

Report to the Cabinet

Report reference: C/087/2007-08.

Date of meeting: 17 December 2007.



**Epping Forest
District Council**

Portfolio: Environmental Protection.

Subject: The Adoption of Byelaws for Acupuncture, Tattooing, Semi-Permanent Skin Colouring, Cosmetic Piercing and Electrolysis.

Officer contact for further information: Jim Nolan (01992-564083).

Democratic Services Officer: Gary Woodhall (01992-564470).

Recommendations/Decisions Required:

- (1) That the above mentioned Byelaws, attached at Appendix1, be adopted and that a recommendation be made to Council that the Common Seal be attached;**
- (2) That, when made, the byelaws be advertised in the local press for two consecutive weeks; and**
- (3) That following a period of one month from the start of the period of advertisement, the byelaws be submitted to the Secretary of State for Health for approval.**

Report:

1. Under the Local Government (Miscellaneous Provisions) Act, 1982, section 14 and 15, the Council adopted the provisions requiring those carrying on the business of tattooing, acupuncture, ear piercing or electrolysis to be registered.
2. Those carrying on the practice of cosmetic (body) piercing, other than of the ears, or semi-permanent skin colouring, such as micro-pigmentation, semi-permanent make up or temporary tattooing, could not be included within these provisions at that time and have therefore been outside the local authority's regulatory control.
3. These treatments have become more popular but pose the same, or in some cases, greater risks than those subject to regulation. Following extensive lobbying by environmental health professionals, the Government have introduced provisions in the Local Government Act 2003, amending the provisions contained within the 1982 Act, to include the activities of cosmetic piercing and semi-permanent skin colouring.
4. The new provisions are adoptive and require businesses to:
 - (a) to register the operators and their premises; and
 - (b) to observe byelaws relating to the cleanliness and hygiene of premises, practitioners and equipment.
5. These measures are intended to increase health protection and reduce the risk of transmission of blood-borne virus infections such as Hepatitis B, Hepatitis C and other infections.

6. The Council may levy a fee for registration and it is proposed that the current fee for special treatments operations (premises registration £98, personal registration £50) be applied.

Statement in Support of Recommended Action:

7. It is essential that the protection offered to those receiving a tattoo, acupuncture or electrolysis treatment be extended to those undergoing a cosmetic piercing or semi-permanent skin colouring. The requirement to register the business and the subsequent application of the byelaws will offer greater protection to those undergoing these treatments by ensuring that businesses operate hygienically and in a manner which will minimise the risk of infection to their customers.

Other Options for Action:

8. Not to adopt the byelaws.

Consultation Undertaken:

9. Statutory consultation following the agreement of Council.

Resource Implications:

Budget Provision: Existing resources plus additional income estimated to be in the region of £500.

Personnel: Existing.

Land: None.

Council Plan 2006-10/BVPP Reference: N/A.

Relevant Statutory Powers: Local Government (Miscellaneous Provisions) Act, 1982 (as amended).

Background Papers: Local Government (Miscellaneous Provisions) Act, 1982 (as amended).

Environmental/Human Rights Act/Crime and Disorder Act Implications: The adoption of these byelaws will enable officers to enforce the legislation in a wider range of premises thus raising the standards of public health in the District.

Key Decision Reference (if required): Key Decision.