

## MEMO: Licensing Unit

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<b>To</b>	Licensing Unit	<b>Date</b>	
<b>From</b>	Richard Kalu	<b>Telephone</b>	020 7525 4642
<b>Email</b>	<a href="mailto:richard.kalu@southwark.gov.uk">richard.kalu@southwark.gov.uk</a>		

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**Subject: London Local Authorities Act 1991 – Ayoyemi Nails, 226 Camberwell Road, SE5 0ED**

I write to object to the grant of a special treatments licence application submitted by Yemi Coker under the London Local Authorities Act 1991 for the premises named as Sheer Nails located at Ayoyemi Nails, 226 Camberwell Road, SE5 0ED.

The application for a special treatment licence has been made so as to provide manicure, nail extensions and pedicure to members of the public.

My objection is based on the London Local Authorities Act, section 8, paragraphs as follows:

- 8(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 licence;
- 8(e) the premises have been or are being improperly conducted;
- 8(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;
- 8(j) they are not satisfied as to the safety of the special treatment to be given;

On 22 October 2012 Ms Yemi Coker contacted the Council requesting some information on what she would need as she will be opening up a beautician nail shop at 226 Camberwell Road, SE5 0ED. Ms Coker was contacted and given the details to download a special treatments licence from the Council's website.

The applicant has since been found to allow the premises has been found on three occasions at two commercial addresses to be operating an unlicensed nail bar, section 6 (1) of the London Local Authorities Act 1991 states that:

“no premises shall be used in the borough as an establishment for special treatment except under and in accordance with a special treatment licence granted under this section by the borough council”.

The first occasion was on the 04 April 2019 when Immigration Officers visited and found 4 Vietnamese nationals working as nail operatives within the premises detailed as follows:

- 1x VNM Male - Outstanding Asylum Claim – No Right to Work – Was walked off scene
- 1x VNM Female - Outstanding Asylum Claim and Potential Victim of Trafficking – No Right to Work – Was walked off scene
- 1x VNM Male - Illegal Entrant
- 1x VNM Male - Illegal Entrant, subject was a minor

During the visit no one answered when asked who was in charge and they were generally

uncooperative, a female working behind a counter closest to the entrance attempted to escape and was arrested on the street.

On 01 November 2019 a licensing officer visited the premises and observed that there were three nail operatives working within the premises, none of the three were detailed on the application form as operatives.

On 04 November 2019 a licensing officer visited the premises and observed that there were two nail operatives working within the premises, none of the three were detailed on the application form as operatives, they gave their names as Lan Tahi Thi Tran and Thi Huong Thao Vu.

On 05 November 2019 the Licensing Officer informed Ms Coker that there was a misunderstanding, her special treatments licence had not been issued.

A warning letter was emailed, and handed in person, to Ms Coker on 15 November 2019.

These premises have not been properly conducted in that unlicensed special treatments have been provided at the premises by unlicensed operatives I am not satisfied that unlicensed operatives that are allowed to use the nail bar equipment can do so safely. The use on unlicensed operatives increases the health risks to patrons from transmittable diseases such as HIV and hepatitis.

Ms Coker has known since 2012 that she requires a special treatment licence and that the trained and qualified operatives need to be specified.

For these reasons I do not consider that Ms Coker could reasonably be considered a fit and proper person to hold a special treatments licence and recommend that the application for a special treatments licence is refused.

Richard Kalu  
Principal Enforcement Officer  
In the capacity of Licensing Responsible Authority

**From:** Moore, Ray

**Sent:** Thursday, December 12, 2019 3:17 PM

**To:** Regen, Licensing; 'fola coker'

**Cc:** Tear, Jayne; Jerrom, Charlie; Franklin, David; 'Graham.S.White@met.police.uk'; 'Ian.Clements@met.police.uk'; Chudasama, Sailesh; Deidda, Clizia; Gander, Paul; 'Keith.Dempster@met.police.uk'; (jonathan.ducker@met.police.uk); Miller, Justin

**Subject:** Objections with respect the application for a special treatments license for "Ayoyemi Nails, 226 camberwell Road, london, SE5 0ED -application for lciense number 870048

As a part of the local authority of the London Borough of Southwark, Trading Standards are objecting to the application for a special treatments license at the above premises with respect to the provisions of the London Local Authorities Act 1991. Specifically, objections are made under the following grounds for refusing a license as set out in Section 8 of the said Act:-

8(b) "there is likely to be 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;"

8(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;"

8(d) "the persons giving the special treatment are not suitably qualified;"

8(e) " the premises have been or are being improperly conducted;"

8(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;"

8(j) "they are not satisfied as to the safety of the special treatment to be given;"

More specifically, the facts are as follows:-

1. On 15<sup>th</sup> April 2019, officers from the UK Border Force visited the above premises and noted the following about those visits (Debbie CECIL from Central ICE (Immigration Compliance and Enforcement Team)):- (Note wrt 8(b); 8(c); 98(d) and 8(e))

"We visited the premises on 15/04/2019 as we had received an allegation stating that the owner of Ayoyemi is employing illegal individuals potentially minors to work in the salon and maybe involved in trafficking them into the UK.

Lauren was OIC for this visit and from her debrief I can see that no one answered when asked who was in charge and they were generally uncooperative. During this time a female working behind a counter closest to the entrance attempted to escape and was arrested on the street.

An AD's letter was then granted and officers entered.

4 Vietnamese nationals were encountered working at the premises:

1x VNM Male - Outstanding Asylum Claim – No Right to Work – Was walked off scene

1x VNM Female - Outstanding Asylum Claim and Potential Victim of Trafficking – No Right to Work – Was walked off scene

1x VNM Male - Illegal Entrant

1x VNM Male - Illegal Entrant, subject was a minor

On enquiry of who the manager is all encounters stated to not work at the premises where they were encountered. There are no traces on companies house or special treatment licenses of the

target premises. There was a contact number above an advert for 2 nails in the target premises which had a contact number within it. IO D Maragh contact number of the target premises, the call was answered by a female, but upon hearing who we were and the purpose of the call, the female then hung up the phone on IO Maragh. Further contact was attempted to the phone number. However, it was then switched off and going straight to answer phone. There were signs stating live CCTV was in operation, and that we were being filmed. Social services were contacted regarding the minor however Southwark and Bexley did not take ownership. Minor gave an address safeguarding checks were carried out and subject was left at the address. Address was [REDACTED] “

2. On Thursday 21<sup>st</sup> November 2019 UK Border Force again visited the premises with police and council officers including Ray MOORE from the Trading Standards team. With respect to the UK Border Force (Debbie CECIL again) the following was the situation in the shop – again with respect to \*8(b); 8(c); 8(d) and 8(e)

None of those Vietnamese nationals encountered previously by UK Border force were encountered on this date. Those present were as follows according to UKBF,,,

[REDACTED] Vietnamese female. Subject was visibly pregnant. officer dealing could not obtain enough evidence to show subject was working at the premises.

Subject was present with her husband - [REDACTED] Vietnamese male. officer dealing could not obtain enough evidence was found to show subject was working at the premises.

[REDACTED] Vietnamese Female – Cleared. Manager of premises. Stated Thi Huong Mai Tran was her sister.”

Although there were no customers in the shop at the time these three people were present but only Lan had the right to work in the UK. It is noted that on the application the following names are given to conduct special treatments:

Q01 - Hung Van Pham - Manicure, pedicure, nail extension

Q01 - Lam That Ton - Manicure, pedicure, nail extension

Q01 - Phuong Hoa Le - Manicure, pedicure, nail extension

None of these people were present at the time of the visit.

Mr MOORE from Trading Standards examined the nail gels and dusting powders and found a large quantity of these that did not have the details of an importer into the European Union. A legal requirement under the Cosmetic Products Enforcement Regulations. On initially arriving at the premises the only people present were the Vietnamese nationals mentioned above. The owner of the business, Mrs Fola (Yemi) Coker turned up later and Mr MOORE spoke with her. She said she had got the products from Hollywood Nails, 29A Peckham High Street, SE15 5EB and London Nail Supply at Unit B, Gwen Morris House, Wyndham Road, SE5 0AD. There were invoices present for Hollywood Nails and Mrs Coker brought in further invoices the following day.

Hollywood Nails was written to reminding them of their obligations under the legislation and items have been sent of for testing with respect to the regulations.

Trading Standards are making these objections with respect to this application on the basis of the section 8 grounds given above.

Ray MOORE

Principal Trading Standards Enforcement Officer

Southwark Council | Environment & Leisure| Regulatory Services

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[www.southwark.gov.uk/TradingStandards](http://www.southwark.gov.uk/TradingStandards)

Need proof of age? Visit [www.southwark.gov.uk/pal](http://www.southwark.gov.uk/pal)

Need advice on consumer issues? Visit Citizens Advice via [www.direct.gov.uk/consumer](http://www.direct.gov.uk/consumer)



<http://www.southwark.gov.uk/business/trading-standards-and-food-safety/illegal-tobacco-e-cigarettes-and-shisha>

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**Our reference:** AS/21/ /19  
**Date:** 12<sup>th</sup> December 2019

**Re:- Ayoyemi Nails, 226 Camberwell Road, London, SE5 0ED**

Dear Sir/Madam

Police are in possession of an application from the above for a special treatments licence under the London Local Authorities Act 1991.

On the 15th April 2019, Immigration officers from Border force attended as the premises. The premises was trading as a nail bar carrying out special treatments. Four Vietnamese nationals were encountered working at the premises. Two had entered the UK illegally, one of which was a minor and the other two had no write to work under the terms of asylum application. The female behind the counter attempted to escape and was arrested in the street.

On Thursday 21st November 2019 officers attended with border force officers, council and trading standards. Three Vietnamese nationals were found inside the shop but only one had the write to work. No customers were present at the time. Trading standards seized a number of nail products from the premises, as they did not have details of an importer into the European Union. A legal requirement under the Cosmetic Products Enforcement Regulations.

We believe that workers have and will be exploited, and the management have failed to comply with a various legislation relating to working practice, employment law and immigration law.

Under Section 8 of the Local Authorities Act 1991, a licence can be refused for a number of reasons specified in the act.

- Part C specifies, "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"

- Part E Specifies “The premises have been or are being improperly conducted”

Police Object under Section 8 subsection C & E as the management have shown a disregard to the welfare of workers and the correct procedures for obtaining authorisation to carry out special treatments. They have also conducted improperly at the location by allowing unqualified people to carry out special treatments on members of the public possibly putting them at risk of harm.

Yours Sincerely

Graham White PC288MD  
Police Licensing Officer