

LONDON LOCAL AUTHORITIES ACT 1991

APPLICATION FORM – OCCASIONAL SPECIAL TREATMENT LICENCE

<p>Please complete all sections of this form and return to licensing@enfield.gov.uk</p>	<p style="text-align: right;">For office use only</p> <p>Fee Received : _____</p> <p>Receipt Number : _____</p> <p>Entered on Assure by : _____</p> <p>on : _____</p> <p>WK no. : _____</p> <p>Date acknowledged : _____</p>
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Please read the Advice Notes and the end of application form before completing it

1. Name and address of the **premises** where the special treatments will be carried out :

Premises Name : _____

Premises Address : _____

Telephone Number : _____

2. The **parts and date(s)** of the premises where special treatments will be carried (e.g. ground floor etc.) :

Parts : _____

Date(s) : _____

3. The lawful **Planning Use** of the premises (e.g. A1-Retail etc.) :

4. Name and residential address of the **person** applying (the applicant) for the licence at the premises :

Individual's Name : _____

Individual's Address : _____

Telephone Number : _____

5. Name and registered office of the **company** (if the applicant is applying on behalf of a limited liability company) :

Company Name : _____

Registered Office : _____

Company Number : _____

6. The applicant's **legal title** to occupy the premises (e.g. freeholder etc.) :

11. The total number of **staff** that will be providing treatments (excluding the applicant) is :
12. Treatments shall only be provided to **patrons** of the following sex(es) :
13. Date(s) the occasional event is taking place:

APPLICANT'S DECLARATION

14. I duly declare that :
either

- (a) I will advertise this application by putting up the required notice at the premises for 28-days starting on : (*insert date*).
- or*
- (a) I will advertise this application by placing the required notice in the following local newspaper : (*insert newspaper title*).
- (b) I attach documentary evidence that Planning Permission has been obtained for the use of the premises for the provision of licensable special treatments.
- (c) I attach a site-plan of the premises indicating where treatments are to take place.
- (d) I attach one passport sized photograph of each therapist offering treatments that fall within Band A.
- (e) I attach copies of the qualifications gained by each therapist to provide each of the treatments I have listed.
- (f) I have made the appropriate online payment. |
- (g) Neither I nor the manager (if I am not the manager) of the premises have been convicted of any criminal offence (with the exception of traffic offences) which remain unspent.
- (h) The information contained in this application is true to the best of my knowledge and belief.

Signed :

Date :

Applications cannot be accepted unless the correct fee has been paid. Licence fees are not subject to VAT. Please see the fees on our website for the amount payable and ways to pay.

Return the completed application form to licensing@enfield.gov.uk

Advice Notes

Licences are required by any premises offering treatments either daily or on occasions like a one off Indulgence event. If at the latter alcohol is being sold, then the premises also require a Temporary Event Notice.

With effect from 1 April 2011, *only* premises that provide treatments listed on the enclosed document entitled 'LONDON LOCAL AUTHORITIES ACT 1991 – SPECIAL TREATMENTS LICENCE – LICENSABLE TREATMENTS' will require a Special Treatment Licence. You will note, at the bottom of that document, that a number of previously-licensable treatments may now be provided *without* need of a Special Treatment Licence. Also, persons who are a member of specified professional organisations are exempt from the requirement for a Special Treatment Licence to provide that particular licensable treatment.

Before completing the Application Form, you should read the enclosed document entitled 'RULES OF PROCEDURE', in particular Rule nos. 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12.

In respect of Rule 6 – the site plan of the premises must indicate where treatments are to take place and can be a hand drawn sketch which does not need to be drawn to scale.

In respect of Rules 7 & 8 – you are only required to comply with *either* Rule 7 *or* Rule 8, *not* both. The required notice is the enclosed document entitled 'PREMISES/NEWSPAPER NOTICE'.

In respect of Rule 10 – photographs are only required when application is made to provide any treatments that fall within Band A.

The application process then normally takes at least 28-days and you may not hear from us again until that period has elapsed.

No refund of fees paid will be made unless the application is withdrawn or refused. The fee paid by the applicant will then be refunded after the Council's administration costs have been deducted. If the Council's costs in dealing with the application are higher than the fee paid, no refund will be made.

London Local Authorities Act 1991 – Special Treatments Licence – Licensable Treatments

Band A – Invasive & High Risk:

SA01 Acupressure	SA31 Meridian Therapies
SA02 Acupuncture	SA32 Meta Aromatherapy
SA03 Advanced Electrolysis (Moles, Warts & Skin Tags)	SA33 Metamorphic Technique
SA04 Anthroposophical Medicine	SA34 Microblading
SA05 Aromatherapy	SA35 Microdermal Anchors
SA06 Auricular Acupuncture	SA36 Micropigmentation (Semi-Permanent Make-Up)
SA07 Beading	SA37 Moxibustion
SA08 Bio Skin Jetting	SA38 Myofacial Release
SA09 Body Massage	SA39 Namripad Allergy Elimination Technique (NAET)
SA10 Body Piercing	SA40 Neuroskeletal Re-alignment
SA11 Body Talk	SA41 No Hands Massage
SA12 Bowen Technique	SA42 Osteomyology
SA13 Champissage (Indian Head Massage)	SA43 Osteopathy
SA14 Dry Needling	SA44 Polarity Therapy
SA15 Electrolysis (Hair Removal)	SA45 Qi Gong
SA16 Emotional Freedom Technique (EFT)	SA46 Remedial/Sports Massage
SA17 Endermologie	SA47 Rolfing
SA18 Fairbane/Tangent Method	SA48 Sclerotherapy
SA19 Freeway – CER	SA49 Shiatsu
SA20 Grinberg Method	SA50 Stone Therapy
SA21 Gyrotory Massage	SA51 Tapas Acupressure Technique (TAT)
SA22 Holistic Massage	SA52 Tattoo Removal
SA23 Hot Air Massage	SA53 Tattooing
SA24 Ken Everman Technique	SA55 Temptooing
SA25 Korean Hand Therapy	SA56 Therapeutic/Holistic Massage
SA26 Laser/Intense Pulse Light	SA57 Thermavein
SA27 Laser Tattoo Removal	SA58 Tui-Na
SA28 Lipo Laser	SA59 Plasma Pen
SA29 Manual Lymphatic Drainage	
SA30 Marma Therapy	

Band B – Non-Invasive & Medium Risk:

SB01 Ayurvedic Medicine	SB18 Radio Frequency
SB02 Colour Therapy	SB19 Oxygen Therapy
SB03 Cryosauna	SB20 Ozone Sauna
SB04 Detox Box	SB21 Reflexology
SB05 Facials with Massage	SB22 Reiki with Massage
SB06 Faradism	SB23 Toller Shaper
SB07 Fish Therapy	SB24 Sauna
SB08 Flotation Tank	SB25 Scener Therapy
SB09 Foot Detox	SB26 Spa
SB10 Galvanism	SB27 Steam Room/Bath
SB11 Halotherapy/Speliotherapy	SB28 Thalassotherapy
SB12 High Frequency	SB29 Thermo Auricular Therapy (Hopi Ear Candles) with Massage
SB13 Hydrotherapy	SB30 Trichology with Massage
SB14 Infra Red	SB31 Ultra Sonic
SB15 Kirilian Photography	SB32 Ultra Violet Tanning
SB16 Lumi Lift/Lumi Facials	
SB17 Micro Currant Therapy (Non-Surgical Face-Lifts)	

Band C – Non-Invasive & Low Risk:

SC01 Ear Piercing
SC02 Manicure

SC03 Nail Extensions
SC04 Pedicure

The following treatments are not licensable under the London Local Authorities Act 1991 :

Alexander Technique	Hellerwork
Autogenic Training	Henna Tattoos
Bach Flower Remedies	Herbal Medicine
Bates Method	Homeopathy
Bi Aura Therapy	Hyaluronic Acid (Cosmetic Fillers)
Bio Resonance Therapy	Hypnotherapy
Bleaching	Iridology
Body Wraps/Envelopment	Kinesiology
Botox	Micro-Dermabrasion
Branding	Naturopathy
Be Set Free Fast (BSSF)	Norris Technique
Buteyko	Radionics
Cholesterol Testing	Reiki without Massage
Collagen Implants (Cosmetic Fillers)	Scarification
Colonic Irrigation	Schmaizing
Craniosacral Therapy	Spray Tanning
Cryotherapy (Chamber Therapy)	Sugaring
Crystal/Electro Crystal Healing	Teeth Whitening
Cupping	Thought Field Therapy (TFT)
Do In	Thermo Auricular Therapy (Hopi Ear Candles) without Massage
Eyebrow Treatments	Threading
Eyelash Treatments	Tongue Splitting
Facials without Massage	Toning Beds
Feldenkrais	Trichology without Massage
Fish Therapy	Vacuum Suction
Glucose Testing	Waxing

LONDON LOCAL AUTHORITIES ACT 1991

SPECIAL TREATMENT LICENCE

EXEMPTION LIST – JUNE 2017

Applicants may be exempt from the requirements of special treatment licensing under Section 27 London Local Authorities Act 2000 (formerly Section 4(b)(ii) London Local Authorities Act 1991). Main exemptions are given in Section 4 (a-e) London Local Authorities Act 1991. Also exempt are the following list of organisations for the following treatments:

Health and Care Professions Council – (Registered members are automatically exempted by Section 4c of the London Local Authorities Act 1991). Exempt: Osteopaths, Physiotherapists, Chiropractors & Chiropractors etc.

Anglo Chinese Medicine Doctor Society (ACMDS), 143 Streatham High Road, London SW16 6EG. Tel: 020 8643 4222. Email: acmdsuk@gmail.com. Exempt from Acupuncture & Massage

Association of Chinese Medicine Practitioners (ACMP), 96 Cuckoo Dene, Hanwell, London W7 3DR. Tel: 020 8578 0148. Email: jia@talk21.com. Exempt (DOCTORS ONLY) for Acupuncture, Acupressure & Tui-Na

Association of Naturopathic Practitioners, Coombe Hurst, Coombe Hill Road, East Grinstead, West Sussex, RH19 4LZ . Tel: 02033 199315. Email: info@naturopathy-anp.com. Full Members only exempt for Acupuncture & Holistic Massage (Naturopathy).

Association of Reflexologists (incl the International Institute of Reflexology), Victoria House, Victoria Street, Taunton, Somerset TA1 3FA. Tel: 01823 364952. Email: info@aur.org.uk. Exempt for Acupressure, Acupuncture, Aromatherapy, Ayurveda, Body Massage, Bowen Technique, Champissage (Indian Head Massage), Chiroprody, EFT, Holistic Massage, Hopi Ear Candles, Manual Lymphatic Drainage, Metamorphic Technique, No Hands Massage, Polarity Therapy, Qi Gong, Reflexology, Remedial Massage, Rolfing, Shiatsu, Sports Massage, Stone Therapy, Therapeutic Massage, Tui-Na

Association of Traditional Chinese Medicine & Acupuncture UK, Suite 12 Brentano House, Unit 5 The Exchange, Brent Cross Gardens, London NW4 3RJ . Tel: 020 84572560. Email: info@atcm.co.uk. Exemptions: **Full Members:** Acupuncture, Tui-Na & Moxibustion. **Cat 1 & 3 Members:** Acupuncture & Tui-Na. **Cat 2 Members:** Acupuncture only. **Associate Members:** Tui-Na only

Ayurvedic Practitioners Association (APA), 23 Green Ridge, Brighton, East Sussex, BN1 5LT. Tel: 01273 500492. Email: info@apa.uk.com. Exempt for Ayurvedic Massage & Ayurvedic Medicine.

British Association of Sport Rehabilitator's and Trainers (BASRAT), Angela Cumine c/o St Marys University College, Strawberry Hill, Twickenham, YW1 4SX. Tel: 020 8240 4184. Email: [cuminea@smucac.uk](mailto:cumine@smucac.uk). Exempt for Sports Massage.

Bowen Association UK, PO Box 210, Boston, Lincs PE21 1DD. Tel: 01205 319100. Email: office@bowen-technique.co.uk. **Full Members only** exempt for Bowen Therapy.

British Complementary Medicine Association, PO Box 5122, Bournemouth, Dorset, BH8 OWG. Tel: 01293 851760. Email: chair@bcma.co.uk. Exempt for Acupuncture, Polarity Therapy, Indian Head Massage, Manual Lymphatic Drainage & Aromatherapy

British Medical Acupuncture Society, 60 Great Ormond Street, London WC1N 3HR. Tel: 020 7713 9437. Email: bmaslondon@aol.com. Exempt for Acupuncture.

British Reflexology Association, Monks Orchard, Whitbourne, Worcester WR6 5RB. Tel: 01886 821207. Email: bra@britreflex.co.uk. **Ordinary Members only** exempt for Reflexology.

British Register of Complementary Practitioners, Can-Mezzanine, 32-36 Loman Street, London SE1 0EH. Tel: 020 7922 7980. Email: clive.teal@icnm.org.uk. Exempt for Acupuncture, Acupressure, Aromatherapy, Bowen Technique, Manual Lymphatic Drainage, Remedial, Sports, Holistic and Indian Head Massage, Reflexology, Shiatsu, Tui-Na & Qi Gong

Chinese Medical Institute & Register, 101-105 Camden High Street, London, NW1 7JN. Tel: 020 7874 1801. Email: info@cmir.otg.uk. Exempt for Acupuncture, Tui-Na & Moxibustion. **Associate & Student Members NOT exempt.**

Complementary Health Professionals, Kemp House, City Road, London EC1V 2NX. Tel: 03335 773340. Email: enquiries@complementaryhealthprofessionals.co.uk. Exempt for Aromatherapy, Sports Massage, Therapeutic Massage, Indian Head Massage, Tui-Na, Neuroskelital Realignment Therapy, Manual Lymphatic Drainage, Bowen Therapy, Shiatsu, Reflexology, Reiki, Hopi Ear Candle, Metamorphic Techniques.

Complementary & Natural Healthcare Council, 46-48 East Smithfield, London E1 1AW. Tel: 020 3170 8338. Exempt for Aromatherapy, Bowen Technique, Reflexology, Shiatsu, Sports & Remedial Massage.

Complementary Medical Association, Three Corners, 49 Albany Road, St Leonards on Sea, East Sussex, TN38 0LJ. Tel: 01424 423505. Email: jayney@the-cma.org.uk. Exempt for Acupressure, Aromatherapy, Ayurvedia, Colour Therapy, Qi Gong, Reflexology, Shiatsu & Indian Head Massage.

Complementary Therapists Association (CThA), 2nd Floor, Chiswick Gate, 598-608 Chiswick High Road, London W4 5RT. Tel: 0845 202 2941. Email: info@ctha.com. Exempt for Acupuncture, Alexander Technique, Aromatherapy, Bowen Therapy, Reflexology, Reiki and other healing techniques, Shiatsu, Sports Therapeutic & Holistic Massage.

Federation of Holistic Therapists, 18 Shakespeare Business Centre, Hathaway Close, Eastleigh, Hampshire, S050 9XG. Tel: 0870 420 2022. Email: info@fht.org.uk. Exempt for Acupressure, Aromatherapy, Bowen Therapy, Manual Lymphatic Drainage, Advanced Manual Lymphatic Drainage, Reflexology, Shiatsu, Sports & Remedial Massage, Indian Head Massage, Moxibustion, Thai Massage & Foot massage, Qi Gong, Tui-Na, Auricular Acupuncture, Colour Therapy, Emotional Freedom Technique, Metamorphic Technique, Polarity Therapy & Stone Therapy.

Federation of Traditional Chinese Medicine Practitioners (FTCMP), P O Box 51189, London SE13 9DE. Tel: 020 8770 0018. Email: ftcmpuk@gmail.com. Exempt (**DOCTORS ONLY**) for Acupuncture, Acupressure & Tui-Na.

Guild of Holistic Therapists, 320 Burton Road, Derby DE23 6AF. Email: paul.archer@beautyguild.com. Exempt for Acupressure, Aromatherapy, Bowen Technique, Champissage (Indian Head Massage) Colour Therapy, Infrared, Manual Lymphatic Drainage, Metamorphic Technique, Reflexology, Reiki, Shiatsu, Sports Massage, Stone Therapy, Thai Massage, Thermo-Auricular Therapy & Tui-Na

Independent Professional Therapists International (IPTI), PO Box 106, Retford, DN22 7WN. Tel: 01777 703177. Email: martyn@iptiuk.com. Exempt for Acupressure, Aromatherapy, Bowen Technique, Holistic & Therapeutic & Remedial Massage, Lymphatic Drainage, Metamorphic Technique, Moxibustion, Polarity Therapy, Reflexology, Rolfing Shiatsu, Sports Massage & Thermo Auricular Therapy.

Institute of Osteopathy Acupuncture Group, Institute of Osteopathy, 3 Park Terrace, Manor Road, Luton LU1 3HN. Tel: 01582 488455. Email: enquiries@osteopathy.org. Exempt for Acupuncture and Dry Needling in conjunction with Osteopathy.

Institute of Sports & Remedial Massage (ISRM), 28 Station Parade, London NW2 4NX. Tel: 020 8375 3517. Email: mel@theism.com. Exempt for Sports and Remedial Massage & Soft Tissue Therapy.

Institute of Trichologists, 24 Longroyd Road, London SW17 7PI. Tel: 08706 070602. Email: admin@trichologists.org.uk. Exempt for Trichology & Head Massage.

International Federation of Aromatherapists, 146 South Ealing Road, London W5 4QJ Tel: 020 8567 2243. Email: office@ifaroma.org. **Full & Associate Members only** exempt for Aromatherapy & Massage in association with Aromatherapy only.

International Federation of Reflexologists, 8-9 Talbot Court, London, EC3V 0BP. Tel: 0870 879 3562. Email: info@intfedreflexologists.org. **Full Members only** exempt for Reflexology

Manual Lymphatic Drainage UK, The Annexe at Pound Farm, Church Lane, Rudford, Gloucester GL2 8DT. Tel: 0844 800 1988. Email: admin@mlduk.org.uk. **Full & Associate Members only** exempt for Manual Lymphatic Drainage.

Massage Training Institute, Exams Administrator, P0 Box 368, Hitchin, Hertfordshire SG5 9DT. Tel: 01462 458 225. Email: mti@massagetraining.co.uk. Exempt for Holistic Massage, Sports & Remedial Massage & Indian Head Massage.

Shiatsu Society UK, P O Box 4580, Rugby, Warwickshire CV21 9EL. Tel: 0845 1304560. Email: admin@shiatusociety.org. Exempt for Shiatsu.

Sports Massage Association, 86 Nelson Road, London, SW19 IHX. Tel: 0870 0052678. Email: info@thesma.org. Exempt for Sports Massage.

The Acupuncture Association of Chartered Physiotherapists, Sefton House, Adam Court, Newark Road, Peterborough PE1 5PP Tel: 01733 390007. Email: sec@aacp.uk.com. Exempt for Acupuncture, Physiotherapy, Acupressure, Moxibustion & Auricular Acupuncture.

The Acupuncture Society, 131a East End Road, London N2 0SZ. Tel: 07778 267778. Email: acuregen@gmail.com. Exempt for Acupuncture, Acupressure (incl. Chinese

massage, Tui Na, Korean Hand Massage, Qi Gong, Moxibustion, Auricular Acupuncture & Electro Acupuncture.

The Bowen Therapists Professional Association, PO Box 2920, Stratford Upon Avon, CV37 9ZL. Tel: 08445 617173. Email: info@bowentherapy.co.uk. Exempt for Bowen Therapy.

The British Acupuncture Council, 63 Jeddo Road, London W12 9HQ. Tel: 020 8735 0404 & 020 8735 1206. Email: Theresa@acupuncture.org.uk. Exempt for Acupuncture, Moxibustion, Acupressure, Tui Na, Auricular Acupuncture, Electro Acupuncture & Thermal (infa-red).

The British Association of Accredited Ayurvedic Practitioners, 5 Blenheim Road, North Harrow HA2 7AQ. Tel: 020 8429 0635. Email: info@briturpractitioners.com. Exempt for Ayurvedic Medicine, Ayurvedic Therapies, Indian Head Massage & Remedial Massage. **Student Members NOT exempt.**

The Register of Chinese Herbal Medicine, Suite 5 Sackville Place, 44-48 Magdalen Street, Norwich NR3 1JU. Tel: 01603 927420. Email: herbmed@rchm.co.uk. Exempt for Acupuncture, Electro Acupuncture, Auricular Acupuncture, Acupressure, Moxibustion, Tui-Na, Shiatsu, Sports & Remedial Massage, Swedish Massage (Swedish Massage not to be carried out alone but as part of a larger treatment plan).

Uni-Balance Chinese Healthcare Ltd T/A Simply Treatments Association, 90 Caledonian Road, London N1 9DN. Tel: 020 7837 8316. Email: info@simplytreatments.com. Exempt for Acupuncture, Electro Acupuncture, Auricular Acupuncture, Microsystems Acupuncture, Acupressure, Holistic Massage, Sports Massage, Tui-Na, Shiatsu, Manual Lymphatic Drainage, Meridian Therapy, Qi Gong

June 2017

IMPORTANT ADVICE PLEASE READ

PLANNING PERMISSION

It is a Council Rule that premises offering Special Treatments to members of the public have Planning Permission.

Enfield's Environmental Protection & Regulation Enforcement Team recommends that if businesses do not already have the necessary planning permission they check with the Planning Team to see whether it is actually possible for them to get planning permission before they submit and pay for their licence application.

Insufficient planning permission cannot prevent a licence from being granted. HOWEVER, if businesses trade without planning permission they will be guilty of an offence under planning law and may be prosecuted by the Planning Enforcement Team.

Likewise if a business has planning permission but trades without the necessary licence they will be guilty of an offence under licensing law and may be prosecuted by the Environmental Protection & Regulation Enforcement Team.

Therefore businesses must have the relevant planning permission AND licence in order to trade legally.

Observations will be carried out on premises known not to have planning permission and/or a Special Treatment Licence.

Further advice on planning permission can be obtained at www.enfield.gov.uk using the planning advice link which is available at http://www.enfield.gov.uk/info/200056/planning_applications

LONDON LOCAL AUTHORITIES ACT 1991

RULES OF PROCEDURE



RULES GOVERNING APPLICATIONS FOR SPECIAL TREATMENT LICENCES BEING REGULATIONS MADE UNDER SECTION 7(4) AND 7(5) OF THE LONDON LOCAL AUTHORITIES ACT 1991

INTERPRETATION

1. In these rules:
The masculine always includes the feminine.
'Licence' means any special treatment licence which the Council can grant under Section 6 of the Act. This includes any associated consent or permission.
'Licensee' means the holder of such a special treatments licence.
'Applicant' means the applicant for a licence or licensee as appropriate.
'Application' means an application for one or more of the following, as the case may be:
 - (a) grant of a licence;
 - (b) transfer of a licence;
 - (c) renewal of a licence;
 - (d) variation of a licence (including waiver or modification of a licence condition);
 - (e) an amendment to a licence which would extend the licensed area, increase the accommodation capacity or extend the licensed hours.
'Objector' means any person who has given Notice in accordance with Rule 14 hereof and who has complied with its terms.
'Parties' means the applicant(s), any objector(s) to the grant of the application, including any Council Officer, in circumstances where he/she is making formal objection or seeking revocation.
'Premises' means the place for which a licence is sought or for which a licence is in force.
'Revocation' means the revocation of a licence under section 14 of the Act or a proposal to revoke the licence under this statutory provision.
'Head of Trading Standards & Licensing' includes his/her representative/s.
'Assistant Director, Planning & Transportation' or representative/s.
'Council' means the London Borough of Enfield.
'Licensing Panel' means the panel set up by the Council and consisting of a group of Councillors.

COMPOSITION OF THE LICENSING PANEL

2. The Councillor for the Ward in which the applicants' or objectors' premises are situated shall not sit on the Licensing Panel when that application is to be considered.

APPLICATION FORMS

3. An application for a licence shall be made on the form provided by the Council and *if required* shall be advertised in accordance with Nos. 7 and 8 of these Rules. If an application has not been determined within twelve months of its submission, the Council may require it to be re-advertised in accordance with Rules Nos. 7 and 8 unless an extension of time is granted by the Council. The form of application shall be signed by the applicant, or a solicitor or other duly authorised agent acting on behalf of the applicant.

APPLICANTS

4.
 - (a) An application for a licence shall be made by the person who lawfully occupies or who will occupy the premises to be licensed by virtue of a freehold interest, a lease, an assignment of lease, an agreement for a lease or a tenancy or any other agreement in writing giving a substantial right of occupation and acceptable to the Council (documentary evidence of which *may* be required by the Council).
 - (b) Applications for the grant of a licence shall not be made by limited companies or other corporate bodies, unless the applicant is renewing an already existing licence.
 - (c) Applications to transfer a licence to a limited company or other corporate bodies shall not be made.

(d) Where the legal occupier of the premises is a limited company or other corporate body the applicant shall be a director of that company or with the consent of the Council a manager (or other responsible person) authorised by that company to make the application.

(e) Applicants, including directors of companies, shall disclose their normal residential address either on the form provided by the Council or in accompanying correspondence but this address need not be disclosed on any public notice.

PLANNING USE

5. The applicant shall state on the application form the lawful planning use of the premises and shall submit with the application documentary evidence that either planning permission has been obtained for the use and hours sought under the licence, or that planning permission is not required. Should the Council so require "a certificate of lawful use" in respect of the planning position shall be supplied. The application will not be considered unless the Council is satisfied that the proposed activity would constitute a lawful planning use. **Notes : (i)** This rule shall not apply to applicants for transfer or renewal of a licence; **(ii)** It is open to the applicant to ask the Licensing Panel to waive the rule where it is considered there are exceptional circumstances.

PLANS AND SPECIFICATIONS

6. An applicant shall submit such plans, line drawings and specifications of the premises concerned as may be required by the Council. **Note** : When the licence application forms are submitted to the Council, the Head of Trading Standards & Licensing will arrange for a survey to determine the suitability of the premises concerned with a view to ensuring public safety.

EXHIBITION OF A NOTICE AT THE PREMISES (Where appropriate - see Rule 3)

7. (a) Within 7 days of the date on which the application is made the applicant for a new licence (and *if required* by the Council the applicant for variation of a licence) shall arrange for a notice or, (if the premises are large or front more than one street), notices of the application to be put up at the premises using the form provided by the Council.
(b) The notice(s) must be put up and shall bear the date it was first exhibited. It shall then be kept exhibited for not less than 28 days on a part of the premises where it can easily be seen and read by persons in the street or any adjoining public place. With the consent of the Council the notice(s) may, if necessary, be exhibited near the premises.
(c) The application is made on the date the application is delivered to the Council or, if posted, on the date shown on the postmark of the envelope addressed to the Council.
(d) If this Rule is not strictly complied with the Council will require the notice to be re-dated and kept exhibited at the premises for 28 days from the date of re-exhibition.
(e) This Rule shall not apply to an application for transfer or renewal of a licence unless the Council specifically so requires.
(f) In appropriate cases the Council may waive this Rule for certain applications to vary the licence or extend the licensed area.

NEWSPAPER ADVERTISEMENTS (Where appropriate - see Rule 3)

8. (a) Within 7 days of the date on which the application is made for a new licence, and if required by the Council for a variation of a licence, notice of the application in the form required by the Council shall be published (at the expense of the applicant) in a local newspaper which circulates in the locality in which the premises are situated or which is available at local newsagents. **Note** : A London wide newspaper, such as 'The Standard' is NOT regarded as a local newspaper for the purposes of this rule.
(b) The applicant shall send one complete copy of the newspaper containing the advertisement to the Council.
(c) The last day for objection shall be 21 days from the date of the newspaper advertisement or the date on which the complete copy of the newspaper has been received by the Council or 28 days from the date of the notice at the premises.
(d) This Rule shall not apply to an application for a transfer or renewal of a licence unless the Council specifically so requires.
(e) In appropriate cases the Council may waive this rule for certain applications to vary the licence or extend the licensed area.

NOTIFICATION TO THE POLICE AND FIRE AUTHORITIES

9. The Licensing Unit will send a copy of your application, on your behalf, to the Commissioner of Police and to the London Fire and Emergency Planning Authority, for consultation purposes.

PHOTOGRAPHS

10. Where instructed by the Head of Trading Standards & Licensing, the applicant shall provide photographs of those persons offering Special Treatments. The photographs must be 2 identical passport type photographs of each person offering treatments. Each photograph must be dated when it was taken, with the name of each person whose likeness it bears, and signed by the applicant.

CERTIFICATES

11. Where instructed by the Head of Trading Standards & Licensing, the applicant shall provide certificates for each Special Treatment that each person is offering. The certificates must be originals and photocopies will not be accepted.

FEES

12. The appropriate Special Treatment Licence fee must accompany the application.

MODIFICATION OR WAIVER OF CONDITIONS OF LICENCE OR EXTENSION OF LICENSED AREA

13. A licensee applying (whether or not at the same time as an application for transfer or renewal) for the modification or waiver of any of the terms, conditions or restrictions of a licence or for an amendment of a licence relating to an extension of a licensed area shall comply where appropriate with Nos. 3, 7 and 8 of the rules as required by the Council.

INFORMATION ON HOW TO OBJECT

14. A person who wishes to object to an application shall within the time specified in the notice put up at the premises or contained in the newspaper advertisement relating to the application, write to the Head of Trading Standards & Licensing giving in detail the reasons for objection. The Council is unable to consider anonymous objections.
15. Within 14 days of the last day for lodging objections, the Head of Trading Standards & Licensing shall forward to the applicant a copy of every valid written objection.
16. If an objection is made by an Association it shall be confirmed at any Licensing Hearing that the objection has been formally authorised by that Association. This confirmation should be by the Chair, Secretary or other duly authorised officer of the Association.
17. Petitions shall bear the grounds of objection of that petition on each page and a warning to potential signatories that a copy of the petition will be supplied by the Council to the applicant. Each person signing should also print his/her name and address preferably written in black ink. Each page of the petition should be dated.
18. A late objection will only be accepted by the Council in exceptional circumstances.
19. The Council will not accept an objection or any individual ground of an objection when it considers that either the objection as a whole or the individual ground is irrelevant to the decision to be reached.
20. Unless the objection relates to the character of the applicant Council officers may seek to mediate between the parties to see if agreement can be reached without the need for a licensing hearing.

21. An opposed application shall be decided at a hearing where evidence (oral and written) is given orally and in public unless the Licensing Panel decides otherwise.
22. (a) At any oral hearing in public of an application an objector shall not be allowed to raise any matter not referred to in the written objection lodged by the objector concerned unless there are exceptional reasons for so doing and the objector is able to justify why the new material should be placed before the Licensing Panel.
(b) Any such application to introduce new matters will be open to representations by the applicant or his/her legal representative as to whether such matters should be considered by the Licensing Panel. When representations have been made by both parties, the Licensing Panel will decide whether the new material should be placed in evidence.
(c) If the objector's application is granted, an adjournment of the hearing may have to be permitted in order to allow the applicant time to consider the new material and respond. In consideration of the extra costs likely to be incurred by all parties occasioned by an adjournment, any application by the objector must demonstrate exceptional grounds before it is granted.
23. At any oral hearing in public of an application the applicant and the objector shall attend in person or, if the application or objection is made by a body corporate, business firm, society, association or other group, a duly authorised representative shall be present who is able to speak on behalf of the body corporate and who, in the case of the applicant, is empowered to supply any undertaking requested by the Licensing Panel or demonstrate that any conditions attached to the licence will be complied with. **Note** : All objectors and applicants are reminded of their right to have a legal representative at the Hearing.
24. If any person who has written to Head of Trading Standards & Licensing, objecting to the grant etc. of a licence, fails to attend the oral hearing in public, the Licensing Panel will hear and consider any evidence and arguments put forward by or on behalf of the applicant in relation to the written objection received. The Licensing Panel will take into account, in considering the importance to be attached to the objection, that the objector was not available to be questioned about his/her statements.

PROCEDURE AT AND AFTER ORAL HEARINGS IN PUBLIC

25. The procedure at the meeting will, in general, be similar to that in a Court of Law. Although the strict rules of evidence will not apply, they will be observed to a great extent because this is the best way of hearing the evidence from all parties. Members may seek clarification of any procedural, technical or legal matter from officers at any time during the proceedings.
26. A report will be put before the Licensing Panel, prepared by the appropriate officer of the Council. In addition, where necessary, an appropriate officer will provide a detailed plan of the premises. A copy of the report will be sent to the applicant in advance of the meeting.

WARD COUNCILLOR'S SUBMISSION

27. The Councillor for the Ward in which the applicants or objectors premises are situated may either:
 - (a) Object to an application in accordance with numbers 14 to 24 of these rules; or
 - (b) Appear as a witness on behalf of an applicant or objector; or
 - (c) Give evidence by way of Ward Councillor's submission as detailed in rule 28 below.
28. If a Councillor for the Ward, who has not made a formal objection, wishes to give evidence he/she may either address the Licensing Panel or may submit written representations in respect of the application regardless of whether or not he/she is an objector called by any party as follows:
 - (a) If a Ward Councillor wishes to give oral testimony this will normally be given after the Chair of the Licensing Panel has introduced the report and any evidence of objectors has been heard.
 - (b) Before a Ward Councillor addresses the Licensing Panel he/she must first make a declaration that he/she has not previously discussed the application with the Members of the Licensing Panel and will take no part in the determination of the application.

(c) Evidence given by way of oral testimony is subject to questioning by the parties to the application and by members of the Licensing Panel.

(d) If representation is given by way of written submission the Chair will indicate that the Licensing Panel will take into account the fact that the submission of the Ward Councillor cannot be tested by questioning.

(e) Any evidence presented by a Ward Councillor by way of a Ward Councillor's submission shall only relate to those issues already known to the applicant by way of the Report to the Licensing Panel or otherwise.

(f) (i) Evidence given by way of written submission under this rule shall be provided to the Head of Trading Standards & Licensing at least 7 days in advance of the Hearing. (ii) Notice of evidence to be given by way of oral testimony under this rule shall be provided to the Head of Trading Standards & Licensing at least 7 days in advance of the hearing. If he/she wishes to raise issues which are not already known to the applicants, such notice shall be in writing and shall set out in general terms the issues to be raised. (iii) The Head of Trading Standards & Licensing shall on receipt of evidence under (i) or a notice under (ii) above send a copy to the applicant as soon as possible and at least 5 days in advance of the hearing.

(g) If there is an objection to the Ward Councillor's submission, the Ward Councillor and both parties may give their reasons for or against the submission to the Licensing Panel. The Legal Advisor to the Licensing Panel may also give advice before the Licensing Panel decides whether to allow the submission in as evidence. If the Licensing Panel decides to hear the submission it may be appropriate to adjourn the proceedings after it has been made so as to allow the party objecting to it time to consider the submission in detail.

Note : It should be noted that a Ward Councillor's involvement in a hearing under this rule is limited solely to making representations i.e. there is no right of questioning of other parties or making a closing address.

ORDER OF PROCEEDINGS

29. At the start of the hearing the Chair will introduce himself/herself and other members of the Licensing Panel.

30. The Chair will then check that there are no additions or alterations to the list of those appearing at the hearing which will have been prepared in advance by the appropriate officer and he will then briefly introduce the report and outline the procedure that will be followed for the remainder of the hearing. The procedure is as follows:

(a) The Chair of the Licensing Panel may call at any time any necessary officer(s) to give factual information (e.g. as to the technical arrangements of the premises). These officers can be questioned by any of the parties present or questioned by members of the Licensing Panel on matters relating to that evidence.

(b) Any Council officer(s) who are making a formal objection will then be required to present their respective cases and call any evidence in support.

(c) All other objectors will then be required to present their cases and call any evidence in support.

(d) The objectors present their case by addressing the Licensing Panel and/or calling evidence. The objector may address the Licensing Panel either before or after calling his evidence. **Note** : In appropriate cases the Licensing Panel may during or at the end of the objector's case wish to establish whether the objectors are opposed to the application in its entirety or, for example are objecting to the lateness of the hours sought and not to the grant of the licence itself.

(e) The applicant (or his/her representative) is then entitled to address the Licensing Panel and call evidence in support of his/her application.

(f) When the applicant has called his/her evidence the objectors may each make a closing statement. An objector is not entitled to call new evidence at this stage and his/her closing statement must be limited to commenting on matters raised by the applicant either in the applicant's opening statement or the evidence called in support of the application.

(g) When the objectors have made their closing statements the applicant (or his/her representative) may make a closing statement to the Licensing Panel.

31. Each person giving evidence may be questioned by the opposing party or parties and by Members of the Licensing Panel. A person may decline to be questioned but less importance would then be attached to his/her evidence. **Note** : Objectors to an application may not question each other but an objector may question his/her witness(es).

32. When a person gives evidence:
- (a) He/She is first asked to state his/her full name and address.
 - (b) He/She either makes a statement or, if appropriate, is questioned by the person calling him/her.
 - (c) He/She may be questioned by the other party or parties or their representative.
 - (d) Throughout the presentation of the respective cases for the Objector and the Applicant questions may be put by Members of the Licensing Panel. Such questions will normally be put immediately following the questions by the opposing party or parties. Following the questions by Members of the Licensing Panel they may have to consider whether another opportunity for further questioning should be afforded to the other party or parties on "new" evidence introduced as a result of the replies to Members' questions.
 - (e) He/She may be questioned further (if appropriate) by the person who called him/her. These questions must be limited to matters which have already arisen in previous examination or Members' question. This is solely an opportunity to ask questions and not a time to make statements. No new matters may be raised at this stage.

DOCUMENTARY EVIDENCE

33. Documentary evidence on which it is intended to rely shall be submitted to the Head of Trading Standards & Licensing not less than 7 days before the date of the Hearing so that it may be included with the report to be submitted to the Licensing Panel. If documents are not easy to photocopy on an A4 machine, (e.g. photographs) then normally eight copies must be supplied.
34. Where one of the parties wishes to submit a document at the hearing the following procedure should be followed:
- (a) The party concerned should explain why the document concerned was not submitted in advance.
 - (b) If the Chair accepts the explanation he/she shall then establish whether the opposing party or parties (or their representatives) have already seen the document and whether they have any objection to its submissions.
 - (c) If the other parties have not previously seen the document the Chair will request that it first be passed to them (or to their representative) so that they can decide whether they object to it being submitted to the Licensing Panel and if so the grounds of their objection. **Note** : For this purpose it may be necessary to allow time for the study of the document.
 - (d) If there is an objection to the submission of the document both parties may give their reasons for or against the proposed submission to the Licensing Panel. The Legal Adviser to the Licensing Panel may also give advice before the Licensing Panel decide whether to allow the document to be submitted. **Notes** : (i) In some cases it may be necessary for them to see the document before making a decision; (ii) Clearly rules 33 and 34 have to be interpreted flexibly in relation to models, colour-boards etc. A party wishing to produce such models etc. should give notice in advance to the Head of Commercial Standards.
35. If there has been no objection to the submission of a document or if the Licensing Panel has ruled that it may be submitted, the document will normally be read aloud by the party submitting it or by his/her representative. If the submission is a letter or written statement by someone who is not present and its submission has been opposed by one of the parties, the Chair (if the Licensing Panel have ruled that it should be admitted) will indicate that the weight of evidence (importance) that the Licensing Panel will attach to the document will take into account the fact that the signatory of the letter or the maker of the statement is not present to be questioned. In some cases it may be appropriate to adjourn the proceedings so as to allow the party objecting to the submission time to consider the submission in detail. **Note** : At least 6 copies should be provided of any document which is to be submitted at the meeting.

DECISION

36. At the end of a hearing the Chair will announce that the hearing is adjourned to enable the Licensing Panel to deliberate in private and will return as soon as possible to announce their decision (which can be reached by majority decision). The Licensing Panel will normally be accompanied by the relevant officers of the Council but the decision shall be arrived at by Members of the Licensing Panel only. Sometimes the Licensing Panel will go to a private

room or they may ask the parties concerned and their witnesses and the public to leave. **Note** : Any officer retiring with the Licensing Panel must be completely impartial.

37. The Licensing Panel may decide to grant the application in whole or in part, to refuse the application, or to make a revocation and if granting or varying a licence, may attach any conditions they consider appropriate.

NOTIFICATION OF A DECISION

38. The Chair will normally announce the Licensing Panel's decision in public at the end of the hearing and the reasons for this decision. This decision will then be communicated in writing to the parties as soon as possible after the hearing.

WAIVER OF RULES

39. In any particular case, any of these rules may be waived, altered or modified by the Director of Environment, Street Scene and Parks or Licensing Panel or by the Head of Trading Standards & Licensing in the case of Rules 3, 6, 7, 8, 10, 11 and 15. **Note** : A person refused an application for a licence or a licensee aggrieved by any term, condition or restriction attached to the licence can appeal to a Magistrate's Court. The Council is the party who defends any such appeal but the Court rehears all the evidence for and against the grant of the application or the imposition of the term, condition or restriction as the case may be. A person aggrieved by the order of a Magistrates Court on such an appeal has a right of appeal to the Crown Court. An objector aggrieved by the decision of the Licensing Panel does not have these rights of appeal but is entitled to object again when the licence comes up for renewal or may be called by the Council as a witness on the hearing of any appeal by the applicant.

ADDITIONAL PROVISIONS

40. The licence shall be for such a period as may be determined (usually 1 year) but not exceeding 18 months.

LONDON BOROUGH OF ENFIELD

**LONDON LOCAL AUTHORITIES ACT 1991
SPECIAL TREATMENT LICENCE
NOTICE OF APPLICATION**

NOTICE DATE : _____

Notice is given that _____

_____ (*applicant*)

has applied to the London Borough of Enfield for a Special

Treatment Licence for _____

_____ (*premises name & address*)

to provide the following treatments : _____

_____ (*list treatments*).

Anyone wishing to oppose the application must give notice in writing to

licensing@enfield.gov.uk

WITHIN FOUR WEEKS OF THE DATE OF THIS NOTICE

specifying the grounds of opposition.

Petitions shall bear the prayer of that petition on each page and a warning to potential signatories that a copy of the petition will be supplied by the Council to the applicant. Each person signing should also print his name and address preferably written in black ink. Each page of the petition should be dated.

Persons objecting to the grant of licences must be prepared to attend in person at a public hearing before the Council's Licensing Panel.