

Non-Executive Report of the: Licensing Committee 15 th March 2018	
Report of: David Tolley, Head of Environmental Health and Trading Standards Directorate of Place	Classification: [Unrestricted]
The Tattoo Collective 2018 and the Tattoo Convention 2018	

Originating Officer(s)	Natalie Thompson, Principal Environmental Health Officer
Wards affected	St Katharine's & Wapping; and Spitalfields and Banglatown

Summary

- 1.1 This is a report requesting an increase in the current special treatment licence fee for two annual events. The Tattoo Collective and the Tattoo Convention. The Collective is a 2 day event on at The Old Truman Brewery on the 17th and 18th March 2018 and the Tattoo Convention is a 3 day event which is due to take place at Tobacco Dock in September 2018 (date to be confirmed). The events involve Tattooists from around the world providing tattoos to members of the public over the event days. A special treatment licence is required for the premises for both events. An increase in the licensing fee is requested, to ensure cost recovery of the work involved prior to the event liaise with the organiser to assess their plans and risk assessments and arrangements for infection control leading up to the event.
- 1.2 If the licence is issued a separate enforcement fee will then be charged to recover costs in order to carry out the relevant checks, inspections, and if needed, corrective actions to ensure that the events are safe and the risk associated with blood borne viruses are managed.

2. Recommendations:

The Licensing Committee is recommended to:

- 2.1 Agree that the application fee for a massage and special treatment licence for 2018 Tattoo Collective event be set at £1647.
- 2.2 Agree that should the licence for the Tattoo Collective be issued, a separate enforcement fee of £602 be charged.

- 2.3 Agree that the application fee for a massage and special treatment licence for the 2018 Tattoo Convention event be set at £2043.
- 2.4 Agree that should the licence for the Tattoo Convention be issued, a separate enforcement fee of £967 be charged.

3 REASONS FOR THE DECISIONS

- 3.1. To ensure that the Council fulfils its statutory responsibility, the Licensing Committee is being given the opportunity to consider and comment on adopting enhanced Massage and Special Treatment Licence fees and enforcement fees to ensure appropriate cost recovery.
- 3.1 Fees are set on a costs recovery basis. There is an annual increase to ensure that fees are kept in line with the on-cost to the Council in processing the applications including recovering the costs of the administration advice and guidance to the Event Organiser.
- 3.2 The large venue capacities mean that there is an increased risk of the spread of infection due to the huge volume of visitors undergoing some sort of skin piercing activity. There is an increased cost to the council compared to issuing a standard special treatment licence as officers will work with the event organisers prior to the event, and attend the event to enforce licence conditions throughout. Therefore if the licences for the events are issued an extra enforcement fee would be charged to recover the costs of this time.
- 3.3 A decision of the Licensing Committee is required to increase the Licence fees in line with our costs to £1647 for the 2 day Tattoo Collective event in March 2018 and a further Enforcement fee of £602 payable if the Licence is granted.
- 3.4 A decision of the Licensing Committee is required to increase the fees in line with our costs and inflation at 2.9% to £2043 for the 3 day Tattoo Convention event in September 2018 and a further enforcement fee of £967 payable if the Licence is granted.
- 3.5 Special Treatment Licence fees for a standard premises offering tattoos are usually £328.40 but due to the nature of the event, a substantial amount of officer time is required compared to the granting of a standard licence.

4 ALTERNATIVE OPTIONS

- 4.1 The Committee may determine not to increase the fee and the standard special treatment licence fee of £328.40 will be charged for the 2 day event in March and the proposed new rate of £338.00 proposed from 1st April 2018 for the 3 day event in September if approved.

5. DETAILS OF REPORT

- 5.1 The Policy Strategy Committee on the 13th October 1992 adopted the provisions of the London Local Authorities Act 1991 relating to Special Treatment premises, section 10(1) allows the Local Authority to make regulations prescribing standard conditions applicable to all classes of its special treatment licences. Appendix 1 sets out the calculation used to determine the fees.
- 5.2 The Act enables a system of licensing by borough councils to be applied to establishments used for Special Treatments. Such establishments are defined as premises used, intended to be used or represented as being used, for gain or reward, and for the reception or treatment of persons requiring massage, manicure, acupuncture, tattooing, cosmetic piercing, chiropody, light electric or other Special Treatments of a like kind, or vapour, sauna or other baths, and where the special treatment is not carried out by or under the supervision of a medical practitioner or a bona fide member of a body of health practitioners.
- 5.3 The purpose of the legislation is to allow controls to be applied to such premises through enforceable terms and conditions relating to public order, safety, cleanliness, hygiene and the qualifications of staff. Applications for licences must be made in the manner prescribed by the Council.
- 5.4 No premises shall be used as an establishment for Special Treatment without holding a Special Treatment Licence, and in accordance with any conditions attached to such a Licence. Further an applicant for the grant, renewal or transfer of a license shall pay such a reasonable fee as determined by the Council.
- 5.5 A special treatment licence application has been made to hold a Tattoo Collective at Truman's Brewery and they are expected to make an application to hold a Tattoo Convention at Tobacco Docks in September.
- 5.6 A Special Treatment Licence will be required to hold the events and which will enable conditions to be set.
- 5.7 The Tattoo Collective event will attract around 150 tattooists from around the UK, who will be offering tattoos to members of the public, mainly by appointment. The venue capacity for the event is approximately 2500 persons at any one time.
- 5.8 The Tattoo Convention event will attract around 300 tattooists from around the world, who will be offering tattoos to members of the public, also mainly by appointment. The capacity of the venue is approximately 3000 persons at any one time.
- 5.9 The organisers have held 1 Tattoo Collective event and 13 London Tattoo Convention events in the past.

5.10 The costs to the council have been estimated in Appendix 1. Extra monitoring is required compared to a normal special treatment licence due to the high-risk nature of the event in controlling blood borne diseases, the control of clinical waste and general public safety at the event.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 The Licence fee and charges are reviewed annually to ensure the Council is able to recover administrative and enforcement costs for annual Tattoo events held within the borough. The current Tattoo licence fee charged for 2017-18 is £328.40 and for 2018-19 this will be £338. The report proposes as in previous years that the fees be increased to reflect the additional associated costs incurred for each of the events set out in the Appendix 1 and summarised in the following table.

Event	Date	Length	Licence Fee	Enforcement Fee	Total Fee
Tattoo Collective	March 2018	2 days	£1,647	£602	£2,249
Tattoo Convention	September 2018	3 days	£2,043	£967	£3,010

6.2 The total charge will be credited to the Environmental Health Budget to offset the associated costs identified in the report for each of the proposed events.

7. LEGAL COMMENTS

7.1 This report is seeking to have the Licensing Committee set the application fee for a massage and special treatment licence for the Tattoo Convention 2018 and the Tattoo Collective.

7.2 Special treatments licences are granted in accordance with Part II of the London Local Authorities Act 1991 (as amended) (“the Act”). Section 6(1) of the Act states that no premises shall be used for special treatment except under and in accordance with a special treatment licence granted by the Council.

7.3 Section 7(6) of the Act provides that an applicant for the grant, renewal or transfer of a licence shall pay a reasonable fee as determined by the Council. Pursuant to its terms of reference, it is a function of the Licensing Committee “to determine fees and charges for the issue, approval, consent, license,

permit or other registration for functions for which the Committee has responsibility”, which includes inter alia special treatments. The Council has determined standard fees for special treatment licences however these are annual fees for single applicants and therefore the standard fee would not cover the increased costs in the current circumstances

7.4 It is not unusual for Council’s to consider large global applications by organisers for one-off events throughout the calendar year. Members are reminded that the London Tattoo Convention has been held in the London Borough of Tower Hamlets on several previous occasions and the setting of an exceptional fee for its special treatment licence has been approved for those previous events.

7.5 The licence fee charged must be on a cost recovery basis.

7.6 The Council is able to fund the cost of administering and enforcing the licensing regime as long as these are clear in the fee structure and the enforcement costs are refundable if the applicant is unsuccessful in his application

8. ONE TOWER HAMLETS CONSIDERATIONS

8.1 The event may assist with Community Cohesion within the area.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

9.1 There are no adverse impacts identified.

10. RISK MANAGEMENT IMPLICATIONS

10.1 The licence fee proposed covers the council’s cost of licence functions in relation to this event. The licensing regime seeks to secure protection for the public and enables Environmental Health to scrutinise and control the event through the imposition of licence conditions. If the recommendation is not agreed then the Council would be effectively subsidising the event as it would not be recovering its costs in respect of these duties.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

11.1 The enforcement of licence conditions should contribute to a well-run and orderly event.

12. EFFICIENCY STATEMENT

12.1 There are no efficiency elements to this report.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix 1 - Costings.

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:

- N/A