

**BIRMINGHAM CITY COUNCIL**

**REPORT OF THE ASSISTANT DIRECTOR OF REGULATION AND  
ENFORCEMENT TO THE LICENSING SUB-COMMITTEE A**

**10 JUNE 2019**  
**BOURNBROOK & SELLY PARK**

**BIRMINGHAM CITY COUNCIL ACT 1990**  
**ESTABLISHMENTS FOR MASSAGE AND/OR SPECIAL TREATMENTS**

**ASPIRE TAN & BEAUTY, 602 BRISTOL ROAD, SELLY OAK, BIRMINGHAM,**  
**B29 6BQ**

**GRANT OF LICENCE**

1. **Summary**

- 1.1 Anyone conducting an establishment for treatment by way of massage, solaria, jacuzzi, sauna, steam treatment, aromatherapy and other similar types of treatment is required to be licensed.
- 1.2 Each premises is subject to an inspection by a Licensing Enforcement Officer and there is consultation with the West Midlands Police concerning the suitability of applicants.
- 1.3 An application has been received for the grant of a licence for the provision of massage, and solaria/sunbed treatments at Aspire Tan & Beauty, 602 Bristol Road, Selly Oak, Birmingham B29 6BQ.
- 1.4 Paragraph 5 of this report outlines the criteria for consideration of a Massage and Special Treatment Licence.

2. **Recommendations**

- 2.1 The Licensing Sub-Committee is requested to consider and determine the application for the grant of a Massage & Special Treatment licence in accordance with the provisions of Birmingham City Council Act 1990 and having regard to the options contained in paragraph 6.1 of this report.

Contact officer: David Kennedy, Principal Licensing Officer  
Telephone: 0121 303 9896  
Email: [licensing@birmingham.gov.uk](mailto:licensing@birmingham.gov.uk)

### 3. Background

- 3.1 As a result of a complaint being received a Licensing Enforcement Officer conducted a visit to Aspire Tan & Beauty, 602 Bristol Road, Selly Oak, Birmingham B29 6BQ on the 25<sup>th</sup> April 2019 during which it was established that two levels of treatments were being made available at the premises. The owner was duly advised about the requirement to apply for a licence to lawfully provide these treatments.
- 3.2 On the 8<sup>th</sup> May 2019 Claire Smith t/a Aspire Tan & Beauty, 602 Bristol Road, Selly Oak, Birmingham, B29 6BQ, applied for the grant of a Massage and Special Treatment Licence to permit the provision of massage and solaria / sunbeds at the premises between the hours of 10am and 8pm Monday to Saturday. A copy of the application is attached at Appendix 1.
- 3.3 The Licensing Enforcement Team considers the measures implemented by applicant since the initial site visit to have addressed the safety concerns identified by officers in relation to the provision of sunbed treatments. However it is considered that in order to effectively promote the protection, safety and welfare of residents and visitors to the City and ensure on-going customer safety at the premises that additional conditions be attached to the licence.
- 3.4 A copy of the Licensing Enforcement Officers report which contains the additional conditions being sought is attached as Appendix 2.
- 3.5 The applicant has confirmed that they are willing to accept the additional conditions being sought by the Licensing Enforcement being attached to the licence. A copy of this confirmation is attached at Appendix 3.
- 3.6 A copy of Birmingham City Council's standard conditions relating to Massage & Special Treatment Licences is attached at Appendix 4.
- 3.7 Site location plans are attached at Appendix 5.
- 3.8 The applicant has been invited to attend the meeting in support of her application and to respond to any questions members may have.
- 3.9 The Licensing Enforcement Officer has also been invited to attend the meeting to respond to any questions members may have.

#### 4. Consultation

- 4.1 The applicant was required to advertise the application by displaying a notice on or near the premises for a period of 21 days and serve notice of their application to the Chief Constable of West Midlands Police.
- 4.2 In addition, upon receipt of an application the Licensing Section consults with the relevant Local Policing Unit, the Licensing Enforcement Team and also notifies the appropriate Ward Councillors.
- 4.3 No objections have been received from West Midlands Police, the Licensing Enforcement Team or the Ward Councillors to the grant of the licence.

#### 5. Matters for Consideration

- 5.1 The Licensing Sub-Committee is advised that the Birmingham City Council Act specifies the following grounds for refusal of an application for the grant of a licence in the case of:
  - a) any person under the age of 21;
  - b) any person who has been convicted of an offence under the Sexual Offences Acts 1956 to 1976 or the Street Offences Act 1959 or who may be otherwise unsuitable to hold such a licence;
  - c) any premises which are unsuitable for the purposes of an establishment for massage or special treatment or in which the accommodation or provision for such treatment is not reasonably adequate or suitable;
  - d) any establishment which has been or is being improperly conducted;
  - e) any establishment in which adequate professional, technical or other staff is not available for the administration of such massage or special treatment as may there be provided; or
  - f) any establishment which is being carried on in contravention of the provisions of this Act or any byelaw made there under.
- 5.2 Having considered the application, the proposed conditions and having heard from all parties present at the hearing the Licensing Sub-Committee is required to determine the application for the grant of a Massage and Special Treatment Licence.

## 6. Options Available

### 6.1 The Licensing Sub-Committee may:

6.1.1 Grant the licence subject to compliance with the standard conditions of licence.

6.1.2 Grant the licence subject to compliance with the standard conditions of licence and / or the imposition of other terms, conditions or restrictions as the Committee may consider appropriate.

6.1.3 Refuse the licence. The Committee may not refuse the application without first giving the applicant an opportunity of appearing before and being heard by a Committee of the Council, and if so required by him, the Council shall within 7 days after their decision give him notice thereof containing a statement of the grounds on which it was based.

## 7. Right of Appeal

7.1 The Act provides that any applicant for the grant, renewal or transfer of a licence has a right of appeal against decisions to refuse to grant, renew or transfer a licence to the Magistrates Court.

7.2 The Act also provides that any applicant who is aggrieved by the terms, conditions or restrictions on or subject to which the licence is granted or renewed has a right of appeal to the Magistrates' Court.

7.3 Any such appeals to be lodged within 21 days beginning with the date on which they are notified of the decision in writing.

## 8. Implications for Resources

8.1 A fee of £189 is payable for the grant of a Massage and Special Treatment Licence to permit the provision of two treatments.

8.2 In the event of an appeal hearing, the Magistrates power to award costs derives from Section 64 of the Magistrates Courts Act 1980 which entitles them to make such order as they think just and reasonable.

## 9. Implications for Policy Priorities

9.1 No specific implications have been identified.

10. Public Sector Equality Duty

- 10.1 No specific implications have been identified. Officers have considered the Public Sector Equality Duty in accordance with the provisions of the Equality Act 2010 and determined that there are no Equality and Diversity implications in respect of their report because of the nature of the decisions recommended.

**ASSISTANT DIRECTOR OF REGULATION AND ENFORCEMENT**

Background papers: nil

MST 1/25

## BIRMINGHAM CITY COUNCIL ACT 1990

Application for a Licence to use any Premises as an Establishment for Massage and/or Special Treatments

- 1 Trading Name of Massage/Special Treatment Business:  
ASPIRE TAN AND BEAUTY LTD  
 Address of Business: 602 BRISTOL RD  
SKELLY OAK Tel No. \_\_\_\_\_
- 2 Is the application being made by an individual: ☐ (go to Q 3)  
 or on behalf of a partnership ☐ (go to Q 4)  
 or a company? ☒ (go to Q 4)

## INDIVIDUAL APPLICANT'S DETAILS

- 3 Full name of the Applicant CLAIRE SMITH  
 (Any former names must also be given) \_\_\_\_\_  
 Home Address of the applicant \_\_\_\_\_  
 \_\_\_\_\_  
 Date of birth \_\_\_\_\_  
 National Insurance no. or the EU Member State equivalent \_\_\_\_\_  
 Contact tel. no (during normal office hours) \_\_\_\_\_  
 Address you wish any correspondence to be sent to \_\_\_\_\_

## COMPANY/PARTNERSHIP APPLICATION DETAILS

- 4 Name of Company and company registration number (where applicable) \_\_\_\_\_  
 Address \_\_\_\_\_

If the applicant is a company, complete the details below in respect of each of the directors, the company secretary or other persons responsible for the management of the company. In the case of a partnership, details of all the partners must be given.

Name	Address	Designation
<u>CLAIRE SMITH</u>	<u>1</u>	<u>Director</u>

GENERAL DETAILS OF THE APPLICATION

MST 1/25

The following questions are to be answered by all applicants

5. Is this application for a

Grant ☒ or a Renewal ☐ or a Transfer ☐ or to add further treatments ☐

If renewal give the date existing licence is due to expire: .....

6. For what activities is the licence required?

Massage ☒ Sauna ☐ Solaria/Sunbed ☒ Spa/baths etc ☐ Steam treatment ☐

If any other treatment, please give details .....

7. Will the massage or special treatment be available specifically for:

Males: ☐ Females: ☐ Both: ☒

8. Give details of the time during which it is proposed that the premises shall be open.

i) Days of the week: Mon - Sat

ii) Hours of the day: 10 - 8pm

NB. Treatments shall be permitted only between 6am and 12 midnight on any day

9. Are the whole premises described above to be used for massage/special treatment?

Yes ☐ No ☒

10. If the answer to question 9, above, is 'No', please state:

i) Which part of the premises is to be used for the purposes of the licence?

break room only

ii) What are the rest of the premises used for?

barney breakfast + bar

11. Are the premises leasehold? Yes ☒ No ☐

Are the premises freehold? Yes ☐ No ☒

Please give the name and address of the landlord or of the freeholder:

.....  
.....

12. State the full name(s) and address(es) of the owner(s) of the massage/special treatment business, if different to the applicant.

.....

.....

.....

13. If there is to be a manager responsible for the premises in the absence of the licence holder, please supply the following details:

First Name	Surname	Former Name (if any)	Permanent Address	Date of Birth
Orlene Ray	Ray			

4. Please give details of ALL persons who will be administering treatment (whether qualified or not)

Full Name	Address
Orlene Ray Beth Horridge Claire Smith  Tyler Caley	

**NB - For each person detailed above you must complete a personal details form document ref MST 6/2) and submit all completed forms with this application**



15. Please give details of involvement with any other massage or special treatment establishment and also the nature and extent of such interest, either as:

a) owner or director of owning company: .....

.....

or

b) employee: .....

.....

16. Has the applicant or any persons named of this form any convictions/cautions? Yes ☐ No ☒

If so, please give details below (road traffic convictions/endorsements need not be stated):

**Convictions:**

First Name	Surname	Former Name (if any)	Court	Date	Offence	Penalty or Sentence
N/A						

**Cautions:**

First Name	Surname	Former Name (if any)	Offence	Date	Where Caution Administered
N/A					

(If necessary, please continue on a separate sheet)

**DECLARATION****To be completed by Applicant:**

I, declare that the information given above is true and correct to the best of my knowledge and I understand that if I provide any false information or intentionally withhold any relevant information, I am liable to prosecution.

Signed: ..... Date of Application: 24/04/2019

Name (PLEASE PRINT) CHARE SMITH

Job Title DIRECTOR

NB: If the application is on behalf of a company, the Company Secretary, or Director of the company should sign the above declaration. If any person signs the declaration on behalf of an applicant, please state in what capacity you are acting.

**If completed on behalf of an Applicant please complete the following:**

I can confirm that the details given on this form are as stated by the applicant and are correct to the best of my knowledge.

Name (block capitals) CHARE SMITH NEW SHORE

Organisation .....

Relationship to Applicant (eg Solicitor, Employer) PARTNER

Signature ..... Date 24/04/2019

**Completed Applications should be returned to:**

Birmingham City Council  
Licensing Section  
P.O. Box 17013  
Birmingham  
B6 9ES  
Email: [licensing@birmingham.gov.uk](mailto:licensing@birmingham.gov.uk)

**Checklist for Applicants****Have you remembered to:-**

Enclose cheque/payment ☐

Sign application form ☒

Send Notice of Application to WM Police ☐

Enclose completed Personal details form  
for each Person listed in section 14 ☐

Display Notice of Application (grant only) ☐

Electrical Certificate (required for grant & renewal) ☐



Worksheet/Job Number: WK/009362509

To: Licensing Enforcement Team

Date: 7th May 2019

From: Licensing Section

Property Details: **Aspire Tan And Beauty, 602 Bristol Road, Selly Oak, Birmingham, B29 6BQ,**Licence Type: **Massage and Special Treatments Licence**

Attached is a copy of the application for a licence in respect of the above.

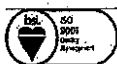
I should be pleased to receive any comments you wish to make concerning this application within 21 days of the date of this memo by completing the detachable return slip below. If we do not receive your comments by the end of the consultation period then we shall assume that you have no objections to the licence being issued.

**Parinder Dhillon**  
Licensing Section (General)

Property Details: **Aspire Tan And Beauty, Aspire Tan And Beauty, 602 Bristol Road, Selly Oak, Birmingham, B29 6BQ,**

Please tick one box

- ☐ No objection subject to standard conditions.
- ☒ No objection subject to additional conditions being attached. (Give details on separate memo as additional conditions will need to be referred to Licensing Committee).
- ☐ I object to the issue of a licence. (Give grounds for objection on separate memo as application will need to be referred to Licensing Committee).

CUSTOMER  
SERVICE  
EXCELLENCEInspected by: Terese DhillonDate: 23-5-19Full Name: Terese DhillonTime taken: 45mPosition: Licensing Officer

Contact number: ..

**Regulation and Enforcement**  
**Licensing Section**  
P.O. Box 17013  
Birmingham  
B6 9ES

General Licensing  
Telephone: 0121 303 9896  
Email: [licensing@birmingham.gov.uk](mailto:licensing@birmingham.gov.uk)  
Web: [www.birmingham.gov.uk/licensing](http://www.birmingham.gov.uk/licensing)

**THE PLACE DIRECTORATE**

## **LICENSING ENFORCEMENT REPORT**

### **BIRMINGHAM CITY COUNCIL ACT 1990**

### **GRANT APPLICATION FOR A MESSAGE & SPECIAL TREATMENT LICENCE**

**PREMISES - Aspire Tan & Beauty, 602 Bristol Road, Selly Oak, Birmingham, B29 6BQ**

In the City of Birmingham a licence is required for premises which provide any of the following treatments:-

- Massage (body)
- Sauna
- Solaria/Sunbed
- Spa/baths etc
- Stream Treatments

This premises was brought to the attention of the Licensing Enforcement Team in April 2019 when complaints were received regarding two female customers (friends) who used sunbed facilities at the salon. The reporters (mother of the two females) stated their daughters had used the sunbeds at the salon and were allowed to exceed safe levels of expose. It was further reported that one of these female customers suffered significant adverse effects following the tanning treatment.

The matter was reported to Environmental Health (Health & Safety), Trading Standards and Licensing Enforcement Teams.

On 25<sup>th</sup> April 2019 a Licensing Enforcement Officer attended the premises and established that two levels of treatments were being made available at the premises:-

- Sunbeds
- Massage (body)

The owner Claire Smith was duly advised about the requirement to obtain a Massage & Special Treatment Licence to lawfully provide these treatments. Ms Smith told officer she was unaware that a licence was required to provide these treatments.

It was evident that members of staff employed at the premises had a lack of awareness or understanding of their role in relation to allowing customers to use the sunbed facilities:-

- screening customers wishing to use sunbed facilities;
- determining customers skin type;
- not allowing customers to exceed the maximum recommended exposure times for each skin type;
- the importance of ensuring customers complete client record cards and are given all relevant information regarding medical conditions and medication which may result in them being unsuitable for tanning treatments.

Following the visit Ms Smith made application for a Massage & Special Treatments Licence and has now provided evidence that she has implemented new policies and mandatory documented training package for all members of staff working in relation to sunbed facilities. (copy of signed training records, client record card are attached to the report)

Trading Standards have also tested and reported back that the tubes in the sunbeds are compliant within the 0.3 Watts per square metre UV levels as prescribed by the BS standard.

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### **Licensing Enforcement Recommendations**

The Licensing Enforcement Team considers the measures implemented by Ms Smith since the initial inspections which have addressed the safety concerns identified by officers in relation to the provision of sunbed treatments.

However it is considered that in order to effectively promote the protection, safety and welfare of residents and visitors to the City and ensure on-going customer safety at the premises additional condition should be attached to the grant of any licence requiring mandatory staff training and refresher training regarding the provision sunbed treatments.

Ms Smith has already implemented these steps and indicated that she would accept the conditions being attached to the grant of the licence.

### **Suggested additional conditions regarding sunbed facilities**

All member of staff employed at the premises will undertake comprehensive training regarding how to screen customers and the information which must be provide to customers to ensure the safe use of the sunbed facilities.

Staff training must cover the following but this is not an exhaustive list:-

- Age verification checks to ensure no one under the age of 18 is permitted to use the sunbed facilities;
- The importance of providing customers will all relevant information regarding safe use of sunbed facilities;
- How to determine a customer's skin type;
- The schedule of maximum exposure times for each skin type;
- The importance of completing and maintaining the customer record/declaration cards;
- The importance of issuing and ensuring customer use eye protection when using sunbeds;
- The requirement there must be 48 hours between tanning sessions;
- The salon refusal policy to ensure customers who are not suitable for tanning sessions are refused treatments.

The training must be documented and each member of staff must sign and date their training records.

Recorded refresher training must be conducted every 12 months and include any new guidance issued.

The staff training records must be maintained at the premises and made available for inspection by any Authorised Officer of Birmingham City Council on request.

Aspire Tan And Beauty Limited  
602 Bristol Road  
Selly Oak  
Birmingham  
B29 6BQ  
0121 4724144

This Certifies that Tyler Caley Has understood and read through the terms and conditions of the usage of Sunbeds at the salon.

The Guidelines and regulations involving UV Tanning are very important and we follow the regulations as follows:

Based on the sunbed authorisation we will not allow any consumers to use our Sunbeds due to the following:

- If you are under the age of 18 ( ID MUST BE SHOWN)
- You have fair skin, sensitive skin that burns easily or tans slowly and poorly
- You have a large number of freckles, and/or red hair
- You have a history of sunburn, particularly childhood
- You have a large number of moles
- You are taking medicines or using cream that are sensitive to light and or skin
- You have a medical condition this is worsened by Sunlight
- You or anyone in your family has had skin cancer in the past
- You already have extensive sun damage due to sunlight

You must check the sunbeds regularly after each client has used the sunbed and clean the beds with the provided equipment cleaner. Each and every client must wear some form of eye protection whilst using the tanning equipment. These are all provided free of charge i.e winkeze disposables or plastic goggles.

Every customer must complete the provided orange record card and you must talk the customer through the skin type analysis and advise correctly as follows:

## SKIN TYPE CHART

Skin Type I:

Usually bright white or pale skin, blue or green eyes, red hair and many freckles. This skin type always burns outdoors, never tans. NOTE: A person who is a true Skin Type I should avoid tanning indoors and outdoors.

#### Skin Type II:

Light Beige skin, blue or green eyes; blonde or light brown hair and maybe freckles. This skin type has a strong tendency to sunburn outdoors, but sometimes tans.

#### Skin Type III:

Light brown skin, brown eyes and hair. This skin type sometimes burns outdoors but always tans.

#### Skin Type IV:

Light brown or olive skin, dark brown eyes and hair. This skin type sometimes burns outdoors and tans readily.

#### Skin Type V:

Brown skin, dark brown hair and eyes. This skin type rarely burns outdoors and tans easily.

#### Skin Type VI:

Black skin, black-brown eyes and hair. This skin type rarely sunburns outdoors.

Please Note: Although the chart above discusses skin type burning potential, you should always tan in moderation and avoid sun burning indoors and out! Your salon may use a specific skin type formula to determine your tanning sensitivity indoors.

## INDOOR TANNING CHART BY SKIN TYPE:

Skin Type	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6
I	THIS	SKIN	TYPE	SHOULD	NOT	TAN
II	3 min.	na.	3 min.	na	6 min.	na.
III	3-6 min.	6 min.	9min.	12min.	12 min.	12 min.
IV	6 min.	6 min.	9-12 min.	12 min.	12 min.	12 min.
V	6 min.	6 min.	9-12 min.	12 min.	12 min.	12 min.
VI	6 min.	6min.	9-12 min.	12min.	12 min.	12 min.

Please note: All skin types should skip a day in between tanning and leave 48hrs between 1st and 2nd sessions. If there are reddish skin tones or tenderness customers are advised to wait until that goes away before tanning again. When you go to your tanning salon of choice they can give you more detailed advice depending on what type of tanning bed you begin to use.

NB: Skin Types 4, 5 and 6: These skin types need to exercise precaution on initial exposure. Initial exposure should also be moderate. This particularly applies if living in the UK as natural skin protection factor is depleted through lack of regular exposure to sunshine.

- SKIN TYPE I: light beige skin, blue green eyes, red hair and many freckles. This skin type will burn

- 
- 
- : Usually bright pale skin with blue/green eyes, light blonde/brown hair with freckles. This skin type has a tendency to burn

**Customer Refusal :**

We have a customer refusal policy by where if a customer wishes to not agree with your recommendation then you are to refuse the customer and document this also.

If the correct advice and guidance is not followed correctly may result in dismissal.

**Employee signature:**

**Date:** 01.04.2019

**Salon Owner Signature:**

**Date:**



Aspire Tan And Beauty Limited

602 Bristol Road

Selly Oak

Birmingham

B29 6BQ

0121 4724144

This Certifies that Carlene Has understood and read through the terms and conditions of the usage of Sunbeds at the salon.

The Guidelines and regulations involving UV Tanning are very important and we follow the regulations as follows:

Based on the sunbed authorisation we will not allow any consumers to use our Sunbeds due to the following:

- If you are under the age of 18 ( ID MUST BE SHOWN)
- You have fair skin, sensitive skin that burns easily or tans slowly and poorly
- You have a large number of freckles, and/or red hair
- You have a history of sunburn, particularly childhood
- You have a large number of moles
- You are taking medicines or using cream that are sensitive to light and or skin
- You have a medical condition this is worsened by Sunlight
- You or anyone in your family has had skin cancer in the past
- You already have extensive sun damage due to sunlight

You must check the sunbeds regularly after each client has used the sunbed and clean the beds with the provided equipment cleaner. Each and every client must wear some form of eye protection whilst using the tanning equipment. These are all provided free of charge i.e winkeze disposables or plastic goggles.

Every customer must complete the provided orange record card and you must talk the customer through the skin type analysis and advise correctly as follows:

## SKIN TYPE CHART

Skin Type I:

Usually bright white or pale skin, blue or green eyes, red hair and many freckles. This skin type always burns outdoors, never tans. NOTE: A person who is a true Skin Type I should avoid tanning indoors and outdoors.

#### Skin Type II:

Light Beige skin, blue or green eyes; blonde or light brown hair and maybe freckles. This skin type has a strong tendency to sunburn outdoors, but sometimes tans.

#### Skin Type III:

Light brown skin, brown eyes and hair. This skin type sometimes burns outdoors but always tans.

#### Skin Type IV:

Light brown or olive skin, dark brown eyes and hair. This skin type sometimes burns outdoors and tans readily.

#### Skin Type V:

Brown skin, dark brown hair and eyes. This skin type rarely burns outdoors and tans easily.

#### Skin Type VI:

Black skin, black-brown eyes and hair. This skin type rarely sunburns outdoors.

Please Note: Although the chart above discusses skin type burning potential, you should always tan in moderation and avoid sun burning indoors and out! Your salon may use a specific skin type formula to determine your tanning sensitivity indoors.

## INDOOR TANNING CHART BY SKIN TYPE:

Skin Type	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6
I	THIS	SKIN	TYPE	SHOULD	NOT	TAN
II	3 min.	na.	3 min.	na	6 min.	na.
III	3-6 min.	6 min.	9min.	12min.	12 min.	12 min.
IV	6 min.	6 min.	9-12 min.	12 min.	12 min.	12 min.
V	6 min.	6 min.	9-12 min.	12 min.	12 min.	12 min.
VI	6 min.	6min.	9-12 min.	12min.	12 min.	12 min.

Please note: All skin types should skip a day in between tanning and leave 48hrs between 1st and 2nd sessions. If there are reddish skin tones or tenderness customers are advised to wait until that goes away before tanning again. When you go to your tanning salon of choice they can give you more detailed advice depending on what type of tanning bed you begin to use.

NB: Skin Types 4, 5 and 6: These skin types need to exercise precaution on Initial exposure. Initial exposure should also be moderate. This particularly applies if living in the UK as natural skin protection factor is depleted through lack of regular exposure to sunshine.

- SKIN TYPE I: light beige skin, blue green eyes, red hair and many freckles. This skin type will burn

- 
- 
- : Usually bright pale skin with blue/green eyes, light blonde/brown hair with freckles. This skin type has a tendency to burn

**Customer Refusal :**

We have a customer refusal policy by where if a customer wishes to not agree with your recommendation then you are to refuse the customer and document this also.

If the correct advice and guidance is not followed correctly may result in dismissal.

**Employee signature:**

**Date:** 2/5/19

**Salon Owner Signature:**

**Date:**

## SKIN TYPES



People with very fair/sensitive skin and often with red/strawberry blond hair and freckles, pale blue, pale grey or pale green eyes. People who hardly or never tan and burn easily.

### Recommendation:

You should NOT tan on a sunbed or outdoors. We would recommend that you review our Sunless offering.



People with fairish skin who usually burn and sometimes tan. Tend to have light hair, blue or brown eyes.

### Recommendation:

The EU Scientific Committee on Consumer Products states that people with skin types 1 and 2 should NOT proceed with UV tanning.



People with brownish white skins who tan fairly easily but can burn if overexposed.

### Recommendation:

Even though they tan easily, they should respect the fact that they can still burn, especially without a base tan.



People with dark skin who tan easily and hardly ever burn, but even so need to be careful that they don't go through prolonged over exposure.

### Recommendation:

You tan easily but should never have more than the full recommended session time.



There are skin types 5 and 6, 5 being naturally brown skin and 6 being naturally brown/black skin. Generally customers wishing to use sunbeds will fall into skin types 3 and 4.





# CLIENT RECORD CARD

Name	Ms/Miss/Mrs/Mr	First name	Client Record No.
Surname			Please circle 1 2 3 4 5 6
Address			(See 'skin types' section for details)
Telephone	Home	Postcode	Day
	Mobile		Month
			Year
			DOB
			Age
			Email

Notes:



Please open, read and complete the form inside



## IMPORTANT Please read the following carefully

Indoor solarium tanning should be treated with the same caution as tanning in normal sunlight.

We recommend you do not exceed the exposure schedule provided by the equipment manufacturer and/or salon professional. You should leave a minimum of 48 hours between sessions.

We recommend that all traces of make-up, lipstick, perfumed body lotions and sprays are removed before using a sunbed. No tanning preparations or lotions should be applied unless they are specifically formulated for use on sunbeds.

### REMEMBER

- It is illegal to use a sunbed unless aged 18 years and over.
- Never repeat tanning if any signs of redness remain from previous sunbathing or tanning.
- Do not touch or tamper with the light tubes whilst using the equipment.
- Always remove contact lenses.
- Do not follow or proceed sunbeds with any other form of heat treatment (including hot baths, saunas, waxing, use of depilatories OR normal sunbathing).
- Never use UV tanning equipment without wearing eye protection. Wear CE approved goggles/eye wear.
- Always advise salon staff if there are any changes to your medical condition or prescribed drugs.

If the answer to any of the following questions is positive, please seek medical advice to ensure optimum safety when using the sunbed or sunbathing normally.

**DO YOU SUFFER FROM:** ill effects of normal sunbathing, epilepsy, diabetes, heart condition, blood pressure, hormone irregularities, headaches/migraine, hypertension, fainting/giddiness, prickly heat, cold sores, allergies, skin ulcers or moles that have changed in appearance?

**ARE YOU:** currently under medical supervision, prescribed or taking any form of drug, oilment/lotion, antibiotic or tranquilliser, pregnant or hypersensitive to light?

*I have read & understood the information provided on this form, am 18 years of age or over, and am satisfied that I am suitable for tanning treatments.*

Print Name			
Skin Type			
Signature			
Date	Day	Month	Year

*Nothing in the information given above shall exclude our liability for personal injury or death due to our negligence or fraudulent misrepresentation. We shall not be liable for any loss or damage to valuables and other personal possessions left on the premises.*

The information provided on this form may be used for marketing purposes. Please tick here if you do not want your details to be used for marketing.



[illegible]

To re-order your client record cards telephone the Bliss sales line on 0800 801760

## Appendix 3

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**From:** Teresa Wilding  
**Sent:** 23 May 2019 16:14  
**To:** Licensing  
**Subject:** FW: MST Licence Application - Additional conditions to be attached to the licence

Please see email from applicant below

Teresa Wilding  
Licensing Enforcement Officer

Birmingham City Council Licensing  
Ashted Lock,  
Building 1-3, Ground Floor,  
Birmingham Science Park Aston,  
Dartmouth Middleway,  
Aston,  
Birmingham,  
B7 4AZ

For information regarding the various licences issues please go to [www.birmingham.gov.uk/licensing](http://www.birmingham.gov.uk/licensing)

For information on Birmingham Licensed premises including licensed hours, activities and conditions go to <http://publicregister.birmingham.gov.uk>

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**From:** claire smith  
**Sent:** Thursday, May 23, 2019 2:45 PM  
**To:** Teresa Wilding  
**Subject:** Re: MST Licence Application - Additional conditions to be attached to the licence

Hi Teresa

I am happy to accept these conditions, I look forward to hearing from you soon.

Kind regards  
Claire

Sent from my iPhone

On 23 May 2019, at 13:50, Teresa Wilding <

Hi Claire,



**BIRMINGHAM CITY COUNCIL ACT 1990**  
**CONDITIONS OF LICENCE**  
**MESSAGE AND SPECIAL TREATMENT ESTABLISHMENTS**

**THE LICENSEE**

1. Treatments that are covered by the Birmingham City Council Act 1990 which are not specified on the licence shall not be offered.
2. The establishment shall trade at the address specified in the licence, and in the name specified in the licence.
3. The Licensee shall notify the Council in writing, within 7 days, of any change in the name or private address of the Licensee.
4. The Licensee, if a company, shall notify the Council in writing, within 7 days, of any change in the names of directors of the company.
5. Unless the Licensee has written consent of the Council they shall not:
  - a) employ anyone at the premises whose licence has previously been revoked or who has been refused a licence where they were unsuitable to hold a licence;
  - b) employ anyone at the premises where the Council has previously considered that individual to be unsuitable because of misconduct; or
  - c) permit any such person mentioned in a) or b) above to directly or indirectly have an interest in the business carried on at the premises;
  - d) employ any person in the conduct of the establishment under the age of 17.
6. Treatment shall only be given by persons approved by the Council or under the supervision of a person approved by the Council.
7. The Licensee shall ensure that all persons approved by the Council to offer treatments shall display at the premises all certificates of recognised qualifications in respect of the services permitted by the Licence.
8. The Licensee must display, in a prominent position within the premises, the Licence issued by the Council

9. The Licensee shall at all times exhibit, in a conspicuous position, a complete scale of fees for treatments given at the premises.
10. The Licensee shall notify the Council, within 7 days, any change to the list of persons engaged in the provision of massage or special treatment at the establishment. If the change relates to the addition of a new person then notification must be by completion and submission within 7 days of Document MST6.1.
11. The Licensee shall notify the Council in writing within 7 days of any conviction received by him/her in respect of any offence of dishonesty or immorality.
12. The Licensee shall not permit the establishment to be used for any illegal or immoral purpose.

#### **THE PREMISES**

13. The premises and any treatment room or waiting room must be kept clean and maintained in good repair and condition.
14. There shall be adequate lighting and ventilation to any treatment or waiting room, either by natural or artificial means.
15. Readily accessible wash hand basins must be provided for any treatment rooms.
16. There shall be provided for each wash hand basin, hot and cold water, soap, a nail brush and clean hand drying facilities.
17. There shall be provided in every treatment and waiting room suitable and sufficient means for heating and a reasonable room temperature shall be maintained.
18. Suitable and sufficient toilet accommodation must be available for employees and clients.
19. The Licensee shall ensure compliance at all times with the relevant provisions of the Health and Safety at Work Act 1974 and shall at all times take reasonable precautions to ensure the safety of clients whilst in the premises.

#### **CUSTOMER CARE**

20. Where it is intended that more than one person shall be treated in the same room, suitable screening shall be provided to maintain privacy.

21. All instruments, towels, materials and equipment used in connection with the establishment shall be thoroughly cleansed prior to use by, or application to any client and there shall be provided proper means for securing the cleansing of all such instruments, towels, materials and equipment.
22. The Licensee shall ensure that all persons present in any part of the establishment are decently and properly dressed at all times, except for those persons receiving treatment in accordance with the conditions of this Licence.
23. Adequate changing accommodation shall be provided.

#### **RECORDS**

24. The Licensee shall keep and maintain:
  - a) A record of all persons employed for administering treatment, whether qualified or not, with details of their full name, date of birth, private address, national insurance number, signature and qualifications where applicable.
  - b) A daily register of all staff administering treatment shall be maintained; the register shall record the start and finish time of each therapist.

The above records shall be kept on the premises named on the licence at all times, and shall be immediately available for inspection, by an authorised officer, during opening hours.

No person shall make a false entry into any records required to be kept as a condition of the licence.

#### **CONDUCT OF BUSINESS**

25. The Licensee or a responsible person nominated by the Licensee, in writing to the Licensing Section, must be on the premises and in charge of the establishment and immediately contactable by an authorised officer at any time during the permitted hours of opening.
26. The Licensee must ensure that the nominated person is fully aware of the Conditions of Licence, particularly those relating to the maintaining of records.
27. The Manager or other person directly or indirectly responsible for the management of the premises shall be under the same obligation as the Licensee to comply with these conditions.

**PERMITTED HOURS**

28. The services provided by this establishment shall be permitted only between the hours of 6.00 am and 12.00 midnight on any day. (Please note that the hours permitted by this licence do not override any restrictions imposed by any planning consents for the premises.)

**SAFETY OF EQUIPMENT - ELECTRICAL CERTIFICATE**

29. The Licensee shall on application for renewal of this Licence submit to the Council a certificate signed by a competent electrician certifying the safety of all electrical installations, equipment and electrical apparatus used within the establishment for the purposes of the Licence.

**SPECIFIC CONDITIONS RELATING TO MASSAGE**

1. All massage rooms/areas shall contain a suitable massage couch/bench/table. (Four Poster beds, or beds designed for the purpose of sleeping shall not be permitted.)
2. There shall be no advertisement in words or pictures suggesting that there is an erotic element in the treatment provided.

**SPECIFIC CONDITIONS FOR SUNBEDS AND SOLARIA**

1. See Appendix A attached.

**APPENDIX A - SPECIFIC CONDITIONS FOR SUNBEDS AND SOLARIA**

Each premises licensed to provide facilities of ultra violet tanning equipment, sun beds and tanning booths shall ensure compliance with the following conditions:

1. The Licensee shall draw up a schedule of maximum exposure times based on the information supplied by the manufacturer and the operator shall advise clients of suitable exposure levels to avoid over-exposure particularly during initial sessions.

**Notice**

2. Warning notices and guidance notes issued by the Health and Safety Executive shall be clearly displayed near the machine informing users of the equipment of the danger of over-exposure.

**Safety Equipment**

3. Suitable goggles for the protection of the eyes of users of the equipment must be provided and each user must be advised of the dangers of failing to properly protect the eyes from ultra violet light. No user of the equipment should be allowed to undertake treatment without such protection.
4. A suitable readily identified emergency device shall be fitted within easy reach of a person using the equipment. The device, when operated, should switch off ultra violet lamps and summon assistance.
5. Equipment must be situated in a suitable room or cubicle and so positioned that adequate ventilation and cooling is provided. The operation of the equipment must not result in the temperature in the treatment room becoming unreasonable.

**Cleaning**

6. The licensee must have procedures in place to ensure that the surface of the bed is cleansed, between each client use, with a suitable cleanser as recommended by the manufacturer of the appliance.

**Safety of Users**

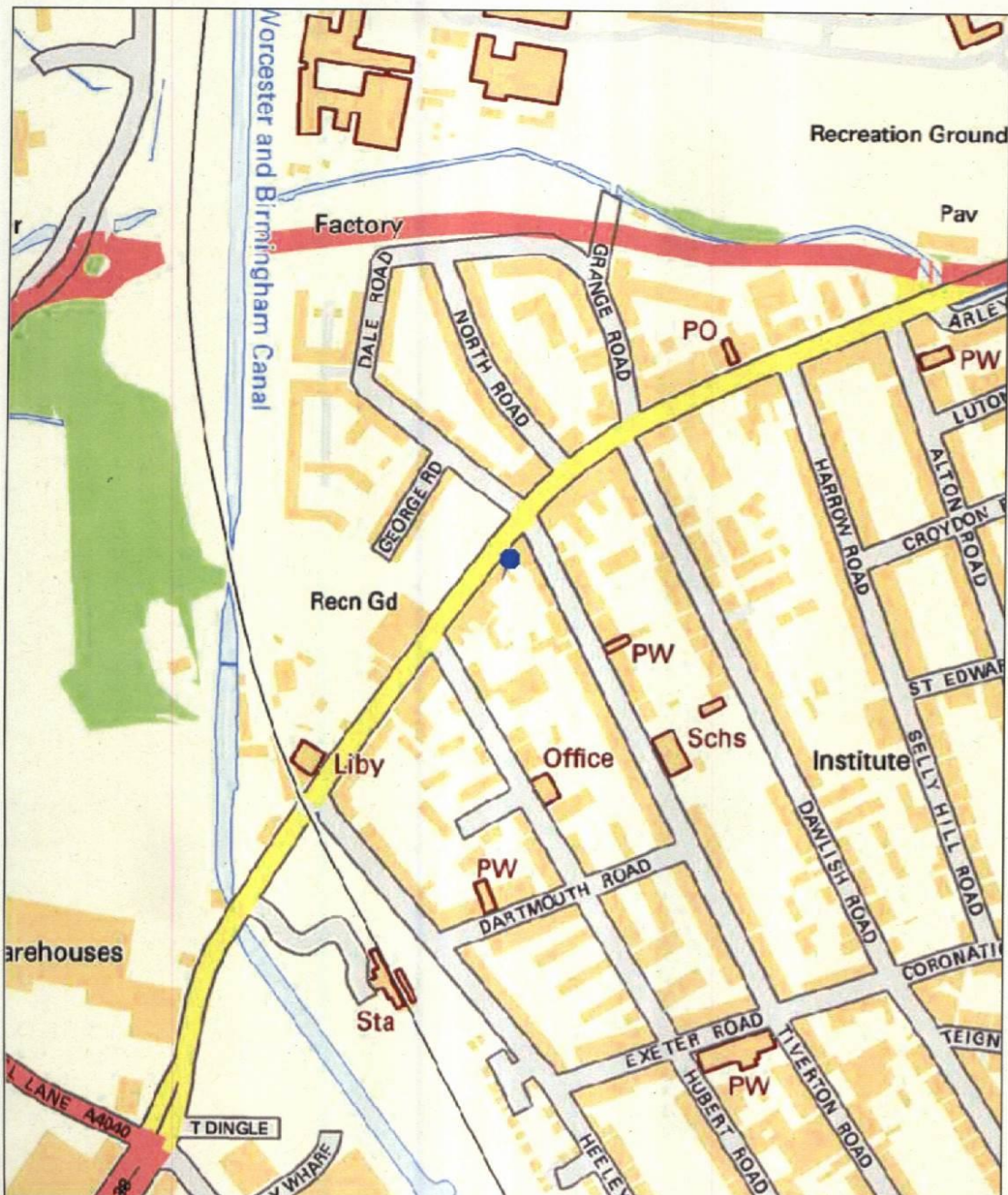
7. The Licensee must have procedures in place to ensure that prospective users of sun beds are made aware, on each visit, that certain medical conditions or medicines that are combined with exposure to UV light can have an adverse effect on the health and safety of the user.
8. The European Standard BS EN 60335-2-27: 2013 is based upon an exposure limit of 15 kilojoules per square metre per person per annum.

As guidance, customers appropriate to tan (following a screening including skin-typing) should receive a timed exposure to bring them up to their MED (Minimum Erythral Dose, i.e. the point at which the skin goes slightly red some 8 - 24 hours following exposure to UV).

For Skin Type 2 (which is a typical Caucasian UK skin type) an individual MED is equivalent to around 250 joules per square metre, thus, based on an annual exposure limit of 15,000 joules, this equates to around 60 sessions per person per year (15,000 divided by 250).

The Licensee must have procedures in place to ensure that prospective users of sun beds are:

- a. Aware of their own skin type;
- b. Made aware of the session limit applicable to their skin type and the equipment being used;
- c. Made aware of the maximum exposure limits allowed in the European Standard;
- d. All sunbeds must be compliant with a maximum UV output as specified in BS EN 60335-2-27 of 0.3W/m<sup>2</sup>.



Map Created By:

Notes

Date of Map Creation: 24/05/2019



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1:4,000

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**Birmingham City Council**

Map Created By:

**Notes**

Date of Map Creation: 24/05/2019



Scale:  
1:1,250

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