
TO **Licensing and Safety Team**

FROM **Amran Ali**

REFERENCE: **Vanilla Thai Massage**

DATE **21st June 2022**

Re: Cheung Lai Kwan,
T/A Vanilla Thai Massage, 1 Whites Row, London E1 7NF

Reference is made to the Special Treatment License for the above premises. Currently the business holds a premises special treatments licence to carry out Thai Massage, Swedish Massage, NBS (neck, back & shoulders) Massage, Foot Massage and Seated Massage. The licence expires on the 17th of October 2022.

An application is made to revoke the premises special treatments licence 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, Vanilla Thai Massage was found to be offering services of a sexual nature on 2 separate occasions, on the 16th and 29th of October 2021. Evidence of these are attached in the form of witness statements of the two test purchases. See **AMA.VTM.001 & 002**. The two test purchases were carried out in between two licence periods for the business. A copy of the current licence is exhibited as **AMA.VTM.006**
2. A follow up compliance check visit was carried out by Lekan and I on the 27th January 2022. A copy of the site visit report is exhibited as **AMA.VTM.008**. Two massage therapists were present at the premises but only one therapist, Christiane Carard was approved by the council to provide massage treatments. The other therapist, Nongnut Saeton was not listed as a therapist nor any competency information including qualification certificate(s) was provided of her during the most recent renewal application or the application before that. See copies of both renewal application forms on **AMA.VTM.003 & 005**.

This is a breach of condition 6 of the standard licence conditions which were sent to Cheung Lai Kwan with the 2020 licence and 2021 licence. Copies of the conditions are attached as **AMA.VTM.004 & 007**. The conditions of the licence require any additional therapists employed during the licensing period, to be notified to the Licensing and Safety Team first for approval. However, this was never done for Nongnut Saeton which demonstrates a breach of conditions and indicates that the licence holder is not fit and proper to hold a licence.

3. Cheung Lai Kwan provided no details of a limited company and so licenses were issued to her as a sole trader. She had also provided no separate details of the person responsible for the management of the establishment and therefore by default the management responsibility lie with her as the applicant. See page 1 of the application form on **AMA.VTM.003 & 005**. As such, the person concerned in the conduct and management of the premises used for special treatments could be reasonably regarded as not being a fit and proper person to hold such a license. (Section 8c of the Act).
4. In an email dated 20/01/22 from Cheng Lai Kwan's solicitor, Mr Robert Wong stated that Ms Kwan has been in Hong Kong for a whole year since January 2020. This means she has not physically been present at the business for a very long time and therefore unable to properly manage the business and ensuring the conditions of the licence are being upheld. Mr Wong comments on the **"increased risks caused by her absence"**. He also mentions that Ms Kwan is looking to sell the business. These are indications that Cheng Lai Kwan is not fit and proper to hold a licence. A copy of the email can be seen in **AMA.VTM.009**.
5. On an email dated the 13th May 2022, Mr Robert Wong has stated that Chen Lai Kwan is still in Hong Kong and had by now sold the business. He further added that Ms Kwan **"...therefore does not have any interest in the business."** A copy of the email can be seen in **AMA.VTM.010**. In light of this, Chen Lai Kwan's complete disassociation from the business, Vanilla Thai Massage on 1 Whites Row, E1 7NF means that she can no longer be considered as a fit and proper person to have a licence in her name for the business premises.
6. Under Section 9(2) of the London Local Authorities Act 1991 the Borough Council may revoke a licence held by a person for grounds mentioned in Section 8 which includes premises being improperly conducted and the licence holder not being a fit and proper person to hold a licence.



Amran Ali
Health and Safety Officer
Licensing and Safety Team

List of Appendices

AMA.VTM.001 = Witness statement following test purchase on 15/10/21

AMA.VTM.002 = Witness statement following test purchase on 29/10/21

AMA.VTM.003 = Licence renewal application – October 2020

AMA.VTM.004 = Copy of Licence Conditions for October 2020-October 2021

AMA.VTM.005 = Licence renewal application October 2021

AMA.VTM.006 = Copy of Special Treatments Licence for October 2021-2022

AMA.VTM.007 = Copy of Licence Conditions for October 2021-2022

AMA.VTM.008 = Site visit report 27/01/22

AMA.VTM.009 = Copy of email from defence solicitor, Robert Wong dated 20/01/2022

AMA.VTM.010 = Copy of email from defence solicitor, Robert Wong dated 13/05/2022