

## 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