

SOUTHEND-ON-SEA BOROUGH COUNCIL ESSEX ACT 1987 LICENSING OF ESTABLISHMENTS FOR MESSAGE AND SPECIAL TREATMENTS

Schedule of Conditions

- 1) This licence is personal, is not transferable and is only valid in respect of the premises named on the licence.
- 2) The establishment shall be carried on only under the name specified on the licence. If any alteration is to be made in the name of the establishment, prior notice must be given to the Council in writing addressed to the Regulatory Services department and the licence forwarded for amendment. The alteration must not be given effect until the licence has been amended.
- 3) The establishment shall be carried on only for the treatment(s) specified in the licence. If any alteration is to be made in the range of the treatment specified in the licence, application must be made to the Council in writing addressed to the Regulatory Services department and the licence forwarded for amendment. The alteration must not be given effect until the application has been approved and the licence has been amended.
- 4) The licensee shall not, except with the written consent of the Council, employ in the managing of the establishment any person:
 - i. whose massage and special treatments licence has been revoked or to whom a licence has been refused on the grounds that such person is unsuitable to hold a licence to carry on an establishment for massage or special treatment, or
 - ii. who is unsuitable to be so employed on the grounds 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, or
 - iii. in relation to which representations have been made to the council by the Chief Officer of Police that they are unsuitable (and in respect of whom the Council has notified the licensee of the grounds of that persons unsuitability).

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 1985 (as amended), shall forthwith notify the Council in writing of any changes in the directorship of such company during the term of this licence.
- 6) The current licence or a clear copy shall at all times be prominently displayed at the premises in a position where it can be easily read by persons using the premises. The licence shall be adequately protected against theft, vandalism or defacement.
- 7) The licensee shall not permit or suffer any person to administer massage or special treatment in the establishment unless the Council has given their prior approval to the qualifications, experience and suitability of such person. The licensee shall notify the Council of any changes to the persons administering massage or special treatment during the year.

- 8) The licensee shall at all times keep and maintain the whole of the licensed premises and the fixtures, fittings, plant and equipment, including all electrical equipment and gas appliances therein in a safe condition and in a good state of repair.
- 9) The Licensee shall at all times keep and maintain the whole of the licensed premises and the fixtures, fittings, plant and equipment in a clean and sanitary condition to the satisfaction of the Council.
- 10) The premises, including all treatment areas, shall be open to inspection at all times when the premises are in use by a Police Officer or an authorised officer of the Council on production of his authority if requested.
- 11) The licensee shall ensure that the Council is provided with an up to date plan of the premises indicating the treatment areas.
- 12) All treatments shall be administered within the areas as specified in the licence.
- 13) All apparatus within the treatment areas are to be installed and used in accordance with the manufactures requirements. They shall also be CE marked for that purpose. In particular, no water-bed or other similar device shall be situated within the treatment areas.
- 14) Any lock fitted to any treatment rooms must be of a design which can be operated from the outside in an emergency.
- 15) A list of fees or charges appertaining to the treatment to be available on the premises shall be prominently displayed within the premises.
- 16) The Licensee shall ensure that all therapists have the ability to be able to sufficiently communicate with a 'client' verbally and in writing, including in English, in order to satisfactorily provide the following:
 - i. hold a consultation,
 - ii. provide aftercare advice,
 - iii. maintain client records.
- 17) The Licence holder/Authorised person shall ensure that no part of the premises is used by persons, for soliciting or other immoral purposes.
- 18) Any person carrying out any treatments must ensure that:
 - i. Any open boil, sore, cut or other open wound is effectively covered by an impermeable dressing.
 - ii. Hands are kept clean and are washed immediately prior to carrying out any treatment.
 - iii. They refrain from consuming food and drink during the course of the treatment.
- 19) To comply with waste disposal legislation, operatives/licence holders have a duty of care to ensure that all clinical waste i.e. used dressings, swabs etc. (infected or not) and used sharps are collected and disposed of by a licensed contractor. A waste transfer document shall be available at the premises for inspection. Clinical waste bags shall be yellow and marked 'biohazard-clinical waste' and whilst awaiting collection should be stored in a secure and appropriate area.
- 20) Records including name, address, age, date and type of treatment received shall be kept for all treatments, for a period of at least 3 years.

- 21) Each client shall be provided with written aftercare advice for each treatment they receive, and confirmation of this should be recorded on their client record.
- 22) All persons carrying out treatments shall have received suitable training in the treatments being undertaken and also use of any relevant equipment. Written evidence of all training shall be available on the premises for inspection.
- 23) The Licence holder, and premises, shall comply with the relevant Code of Practice as specified to the treatments being offered.

Additional Codes of Practice in relation to Licensed Massage and Special Treatments

1. Code of Practice 1: Massage/Aromatherapy/Reflexology
2. Code of Practice 2: Light – LASER/IPL
3. Code of Practice 3: UV Light – Sunbeds
4. Code of Practice 4: Sauna's and Steam Rooms
5. Code of Practice 5: Spa Pools, and Other Baths
6. Code of Practice 6: Electric, Electric Vapour Treatment & Radiant Heat