

Appendix 3

BASIS FOR DECISION

No premises shall be used in the Borough as an establishment for special treatment except under and in accordance with a Special Treatment Licence.

Treatment licence:

Treatment licensing conditions are in Appendix 1 and 2.

The Council may only refuse to grant a licence on the following grounds.

- 1) The premises are not structurally suitable.
- 2) 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.
- 3) 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 licence.
- 4) The person giving special treatment is not suitably qualified.
- 5) The premises have been or are being improperly conducted.
- 6) The premises are not provided with satisfactory means of lighting switches and ventilation.
- 7) The means of heating the premises are not safe.
- 8) Proper precautions against fire on the premises are not being taken.
- 9) They are not satisfied as to the safety of the special treatment given.
- 10) Satisfactory means of escape in case of fire and suitable means for emergency lighting are not provided on the premises.
- 11) The applicant has, within the period of 5 years immediately preceding the application to the council, been convicted of an offence under the Act.

There is an appeal procedure to the Magistrates' court acting for the petty sessions in which the premises are situated by way of complaint for an order.