescribed by the Council must be exhibited at the premises for twenty-eight days from the date on which the application is made, and within seven days the application must be advertised in a local newspaper which circulates in the locality in which the premises are situated and which is on sale at local newsagents.
- E.** Licences normally expire 12 months from the date of issue.
- F.** If premises are not already constructed or adapted so as to permit access to and from the premises by disabled people, the Council will expect proposals to be submitted to the Environmental Health Department indicating how such access will be afforded.
- G.** Premises are reminded that it is against the law to smoke in all 'enclosed' and 'substantially enclosed' public places and workplaces. No smoking signs must be displayed in all smokefree premises. Staff smoking rooms and indoor smoking areas are no longer allowed.
- H.** Two identical full-face passport size photographs (taken within the previous 12 months) of all persons who will be giving treatments at the premises must be supplied with this form. Each photograph should be endorsed with the date on which it was taken, bear the name in block capitals of the person whose likeness it bears, and be signed by the applicant.
- I.** No person may give treatments until the Council's approval has first been obtained.
- J.** Where 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.
- K.** If you are unsure as to whether you have the relevant planning permission please contact the planning department at Tower Hamlets Council: Planning Department, Mulberry Place, 5 Clove Crescent  
London E14 2BG Tel: 020 7364 5009 Fax: 020 7364 5415  
Email: [planningandbuilding@towerhamlets.gov.uk](mailto:planningandbuilding@towerhamlets.gov.uk)

**• THE LICENCE FEE IS NON REFUNDABLE – IN ANY EVENT YOU DECIDE TO WITHDRAW YOUR APPLICATION THE LICENCE FEE WILL BE RETAINED TO COVER ADMINISTRATION COSTS.**

FOR DISPLAY TO THE PUBLIC ON OR NEAR THE PREMISES

LONDON BOROUGH OF TOWER HAMLETS  
London Local Authorities Act 1991

Special Treatments Licence  
NOTICE OF APPLICATION

1) Address of Premises

.....  
..... 56 SKYLINES VILLAGE LIMEHARBOUR E14 9TS

2) Applicants Name & Address

..... ACU + HERBS LTD 56 SKYLINES VILLAGE E14 9TS

TAKE NOTICE that I/we the above-named being occupier(s) owner(s) of the above premises have this day applied to the Council of the London Borough of Tower Hamlets for the above premises to be licensed under the above Act for the following SPECIAL TREATMENT

3) .. MASSAGE + REFLEXOLOGY .....

4)

Any person WISHING TO OBJECT to my application should do so by giving notice in writing stating in general terms the grounds of objection to:

Environmental Health and Trading Standards- Health and Safety Team  
London Borough of Tower Hamlets  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

4) Dated this TWENTY EIGHTH day of AUGUST 2018

5) Signed .....

NOTE: THE COUNCIL ON CONSIDERING THE APPLICATION HAS POWER ON GRANTING THE LICENCE TO IMPOSE CONDITIONS (AMONGST OTHERS) AS TO THE HOURS OF OPENING AND TO REFUSE THE SAME (AMONG OTHER GROUNDS) BECAUSE THE PREMISES IS LIKELY TO BE A NUISANCE OR IS OPERATED IN AN IMPROPER MANNER.

FULL PARTICULARS OF THE COUNCIL'S POWER CAN BE OBTAINED FROM THE ENVIRONMENTAL HEALTH SECTION.

LICENCES SPETREAT.012

LONDON BOROUGH OF TOWER HAMLETS

COMMERCIAL TEAM

SPECIAL TREATMENT LICENCES

EXHIBITION OF A NOTICE AT PREMISES

On the date of which application is made for a licence, renewal or transfer the applicant is required to put up a notice at the premises in a place where it can easily be seen and read by persons in the street or adjoining public place. The notice must be kept exhibited for 28 days.

A copy of the notice is attached.

The notice must be dated to show the day it was first exhibited.

Please complete the form below and return it to the address stated with the date the notice was first displayed.

---

Environmental Health and Trading Standards- Health and Safety Team  
London Borough of Tower Hamlets  
John Onslow House  
1 Ewart Place  
London  
E3 5EQ

---

---

The prescribed notice of the application for a licence for the above premises was first exhibited in the position it now occupies on

Date 28 AUGUST 2015

Name of Premises LITTLE JASMINE CENTRE

Address 56 SKYLINE VILLAGE E14 4TS

The notice will be displayed for 28 days from the date

Date 28/8/15

Signed 

licences special.011



Li Wa Hodgkinson

has achieved the following units from within the qualification

**VTCT Level 3 NVQ Diploma in Beauty Therapy  
Massage (QCF)**



URN	Unit Title	Level	Credit Value
Y/601/5875	Monitor procedures to safely control work operations	3	4
R/600/1277	Contribute to the planning and implementation of promotional activities	3	5
A/600/7462	Provide body massage treatments	3	10
D/600/7504	Provide Indian head massage	3	7
K/600/7523	Carry out massage using pre-blended aromatherapy oils	3	8
J/600/7545	Provide stone therapy treatments	3	10
D/600/9012	Provide single eyelash extension treatments	3	5
R/600/7533	Provide self-tanning services	3	3

Date: 11/06/2014



Registration No:



Dr Stephen Vickers  
Chief Executive





CERTIFICATE OF  
PROFESSIONAL MEMBERSHIP



**Member**

of the  
Federation of Holistic Therapists

Registered Membership No: [REDACTED]  
Membership valid until: 15/08/2019

Elected to the following council (s):  
Health & Beauty Employers Federation  
International Council of Holistic Therapists

Members of the Federation agree to abide by its Code of Conduct and Professional Practice, bye-laws and disciplinary procedures in order to ensure the safety and wellbeing of their clients.

## Therapists Insurance Package Statement of Fact

Date Issued 17/08/18

Membership number

Policyholder

Policy Number



**FHT**  
COMPLEMENTARY • BEAUTY • SPORTS

### Important:

This Statement of Fact is based on the information you supplied to us and forms the basis of the contract between you and the Insurer together with the enclosed Policy Schedule(s), Policy Wording and Summary of Cover. It is important that you check the information carefully and tell us immediately if there are any discrepancies.

Please ensure that you have provided us with details of any information, which may be relevant to our consideration of your proposal for insurance. If you have any doubt over whether something is relevant please let us have details.

We draw your attention specifically to the conditions and exclusions. In particular, as failure to comply may mean that Insurers will not pay your claim.

You may cancel this policy by giving written notice to us within 14 days of the start of the period of insurance and you will receive a refund of any premium paid, less any administration fee.

At any other time, you may cancel this policy by giving 30 days' written notice. In such circumstances no refund of the premium for the remaining period will be given.

### Therapists stock & equipment cover Security Condition (if cover applies)

Please note that the following condition will apply. If you are not able to comply with any part of it please notify us prior to taking out the policy as failure to comply may mean that Insurers will not pay your claim.

#### **Security**

The security measures at the insured location(s) comply with the following criteria:

#### **Physical Security**

The devices for the security of your premises are in accordance with the following specification and all devices are put into full and effective operation whenever the premises are closed for business or left unattended.

#### **Specification**

1. The final exit door is secured by means of either a mortice deadlock or rimlock conforming to or superior to BS3621, or a key operated multi-point locking system having at least three locking bolts.
2. All other external doors, and internal doors providing access to any part of the building not occupied by you, are secured by means of either a locking device specified in 1 above, or by two key operated security bolts to engage the door frame.
3. Any external door, or internal door providing access to any part of the building not occupied by you, is secured by means of either a panic bar locking system incorporating bolts which engage both the head and sill of the door frame, or a mortice lock having specific application for emergency exit doors and which is operated from the inside by means of a conventional handle and/or thumb turn mechanism.
4. All ground and basement level opening windows and any upper floor opening windows/skylights accessible from roofs, balconies, fire escapes, canopies, down pipes and other features of the building are secured by means of a key operated locking device or permanently screwed shut.

#### **Notes**

The local fire authority must be consulted before you replace or augment the existing locking device fitted to a designated emergency exit door.

The provisions of specification 4 do not apply to windows/skylights that are protected by means of either fixed round or square section solid steel bars not more than 10 cm apart, or fixed expanded metal, weld mesh or wrought ironwork grilles, or proprietary collapsible locking gate grilles.

FHT-09-32-1.1



**COMBINED MEDICAL MALPRACTICE AND PUBLIC AND PRODUCTS LIABILITY FOR THERAPISTS**

Policy Number:-



**FEDERATION OF HOLISTIC THERAPISTS SCHEME**

**COMBINED MEDICAL MALPRACTICE AND PUBLIC AND PRODUCTS LIABILITY FOR THERAPISTS**

**Section wording  
Insurer  
Limit of Indemnity  
Limit applies to**



Hiscox Insurance Company Limited  
£3000000  
any one claim, but limited to £5000000 in the aggregate for all claims, losses and defence costs during the period of insurance

[or for student therapists]

any one claim, but limited to £2,000,000 in the aggregate included defence costs, in respect of all claims, losses and defence costs arising as a result of therapies that you are practicing as a student. We will only pay such claims, losses and defence costs if you have made us aware of the therapies being practiced and if they are shown in the schedule under Business Activities.

in the aggregate for all claims, losses and defence costs during the period of insurance

**Excess  
Excess applies to  
Geographical limits  
Applicable courts**

£0  
each claim or loss excluding defence costs  
UK, Isle of Man, Jersey, Guernsey, Ireland and Malta plus up to 30 days anywhere in the World excluding USA and Canada.  
European Union

**Your business activities**

Body Massage, Indian Head Massage, Massage with Aromatherapy Oil Blends, Stone Therapy

**Special Limits (included within and not in addition to the overall limit above)**

Sexual misconduct      £500,000

Hiscox 1 Great St Helen's London EC3A 6HX United Kingdom



**COMBINED MEDICAL MALPRACTICE AND PUBLIC AND PRODUCTS LIABILITY FOR THERAPISTS**

Policy Number:- [REDACTED]

**INSURANCE DETAILS**

Period of Insurance : From 16th August 2018 to 15th August 2019, both days inclusive  
Date Issued to Insured: 17 August 2018  
Underwritten by : Hiscox Underwriting Ltd on behalf of the insurers listed for each section of the policy  
Payment method : Payment by Broker's Account

**INSURED DETAILS**

Insured : [REDACTED]

Address : Little Jasmine Therapy Centre, 20 Skyline Village, Limeharbour, LONDON, UNITED KINGDOM, E14 9TS

Business Description : Therapist

Insured Grade : Member

General terms and conditions wording : The General terms and conditions apply to this policy in conjunction with the specific wording detailed in each section below

**PREMIUM DETAILS (inc extensions)**

Annual Premium:	£ 28.67
Annual Extensions	£ 0.00
Annual Tax:	£ 3.44
Annual Admin:	£ 14.70
Annual Total:	£ 46.81

**EXTENSIONS (if applicable)**

Cover(s)	Start Date	End Date	Total Paid
None Listed			



Association of Chinese Medicine Practitioners

英国中医执业医师学会

Chinese Massage Practitioner Certification

中医推拿从业人员证书

We hereby certify that



林金莲

Has been accepted as a member of  
Association of Chinese Medicine Practitioners(ACMP)  
And is a fully qualified practitioner of  
Chinese massage(Tuina)

All members of Register  
Are bound to uphold the highest Chinese Medicine  
And are bound by  
The Code of Ethics of the Association

Membership No:



President:



Date of issue:25 June,2018

Expiry Date: 30 June,2019



**INDEPENDENT PROFESSIONAL  
INTERNATIONAL THERAPISTS**  
RET FORD : ENGLAND  
**Certifies that**

**[REDACTED]**  
has undertaken professional training to standards  
acceptable to examination boards in the  
United Kingdom and/or other National or State  
Authorities and is thereby accepted into membership



**[REDACTED]**  
Director-General

**[REDACTED]**  
Executive Secretary

**Full Member**  
Membership Grade

**[REDACTED] 4 July 2018**  
Membership Number Date



## MASTER/GROUP POLICY EVIDENCE OF INSURANCE

THIS DOCUMENT (EVIDENCE OF INSURANCE) IS ISSUED FOR INFORMATION ONLY. IT DOES NOT CONSTITUTE A LEGAL CONTRACT OF INSURANCE. THIS EVIDENCE IS FURNISHED IN ACCORDANCE WITH, AND IN ALL RESPECTS IS SUBJECT TO, THE TERMS OF THE MASTER/GROUP POLICY. THIS EVIDENCE REPLACES ANY OTHER EVIDENCE PREVIOUSLY ISSUED COVERING THE INSURANCE DESCRIBED HEREIN.

This document is to notify the person(s) named below (the "covered party") that the following insurance has been effected with Novae Underwriting Limited on behalf of certain underwriters at Lloyd's (the "Underwriters") under a Master/Group Policy (the "Master Policy") issued to the Master/Group Policyholder (the "Master Policyholder") bearing the Master Policy Unique Market Reference shown below

The Original Master Policy Document may be inspected at the offices of the Master Policyholder and a copy is available on request to the Master Policyholder. The respective names of and proportions underwritten by the Underwriters can be ascertained from the office of the Master Policyholder. The relevant terms of coverage provided under the Master Policy are set out in the attached document

1. Covered Party	[REDACTED]
Address	[REDACTED]
Membership number	[REDACTED]
2. Name and address of Master Policyholder	[REDACTED]
3. Master Policy Unique Market Reference	[REDACTED]
4. Period of Cover, Both days inclusive	04/07/2018 - 28/02/2019
5. Limit of Liability/Sum Insured	£2,000,000
6. Insurance Treatment numbers	14
7. Retroactive Date	04/07/2018
8. Premium	£22.28
9. Tax	£2.67
10. Total Premium plus Tax	£24.95
11. In the event of a claim please notify DSC-STRAND LTD, Swithins, Tilford Road, Farnham, Surrey GU9 8HU	
12. If you wish to make a complaint please contact DSC-STRAND LTD, Swithins, Tilford Road, Farnham, Surrey GU9 8HU	
13. If you have any other enquiries please contact IPTI, PO Box 106, Reiford, DN22 1WN	
Date of Issuance	04/07/2018

**POLICY FOR MEMBERS OF**

**INDEPENDENT PROFESSIONAL THERAPISTS INTERNATIONAL**

**MALPRACTICE AND PROFESSIONAL LIABILITY POLICY**  
**INCLUDING PUBLIC & PRODUCTS LIABILITY**

The policy has been arranged by DSC Insurance Services. DSC Insurance Services is a trading style of DSC-Strand Ltd, which is authorised and regulated by the Financial Conduct Authority with FCA reference number 310238

**NOTE:** This is a "Claims made" insurance covering only Claims made during the Period of Insurance.

In return for payment of the premium by the Insured to the Insurer the Insurer will provide the insurance described herein subject to the provisions set out in this Policy.

PROPOSED

## Price List

### Stiff Neck & Shoulder

**30 Minutes                      £30**

### Holistic Massage

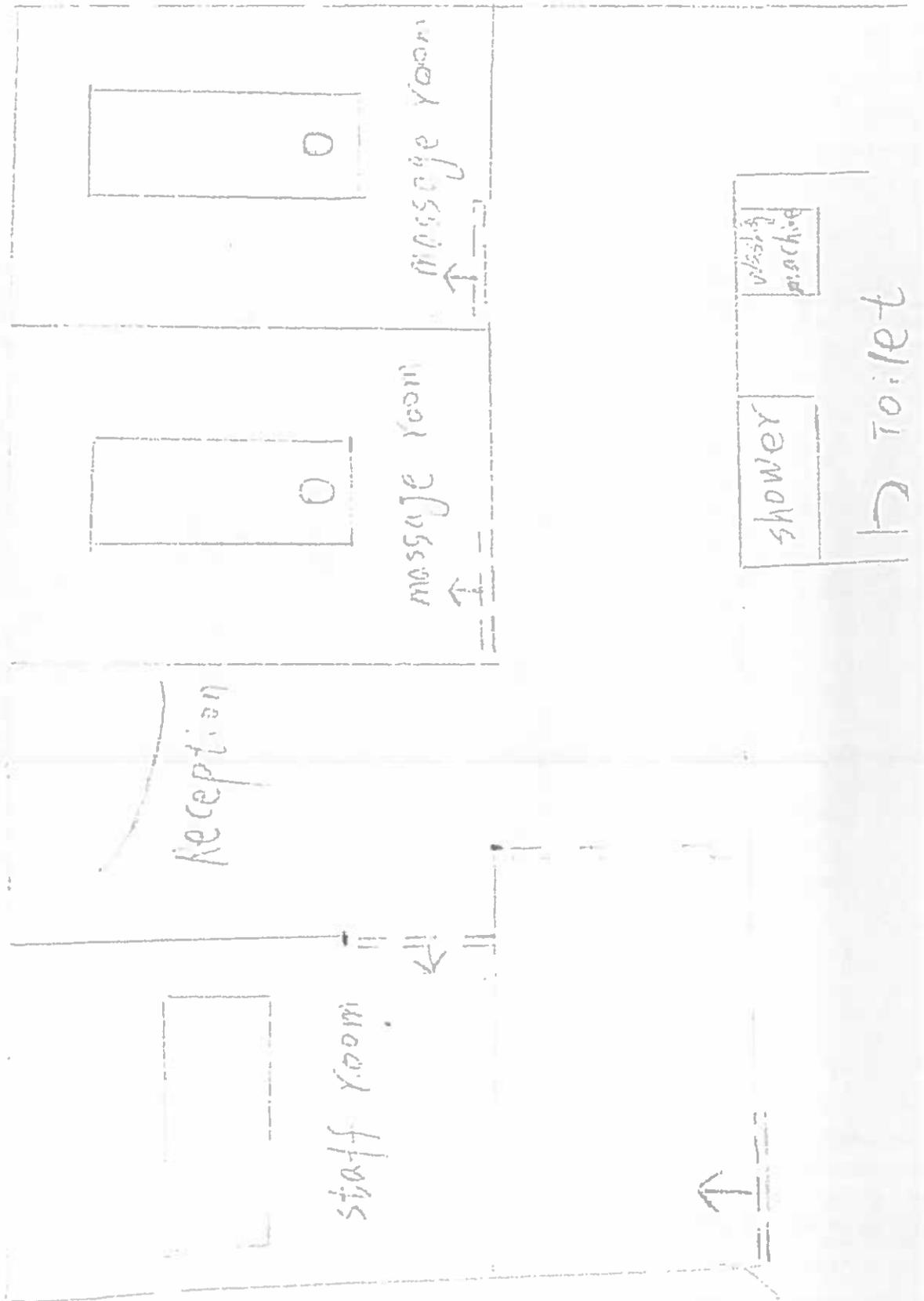
**30 Minutes                      £28**

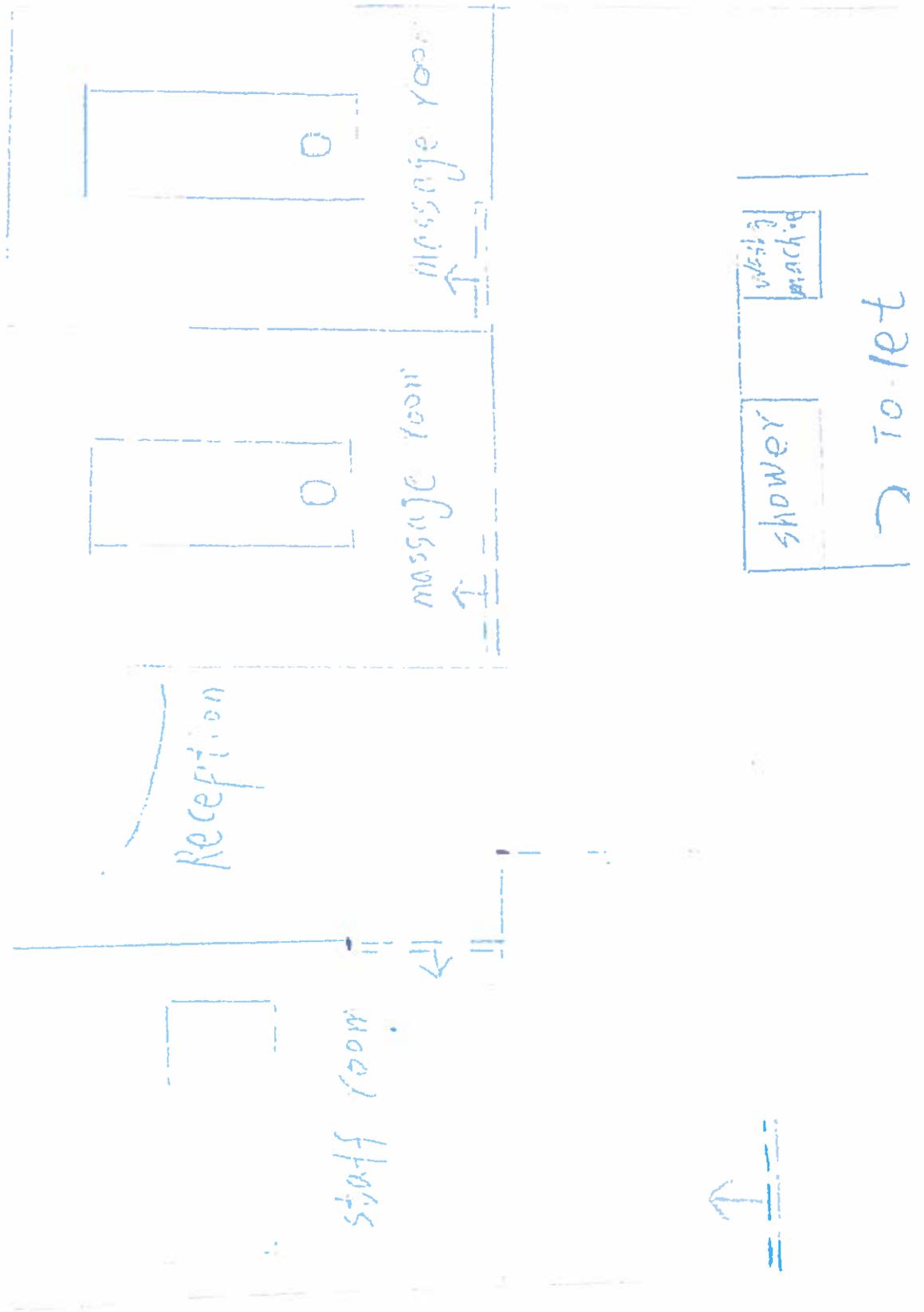
**60 Minutes                      £48**

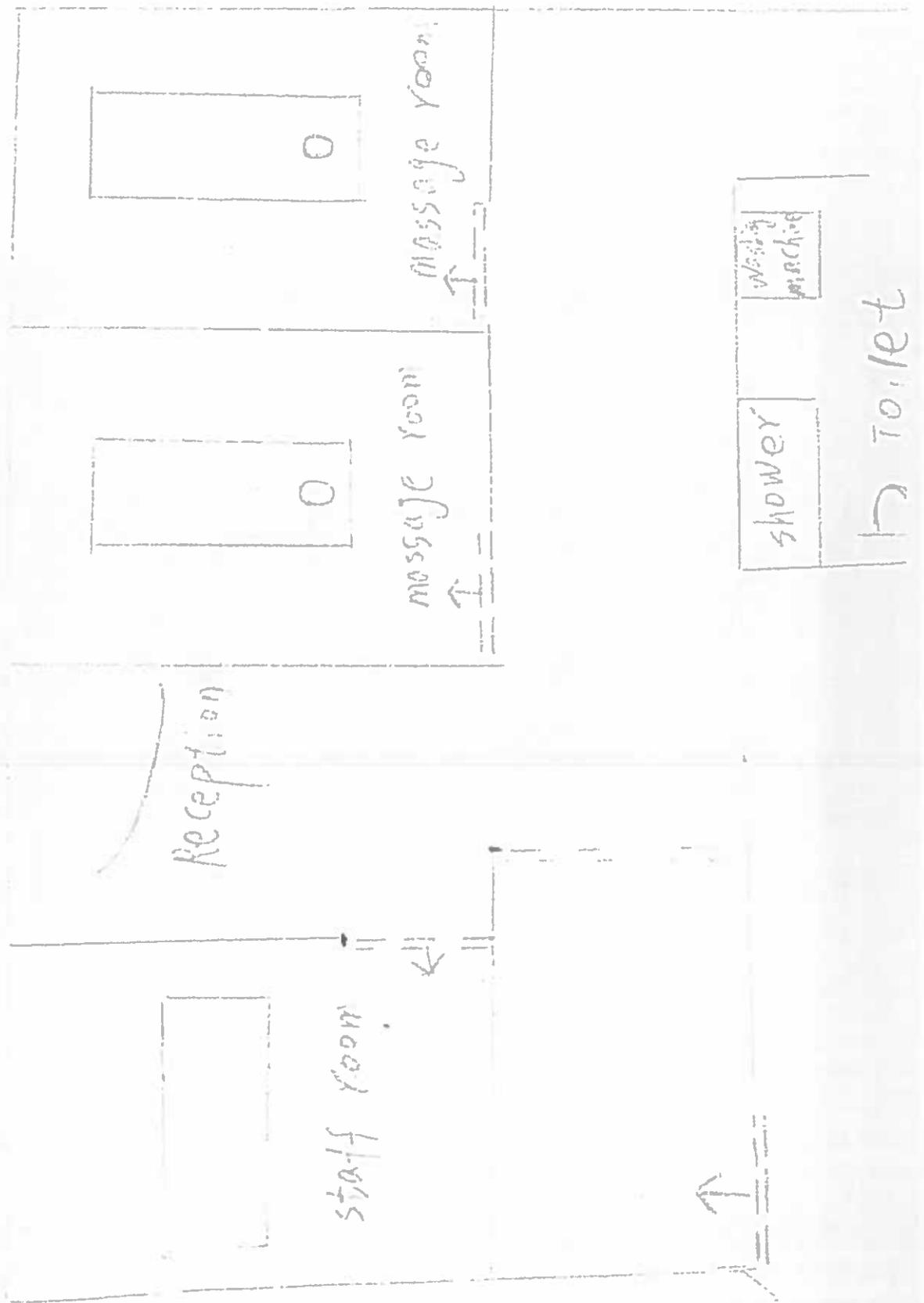
### Deep Tissue Massage

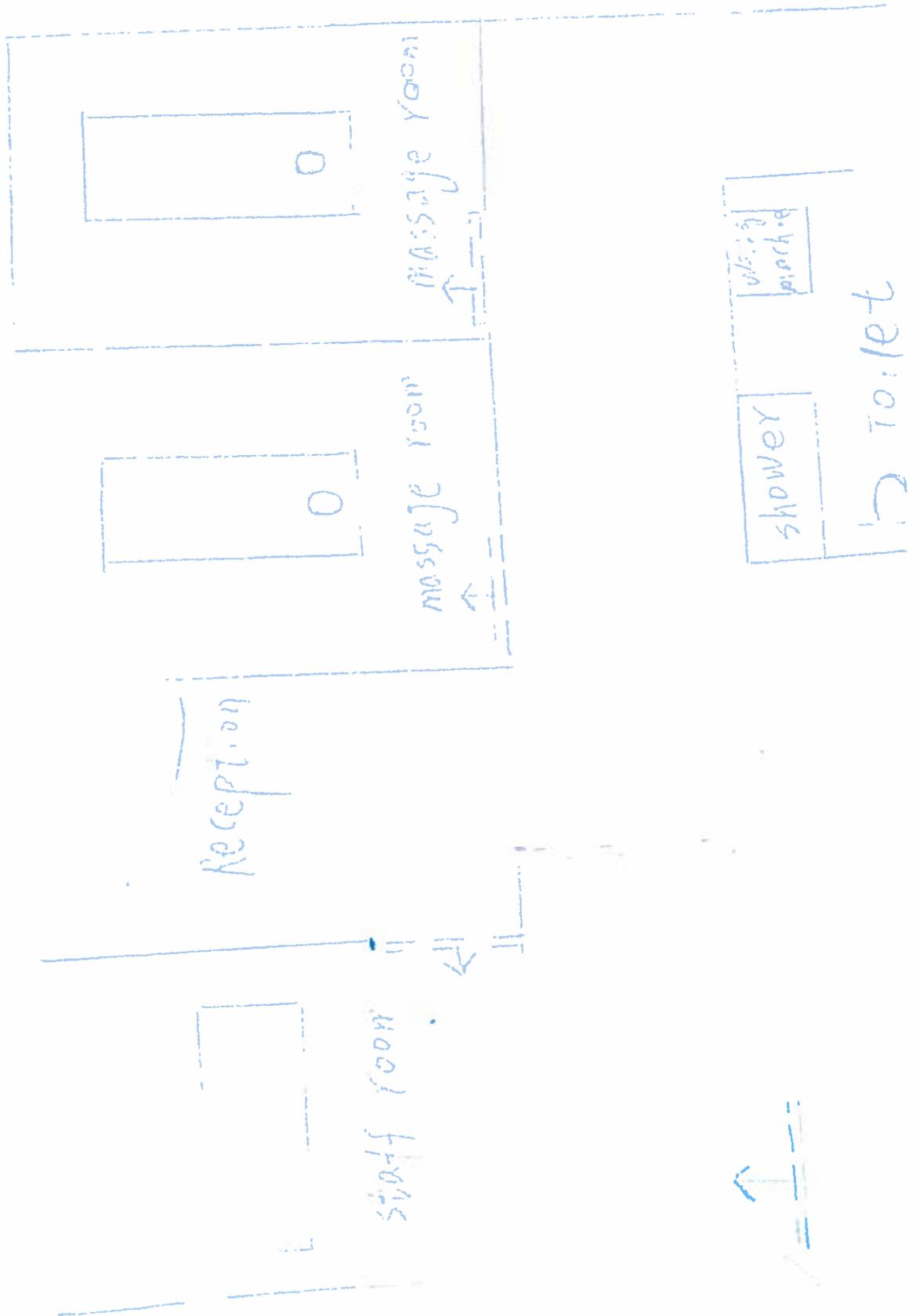
**30 Minutes                      £30**

**60 Minutes                      £50**











LONDON BOROUGH OF TOWER HAMLETS 259206

Received: Cheque P.O., M.O. C022006 Date 29<sup>th</sup> August 2018  
Cash

Received of Acu & Herbs Limited  
the sum of Three hundred & Thirty-eight pounds  
and Nil pence, in respect of  
Special Treatments licence - Little Jasmine Centre  
56 Skylines Village, Letchworth, E14 9TS

Amount  
£ 338 . 00



54040-40560

NOT EXCHANGEABLE

F 67

**INDEPENDENT PROFESSIONAL THERAPISTS  
INTERNATIONAL  
RETTORI : ENGLAND**

**Certifies that**

**[REDACTED]**  
**has undertaken professional training to standards  
acceptable to examination boards in the  
United Kingdom and/or other National or State  
Authorities and is thereby accepted into membership**



**[REDACTED]**  
Director General

**[REDACTED]**  
Executive Secretary

**Full Member**  
Membership Grade

**[REDACTED]**  
Membership Number

**1 September 2018**  
Date



LONDON BOROUGH OF TOWER HAMLETS: HEALTH & SAFETY AT WORK RECORD OF CONTACT

Environmental Commercial Team, Mulberry Place, 5 Clove Crescent, E14 2BG

Tel: 020 7364 5008

Fax: 020 7364 6901

Recorded on App

Date

Officer

CEKIAN CHONO

Name of Business/ Occupier LITTLE JACQUELINE COFFEE

House Name

No 50 Street SILKLINE VILLAGE

Town LONDON Post Code E14 9TS

Tel. No. [REDACTED]

Contact / Title [REDACTED] - THE MANAGER

Email:

Visit Type

- K = Full audit
- R = Unintentional
- L = S.Req visit
- M = Accident inv
- N = Revisit to check
- OR = H&S Advisory/Project visit
- S = Other incl sampling

- P = Lic - full audit
- Q = Lic - revisit
- OT = SR Non H&S
- OU = revisit non H&S
- AO = Event meetings/visits
- AW = Animal Health/Welf Full Audit
- SA = Animal Health/Welf Visit
- O = Srvy/enf initiative /(meeting)

- A01  Whole of Premises
- A02  Part of Premises
- A04  Other (catering area only)
- A03  Records

**LOL.LJC.004**

\* delete as appropriate

General topic areas

1. Safety Policy	7. Sanitary accomm/wash facilities/drinking water	13. Emergency Precautions
2. Risk Assessment	8. Electrical installation/electrical appliances*	14. Smoke free
3. Accident Reporting	9. Hazardous substances	15. Workplace transport
4. Slips and trips	10. Mechanical/manual handling(msd)	16. Working at height
5. First Aid	11. Storage arrangements	17. Asbestos
6. Heating/lighting/ventilation*	12. Machinery	

General NOU MUST BE IN THE CAFE

1) LICENCE TO BE DISPLAYED PROMINENTLY AT THE

2) ~~THE~~ PROPRIETOR ELECTRICAL EQUIPMENT TO BE PAID FOR AND MAINTAINED AND SCHEDULE TO BE SENT TO THE

3) RECORD OF CHECKS TO BE MAINTAINED

4) FIRST AID BOX TO BE IN PLACE IN ALL ROOMS

5) FIRST AID BOX TO BE PROMINENT

6) LIFTING RIGS TO BE PLACED IN THE TWO RESTROOMS

7) FOR SURE THAT THE ROOM NEXT TO RESTROOMS IS REST ROOM

8) LITTLE JACQUELINE WAS PROVIDING RESTROOM TO A CUSTOMER DURING VISIT - SHE STATED THAT SHE WAS JUST IN THE

Summary of action to be taken

Informal  Improvement Notice  Prohibition notice  Licensing non-conformities

This report is to inform you of contravening against the Health & Safety at Work etc. Act 1974 and other relevant statutory provisions which should be remedied as soon as possible. You should take steps to ensure that the contraventions do not recur. This report may also give advice and recommendations but only covers the areas discussed at the time of visit. The absence of comment does not indicate compliance with the Health & Safety at Work Act or any Regulations made thereunder. Failure to achieve and maintain satisfactory conditions in your business may result in prosecution.

Signature of Authorised Inspector [REDACTED]

\*Signature of Proprietor/ Owner/person interviewed [REDACTED]

\*circle as appropriate

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LOL.LJC.005

Welcome Charlotte Basten

Thursday 25th October 2018 11:34

## Site Search

Search

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## Appointed Officer List

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Appointed Officer List for ACU

Page no. 1

Date-of-birth	Post town	Post code	Appt. type	Appt. date	No. of appts.
<b>HODGKINSON, LI WA</b> Mar 1968	LONDON	E14 9TS	DIR	16 Feb 2017	1
<b>HODGKINSON, KEITH</b>	LONDON	E14 9TS	SEC (Resigned 01 Mar 2017)	08 May 2010	1
<b>HODGKINSON, KEITH</b>	LONDON	SE25 6SE	SEC (Resigned 24 Jun 2017)	16 Feb 2017	1
<b>LIU, SHUYAO</b> Apr 1981	LONDON	NW1 5LD	DIR (Resigned 12 Dec 2011)	07 May 2009	1
<b>LIU, SHUYAO</b> Apr 1981	LONDON	NW3 5EB	DIR (Resigned 10 Sep 2013)	05 May 2010	1
<b>LIU, XINYUAN</b> Feb 1980	GREENHITHE	DA9 9US	DIR (Resigned 15 Feb 2017)	01 Sep 2013	2
<b>LIU, XINYUAN</b>					

Feb 1980	ROMFORD	RM7 0GX	DIR (Resigned 28 Dec 2012)	12 Dec 2011	1
ZHU, HAITAO	SALFORD	M7 2ZT	SEC (Resigned 20 Nov 2009)	07 May 2009	4

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