

## Licensing Sub-Committee

Tuesday 5 May 2015

10.00 am

Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

### Membership

Councillor Renata Hamvas (Chair)  
Councillor David Hubber  
Councillor Sandra Rhule

### Reserves

Councillor Lorraine Lauder MBE

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

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#### Contact

Andrew Weir on 020 7525 7222 or email: [andrew.weir@southwark.gov.uk](mailto:andrew.weir@southwark.gov.uk)  
Webpage: [www.southwark.gov.uk](http://www.southwark.gov.uk)

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Members of the committee are summoned to attend this meeting

**Eleanor Kelly**

Chief Executive

Date: 24 April 2015



## Licensing Sub-Committee

Tuesday 5 May 2015  
10.00 am  
Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

### Order of Business

Item No.	Title	Page No.
	<b>PART A - OPEN BUSINESS</b>	
1.	<b>APOLOGIES</b>	
	To receive any apologies for absence.	
2.	<b>CONFIRMATION OF VOTING MEMBERS</b>	
	A representative of each political group will confirm the voting members of the committee.	
3.	<b>NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT</b>	
	In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.	
4.	<b>DISCLOSURE OF INTERESTS AND DISPENSATIONS</b>	
	Members to declare any interests and dispensation in respect of any item of business to be considered at this meeting.	
5.	<b>PART II OF THE LONDON LOCAL AUTHORITIES ACT 1991: FANTA'S BEAUTY, (GROUND FLOOR) 194 WALWORTH ROAD, LONDON SE17 1JJ</b>	1 - 22
	<b>ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT</b>	

**Item No.**

**Title**

**Page No.**

**PART B - CLOSED BUSINESS**

**EXCLUSION OF PRESS AND PUBLIC**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT**

Date: 24 April 2015

<b>Item No.</b> 5.	<b>Classification:</b> Open	<b>Date:</b> 5 May 2015	<b>Meeting Name:</b> Licensing Sub-Committee
<b>Report title:</b>		Part II of the London Local Authorities Act 1991: Fanta's Beauty, (Ground floor) 194 Walworth Road, London SE17 1JJ	
<b>Ward(s) or groups affected:</b>		Newington	
<b>From:</b>		Strategic Director of Environment and Leisure	

## RECOMMENDATION

1. That the licensing sub-committee considers an application made by Fatima Sheriff for the grant of a Special Treatment Licence in respect of the premises known as Fanta's Beauty, Ground Floor, 194 Walworth Road, London SE17 1JJ.
2. Notes:
  - The premises are planning to provide manicure, pedicure, facial massage, micropigmentation, and facial steamer treatments from the ground floor, 194 Walworth Road, SE17 1JJ.
  - The application is brought to the attention of the licensing sub-committee as it is deemed necessary to make the sub-committee aware that on the 10 November 2014, a previous application dated the 4 August 2014 for a Special Treatments Licence which was refused.

## BACKGROUND INFORMATION

### London Local Authorities Act 1991 - Part II

3. Under Part II, of the London Local Authorities Act 1991, applications may be made to the local licensing authority for the grant of Licence which enable the provision of Special Treatment (body and head massage, reflexology, manicure, pedicure, beauty treatment etc) for private gain.
4. According to licensing records the premises held a special treatment licence since 2001 until the renewal application was refused in July 2013. Since the licence was granted in 2001 numerous complaints were received with regards to tattooing children under the age of 18 and giving treatment to children of 16 and under without parental consent. Complaints were also received with regard to infections from treatments received due to improper practices being maintained. This led to inspections being conducted at the premises and advice and warning given with regard to these matters.
5. Following up on one such complaint and the subsequent inspection conducted, a prohibition notice was issued by the health and safety team. This notice was contravened and a prosecution case was brought against Mrs Sheriff. She has since been convicted at the Inner London Crown Court for offences under the Health and Safety at Work Etc Act 1974. She was found guilty under three counts and was fined a total of £1000 including costs.

6. An application to renew the licence was rejected in July 2013.
7. On the 4 August 2014 Fatima Sheriff made an application to provide tattooing, body piercing, micro pigmentation, ear piercing, eyelash extensions and manicure and pedicure treatments.
8. A representation was received from the council's health and safety officer. The representation was concerned that Fatima Sheriff was not fit and proper to run such a business and the premises have been improperly conducted and will continue to be run in an improper way if the licence was granted. It also referred to the prosecution case whereby Fatima Sheriff was convicted and fined £1000.
9. On the 10 November 2014 the licensing sub-committee considered the application at a hearing for a Special Treatments Licence for the premises known as Fanta's Beauty, 194 Walworth Road, London SE17, which was refused.
10. Following the refusal at the licensing sub-committee on 10 November 2014, Ms Sheriff appealed the licensing sub-committee's decision at the Magistrates' Court. On 16 April 2015 the Magistrates' Court dismissed Ms Sheriff's appeal.

## **KEY ISSUES FOR CONSIDERATION**

### **The application under consideration**

11. On 19 February 2015 Fatima Sheriff made an application under consideration to provide, micro pigmentation, pedicure, facial massage and facial steamer treatments at the premises. A copy of the application along with qualification certificates is attached as Appendix A.
12. On the 19 March 2015 an inspection was conducted at the premises. The applicant's qualifications are investigated and found to comply.
13. On the 10 April 2015 the council's health and safety officer, writes in an email stating that he has no objection to the application. A copy of the email is attached to the report as Appendix B.
14. A copy of the licensing sub-committee's notice of decision dated 10 November 2014 is attached to the report as Appendix C.

### **The local area**

15. A map of the local area is attached to the report as Appendix D.

### **Consultation**

16. Consultations arrangements are set down for such applications under the London Local Authorities Act 1991 - Part II. Those authorities consulted in the process are planning, health and safety, London Fire Brigade Service, and the Police Licensing Service. The general public are informed of the application by means of poster displayed in the applicant's premises window for a period of 28 days.

### **Resource Implications**

17. A fee of £397 has been paid by the applicant in respect of this application, being the statutory fee payable for restricted special treatment licence. This fee contributes toward the administration of the process and any related enforcement activities.

### **Community impact statement**

18. Each application is required by law to be considered upon its own individual merits with all relevant matters taken into account.

### **SUPPLEMENTARY ADVICE FROM OTHER OFFICERS**

#### **Director of Legal Services**

19. The sub-committee is asked to determine the application for a special treatment licence under Part II of the London Local Authorities Act 1991.

#### **Principles for making the determination**

20. The general principle is that applications for special treatment licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

#### **Grounds for refusal**

21. The borough council may refuse to grant, renew or transfer a licence on any of the following grounds:
- a) The premises are not structurally suitable for the purpose
  - b) 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
  - 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
  - d) The persons giving the special treatment are not suitably qualified
  - e) The premises have been or are being improperly conducted
  - f) The premises are not provided with satisfactory means of lighting, sanitation and ventilation
  - g) The means of heating the premises are not safe
  - h) That proper precautions against fire on the premises are not being taken
  - 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
  - j) They are not satisfied as to the safety of the special treatment to be given

- k) That satisfactory means of escape in case of fire and suitable means for fighting fire are not provided on the premises
- l) The applicant has, within the period of five years immediately preceding the application to the borough council, been convicted of an offence under this Part of this Act.

### **Conditions**

22. The council has the power to attach conditions and restrictions when granting licences. These will generally relate to:
- a) The maintenance of public order and safety
  - b) The number of persons who may be allowed to be on the premises at any time
  - c) The qualifications of the persons giving the special treatment
  - d) The taking of proper precautions against fire, and the maintenance in proper order of means of escape in case of fire, means for fighting fire and means of lighting, sanitation and ventilation of the premises
  - e) The maintenance in safe condition of means of heating the premises
  - f) The hours of opening and closing the establishment for special treatment
  - g) The safety of any equipment used in connection with the special treatment and the way in which the treatment is given
  - h) The cleanliness and hygiene of the premises and equipment
  - i) The manner in which the establishment is operated and the way it is advertised.

### **Reasons**

23. If the sub-committee determines that it is necessary to modify the conditions, or to refuse the application for a special treatment licence application, it must give reasons for its decision.

### **Appeals**

24. An applicant who is aggrieved by the council's decision can in most cases appeal to the Magistrates' Court. Either the applicant or the council can appeal to the Crown Court against a decision by the Magistrates' Court.

### **Hearing procedures**

25. Subject to the licensing hearing regulations, the licensing committee may determine its own procedures. Key elements of the regulations are that:
- The hearing shall take the form of a discussion led by the authority. Cross examination shall not be permitted unless the authority considered that it is required for it to consider the representations.

- Members of the authority are free to ask any question of any party or other person appearing at the hearing.
  - The committee must allow the parties an equal maximum period of time in which to exercise their rights to:
    - Address the authority
    - If given permission by the committee, question any other party
    - In response to a point which the authority has given notice it will require clarification, give further information in support of their application.
  - The committee shall disregard any information given by a party which is not relevant to:
    - The particular application before the committee, and
    - The licensing objectives.
  - The hearing shall be in public, although the committee may exclude the public from all or part of a hearing where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in private.
  - In considering any representations or notice made by a party the authority may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
26. This matter relates to the determination of an application for a special treatment licence under part II of the London Local Authorities Act 1991 and requires the sub-committee to make its determination at the conclusion of the hearing.

### **Council's multiple roles and the role of the licensing sub-committee**

27. Members should note that the licensing sub-committee is meeting on this occasion solely to perform the role of licensing authority. The sub-committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, members should disregard the council's broader policy objectives and role as statutory authority in other contexts.
28. As a quasi-judicial body the licensing sub-committee is required to consider the application on its merits. The sub-committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, or the likelihood or unlikelihood of the occurrence of some future event, the occurrence of which would be relevant. The licensing sub-committee must give fair consideration to the contentions of all persons entitled to make representations to them.
29. The licensing sub-committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is

that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

30. Members will be aware of the council's code of conduct, which requires them to declare personal and prejudicial interests. The code applies to members when considering licensing applications. In addition, as a quasi-judicial body, members are required to avoid both actual bias, and the appearance of bias.

### Guidance

31. Members are required to have regard to the DCMS guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case.

### Strategic Director of Finance and Corporate Services

32. The head of community safety and enforcement has confirmed that the costs of this process are borne by the service.

### BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003 DCMS Guidance to the Act Secondary Regulations Southwark Statement of Licensing Policy Case file	C/O Southwark Licensing, Community Safety & Enforcement, 3rd Floor Hub C, 160 Tooley Street PO Box 64529 SE1 5LX	Mrs Kirty Read Tel:02075255748

### APPENDICES

Name	Title
Appendix A	Application and supporting documents
Appendix B	Health and safety email
Appendix C	Notice of Decision from 10 November 2014
Appendix D	Map

## AUDIT TRAIL

<b>Lead Officer</b>	Deborah Collins, Strategic Director of Environment and Leisure	
<b>Report Author</b>	David Swaby. Principal Licensing Officer	
<b>Version</b>	Final	
<b>Dated</b>	5 May 2015	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER</b>		
<b>Officer Title</b>	<b>Comments sought</b>	<b>Comments included</b>
Director of Legal Services	Yes	Yes
Strategic Director of Finance and Corporate Services	Yes	Yes
<b>Cabinet Member</b>	No	No
<b>Date final report sent to Constitutional Team</b>		23 April 2015

RECEIVED 19 FEB 2015

London Borough of Southwark

**(PART II) LONDON LOCAL AUTHORITIES  
ACT 1991 - SPECIAL TREATMENTS  
LICENSING****Application for a new special treatments establishment licence**

Please complete all sections of this form using black ink. Please ensure that your answers are clear and legible. Please refer to the guidance notes provided at the end of this form to help you.

I / We ..... (state name) hereby apply to Southwark Council, under Section 6 of Part II of the London Local Authorities Act 1991, to licence the following premises as a special treatments establishment.

**SECTION 1 - THE PREMISES**

Trading name	Faneas Beauty
Address of trading premises	194 Walworth Road London SE17 1JS
Parts of the premises to be licensed	Ground floor
Please state type of premises	Commercial / <del>Residential</del>
Contact telephone number	[REDACTED]
Email address	[REDACTED]
Web site	



Other treatments not included in the list on the previous page

Threading  
Waxing  
Eyelash Extensions

#### SECTION 4 – OPERATIVES PROVIDING TREATMENTS

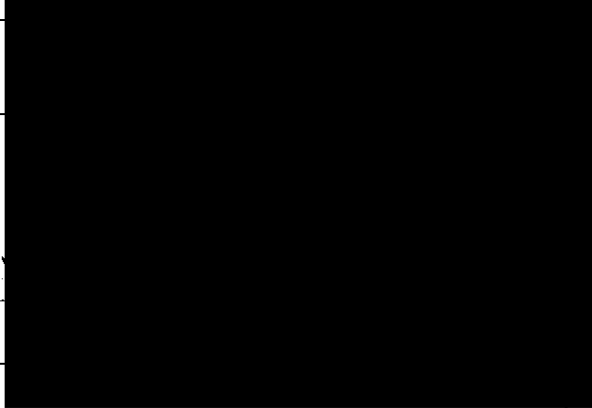
Please list all persons who will be carrying out treatments and the licensable treatments they intend to provide.

Name of operative	Treatment to be provided (see list on page 4)	Relevant qualification	Qualifications / photo ID / photographs Included (YES / NO)
✓ Faima Sheriff	Micro-pigmentation Manicure pedicure Nail Extensions	Level 3/4 Level 3 and 2 Level 2 & 3	
✓ Mehwish	Eye treatments Waxing Threading facial		
Rabeeya Hossain	Eye treatments		
✓ Priya Gogna	Eye treatments facial Threading	VTCT NVQ Level 2 Beauty Therapy	
Faima Sheriff	Facials	Level 2	
Priya	Facials	Level 2	
✓ Micheal Ly	Manicure, pedicure Nail Extensions	Diploma	
✓ Trang Thi	Nail Apprentices		

## SECTION 5 – OTHER INFORMATION

What is the interest of the applicant in the property to be licensed?	Freehold / Leasehold / Other (please state
If the applicant does not possess the freehold or leasehold of the property, please provide the name and contact address of the owner.	
Will the applicant be the person in charge of the premises on a day to day basis?	Yes / <del>No</del>
If no, please provide the name of the person who will hold this responsibility?	
Please state	
Please state the proposed operating hours of the premises	Monday: 10am - 7pm Tuesday: 10am - 7pm Wednesday: 10am - 7pm Thursday: 10am - 7pm Friday: 9am - 8pm Saturday: 9am - 8pm Sunday: 11am - 5pm
Please state whether it is intended to provide treatments to both sexes or to men or women only?	Both Men and Women
Please state preferred means of contact	telephone POSE

**SECTION 2 – THE APPLICANT****INDIVIDUAL APPLICANT**

Full name	
Home address	
Contact telephone number	
Email address	

**PARTNERSHIP**

Full name (1 <sup>st</sup> partner)	
Home address	
Contact telephone number	
Email address	
Full name (2 <sup>nd</sup> partner)	
Home address	
Contact telephone number	
Email address	

## Guidance Notes

Please read these notes carefully before completing your application form.

### General

1. The application should be made by the occupier of the premises.

### Section 1 – The premises

2. Please provide full details of the premises intended to be used to provide the special treatments. Where asked for 'the parts of the premises to be licensed' please indicate which floors of the property and which rooms the treatments will be provided from. If you have a plan of the premises this is helpful.

### Section 2 – The applicant

3. This section of the form requests full details of the applicant. Alternative sections are provided for individual and company applications. Please complete the relevant section.

### Section 3 – Treatments to be offered

4. In this section you are asked to indicate the full range of treatments that you intend to provide under the licence. The treatments are divided into 8 different licensable categories, for instance massage, acupuncture, tattooing etc. We try to keep this list up to date but appreciate new treatments are appearing on the market all the time. If you intend to provide any other treatment that falls within one of the 8 licensable categories but is not listed please include this in the 'other treatments' box on page 5. Please do not include generic terms such as 'beauty therapy'.

### Section 4 – Operatives providing treatments

5. Please list all operatives intending to provide licensable treatments at the premises together with their relevant qualifications. Please note that the original copy of their qualification, plus two passport sized photographs and a photo ID must be provided for us to process the application. Please note no operative may work at the premises until included on the licence document.

### Section 5 – Other information

6. Asks further questions about the business operation.

### Section 6 - Checklist

7. This is provided to help you ensure that you are properly submitting a completed application. Failure to provide all the requested information is likely to delay the processing of your application.
8. Please note you must copy your application to the local police and fire officer at the same time you make the application. Their contact details are given below.

**Police Officer** – Southwark Police Licensing Unit, Southwark Police Station, 323 Borough High Street, London, SE1 2ER

Tel: 0207 232 6756

Email: [SouthwarkLicensing@met.police.uk](mailto:SouthwarkLicensing@met.police.uk)

**Fire Officer** – Fire Safety Regulation: South East Area 3, London Fire Brigade, 169 Union Street, London, SE1 0LL

Tel: 020 8555 1200 ext: 36500

Fax: 020 8536 5924

Email: [FireSafetyRegulationSE@london-fire.gov.uk](mailto:FireSafetyRegulationSE@london-fire.gov.uk)

**Health and Safety** – Community Safety EHTS, 3rd Floor Hub 2, PO Box 64529, London, SE1P 5LX



This is to certify that



has satisfied the requirements for the qualification  
**VTCT Level 2 NVQ Diploma in Beauty  
 Therapy General (QCF) (500/8839/7)**

Date: 28 May 2013

Registration No: 1058849

The award of this qualification is based on the successful attainment of the National Standards in units of competence as detailed on a Record of Achievement and/or one of more Certificates of Unit Credit.

Stephen Vickers  
 Chief Executive

Regulated by

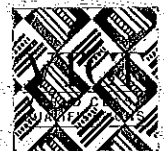
**Ofqual**



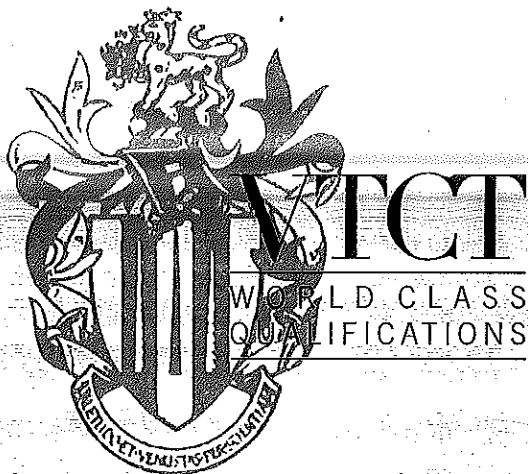
For more information see <http://register.ofqual.gov.uk>



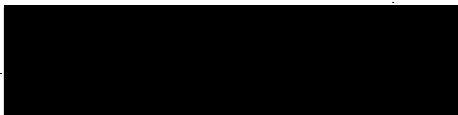
Llywodraeth Cymru  
 Welsh Government



00450619



This is to certify that



has achieved the following units and credits from within the named qualification  
**VTCT Level 2 NVQ Diploma in Beauty Therapy**  
**General (QCF) (500/8839/7)**

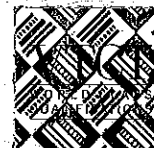
URN	Title	Level	Credit Value
A/601/5867	Ensure responsibility for actions to reduce risks to health and safety	3	4
M/600/1268	Develop and maintain effectiveness at work	2	3
D/601/0936	Promote additional services or products to customers	2	6
M/600/8754	Provide facial skin care treatment	2	8
H/600/7455	Enhance the appearance of eyebrows and eyelashes	2	5
Y/600/9087	Carry out waxing services	2	7
Y/600/7551	Provide manicure services	2	6
H/600/8766	Provide pedicure services	2	6
F/600/8936	Provide make-up services	2	6
Y/600/1264	Fulfil salon reception duties	2	3

Date: 28 May 2013

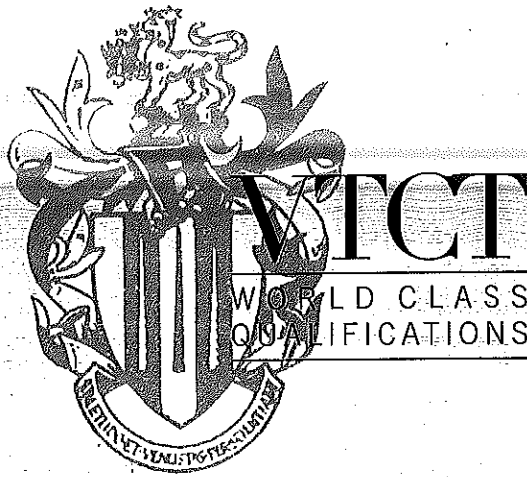
Registration No: 1058849

*Stephen Vickers*

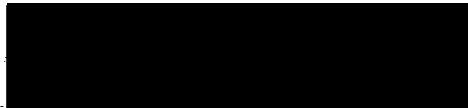
Stephen Vickers  
 Chief Executive



00431849



This is to certify that



has satisfied the requirements for the qualification  
**VTCT Level 4 Certificate in  
 Micropigmentation (QCF) (600/3288/1)**

Date: 09/02/2014

Registration No: 1058849

The award of this qualification is based on the successful attainment of the National Standards in units of competence as detailed on a Record of Achievement and/or one of more Certificates of Unit Credit.

Dr Stephen Vickers  
 Chief Executive

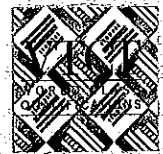
Regulated by

**Ofqual**

For more information see <http://register.ofqual.gov.uk>



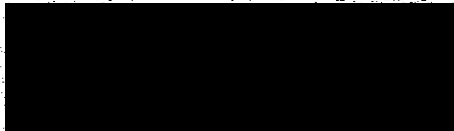
Llywodraeth Cymru  
 Welsh Government



00513384



This is to certify that



has achieved the following units and credits from within the named qualification  
**VTCT Level 4 Certificate in Micropigmentation**  
**(QCF) (600/3288/1)**

URN	Title	Level	Credit Value
J/503/1785	Enhance appearance using micropigmentation treatment	4	12
M/601/5350	Quality management of client care in the hair and beauty sector	4	12
M/601/5347	Management of health, safety and security in the salon	4	8

Date: 09/02/2014

Registration No: 1058849

*Stephen Vickers*

Dr Stephen Vickers  
 Chief Executive



00497271

**Swaby, David**

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**From:** Chowdhury, Farhad  
**Sent:** 10 April 2015 14:14  
**To:** Swaby, David  
**Cc:** Parkins, Richard  
**Subject:** FW: Fatima Sherrif

Hi David,

I have no objections or comments about Fatima Sheriff doing Micropigmentation also known as semi permanent makeup, manicure, pedicure and any beauty treatments.

I only had concerns about Tattooing and Body Piercing.

Kind regards,

**Farhad Chowdhury**


**Principal Enforcement Officer | Southwark Council | Environment & Leisure Services | Environmental Health and Trading Standards Department(Health and Safety & Food Safety)**


**Postal Address:**


Health and Safety Team | 3rd Floor, Hub 2 | PO Box 64529 | London | SE1P 5LX

**Visitor's Address:**

160 Tooley Street | London | SE1 2QH

 Tel: 020 7525 0398

 Admin Tel: 020 7525 4261

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

E-mail: [farhad.chowdhury@southwark.gov.uk](mailto:farhad.chowdhury@southwark.gov.uk)

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**From:** Chowdhury, Farhad  
**Sent:** Wednesday, April 01, 2015 1:04 PM  
**To:** Parkins, Richard; Mills, Dorcas  
**Cc:** Read, Kirty; Chudasama, Sailesh; Kalu, Richard  
**Subject:** RE: Fatima Sherrif

Hi Richard,

I was consulted again when she submitted her recent application, I said I had no objection or comments on her doing Nail Treatments, Manicure, pedicure

and (Semi-permanent make up and ear piercing Fatima only ). I had concerns her doing tattooing and body piercing as she does not control who is doing the treatments in her premises. Which is the reason she was refused a licence at the licensing sub-committee.

It is up to the Licensing Department if you want to issue her with a special treatments licence, I cannot make that decision.

Kind regards,

**Farhad Chowdhury**


**Principal Enforcement Officer | Southwark Council | Environment & Leisure Services | Environmental Health and Trading Standards Department(Health and Safety & Food Safety)**


**Postal Address:**

Health and Safety Team | 3rd Floor, Hub 2 | PO Box 64529 | London | SE1P 5LX

**Visitor's Address:**


160 Tooley Street | London | SE1 2QH

 Tel: 020 7525 0398

 Admin Tel: 020 7525 4261

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## NOTICE OF DECISION

### LICENSING SUB-COMMITTEE – 10 NOVEMBER 2014

**Part II of the London Local Authorities Act 1991: Fanta's Beauty, (Ground floor) 194 Walworth Road, London SE17 1JJ**

#### 1. Decision

That the application submitted made by Fatima Sheriff for the grant of a special treatment licence in respect of the premises known as Fanta's Beauty, Ground Floor, 194 Walworth Road, London SE17 1JJ is refused.

#### 2. Reasons

This was an application submitted by Fatima Sheriff for the grant of a special treatment licence in respect of the premises known as Fanta's Beauty, Ground Floor, 194 Walworth Road, London SE17

The licensing sub-committee heard evidence from the applicant who informed the sub-committee that this was a new application. She advised that she had run a similar premises for around 12 years previously. Following a conviction in May 2014 for health and safety breaches she had improved her practices and provided the relevant certificates for all prospective staff with the application. The applicant submitted that she had made improvements at the premises and had ordered the most up to date sterilisation equipment. The applicant stated that there would be no risk to the public.

The licensing sub-committee heard from the health and safety officer who confirmed that the applicant had been convicted on three counts in relation to health and safety offences. The officer believed that the applicant was not a fit and proper person to hold a licence of this nature. He referred to 20 complaints from parents and schools regarding underage piercings without parental consent. He advised that after complaints had been made to the council it was difficult to obtain witness statements due to unwillingness to formally assist in prosecution.

The officer contended that the premises had been improperly conducted in the past as members of the public were receiving special treatment from members of staff who were not suitably qualified and approved by the council, which is legally required. He further added that the applicant had provided falsified certificates of qualification to the health and safety team.

Given the history of the applicant, the officer remained concerned that the members of the public would be at risk of harm if a licence were to be granted.

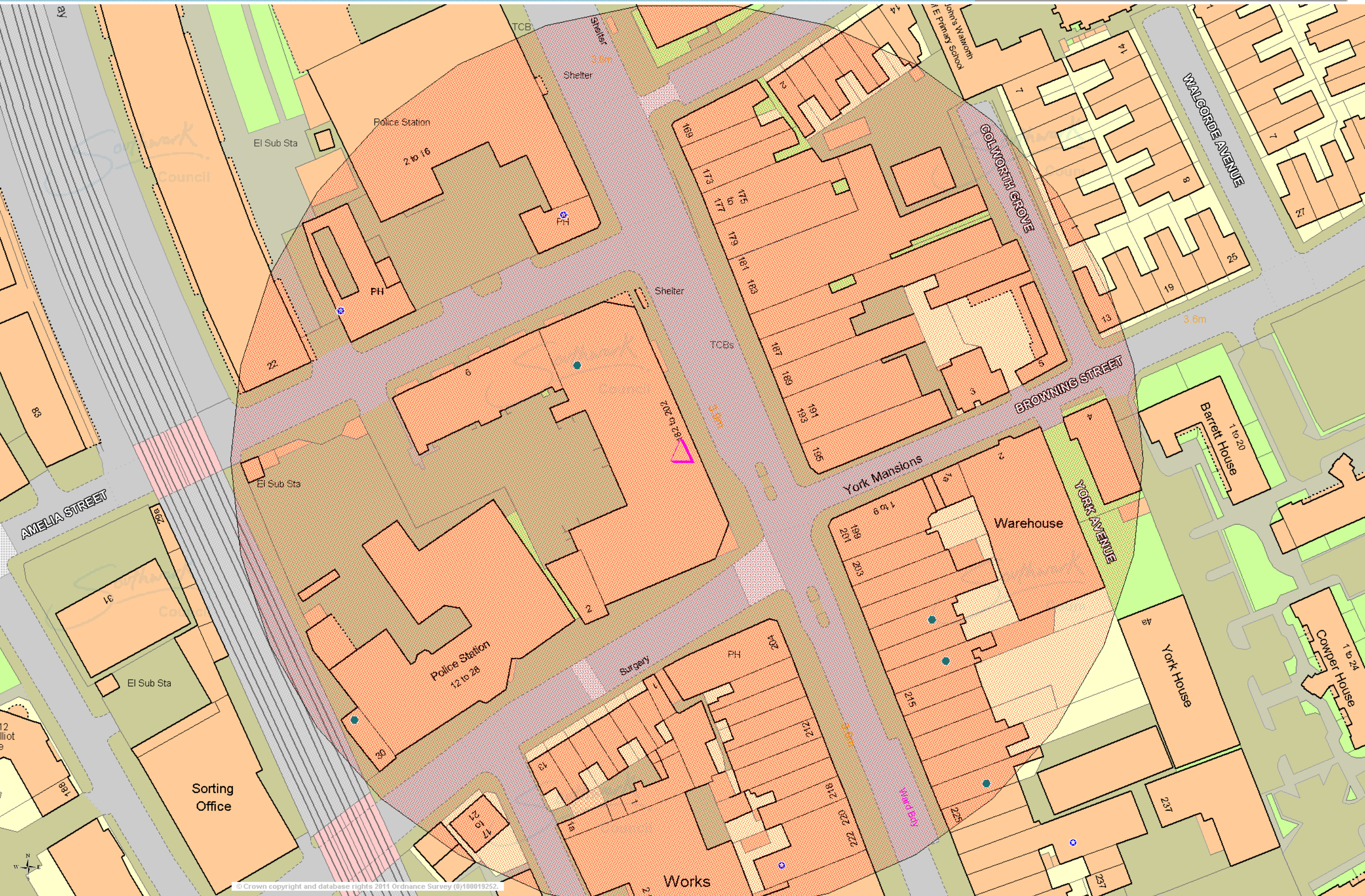
The sub-committee was not satisfied that the applicant had significantly improved her practices. When questioned on procedures regarding ID verification of underage customers the applicant was unable to provide a clear and coherent policy for her and her staff to follow. There was no evidence of staff training either. Members were also concerned that the applicant had listed a named apprentice tattooist on the application form. When questioned on this she denied that she had completed the form and did not know why the named apprentice tattooist was listed. Having heard all of the evidence, the sub-committee did not regard the applicant to be a fit and proper person to hold a special treatment licence and the licensing sub-committee considered that its decision was appropriate and proportionate.

### **3. Appeal rights**

The applicant may appeal this decision. An application must be made to the Magistrates' Court for the area in which the premises are situated. Any appeal must be commenced by notice of appeal given by the appellant to the justices' clerk for the Magistrates' Court within the period of 21 days beginning with the day on which the appellant was notified in writing by the licensing authority of the decision appealed against.

Issued by the Constitutional Team on behalf of the Director of Legal Services

Date: 10 November 2014



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**LICENSING SUB-COMMITTEE DISTRIBUTION LIST (OPEN)****MUNICIPAL YEAR 2014-15**

**NOTE:** Original held by Constitutional Team; all amendments/queries to  
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