

Chichester District Council

GENERAL LICENSING COMMITTEE

8 June 2022

Review of Skin Piercers Registration Policy, Fees and Charges

1. Contacts

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2. Recommendation

2.1 That General Licensing Committee approves the revised skin piercers policy, fees and charges.

3. Background

- 3.1 Under Part III of the Local Government (Miscellaneous Provisions) Act 1982 and the Local Government Act 2003, businesses and practitioners undertaking the practice of acupuncture, tattooing, ear piercing, electrolysis, semi-permanent skin colouring and cosmetic piercing are required to register with the Council.
- 3.2 The Council adopted model bylaws for the above processes in February 2007. The purposes of which were to secure:
- a) The cleanliness of the premises and fittings in such premises;
 - b) The cleanliness of the person so registered and persons assisting persons so registered in their practice and;
 - c) The cleansing and, so far as is appropriate, the sterilization of instruments, materials and equipment used in connection with the registered practices.
- 3.3 Currently Chichester charge a single fee of £87 for the registration of both the premises and practitioners in one single registration. The current fee structure is not compliant with the legislation which requires both the premises and person to be registered separately.
- 3.4 The current fee structure also does not suit the way these businesses operate and does not readily enable registration of individual practitioners who may move practices frequently, who rent rooms within a premises as independent self-employed practitioners, or practitioners who operate in multiple locations or visit people's homes.
- 3.5 It is also inconsistent with the approach adopted by our neighbouring authorities across Sussex. All other authorities charge a separate fee for (a) the business and (b) practitioners.

4. Outcomes to be Achieved

4.1 That proposed fees are deemed to be fair and reasonable, based on the “Open for business: LA Guidance” on locally set fees and which achieve recovery of the Council’s costs in administering and delivery of these discretionary services which are valued by local businesses.

5. Proposal

5.1 That the revised fee structure is introduced on 1 July 2022 which ensures the Skin Piercer registration scheme achieves cost recovery and will increase by inflation annually.

5.2 The proposal is to charge as below:

Premises registration	£180 per premises
Personal registration	£70 per person/practitioner
Administrative charge	£25

5.3 When an application is made, the registration cannot be withheld and once issued can only be removed by a Magistrate.

5.4 The fees and charges proposed are consistent with other Local Authority charges across West Sussex and take into account officer inspection time, travel time and administrative time.

5.5 Once registered there is no provision in the legislation to charge annually for a premises or person to re-register on a regular basis which is consistent with other registration processes across other Local Authorities. Compliance checks of premises will subsequently be carried out based on risk and following up any complaints or intelligence received. This work is reflected in the proposed fee.

6. Alternatives Considered

6.1 That fees remain in the current format and at the current level. This however does not comply with the current legislation and the full cost of administering the regulations would not be recovered resulting in the deficit being borne by the Council. It also prevents the separate registration of the premises and the practitioner which is a disadvantage to local practitioners.

7. Resource and Legal Implications

7.1 Skin Piercing Registration will continue to be administered from the existing staff resources within the Health Protection team.

7.2 There are no further legal implications.

8. Consultation

8.1 This matter was reported to Cabinet at its meeting on 1 March 2022 where it was resolved that Cabinet recommends the revised skin piercers registration fees and charges 2022-23 for approval by the General Licensing Committee.

- 8.2 All skin piercers currently registered with the Council have been advised by letter of the anticipated change to the registration fees and charges from 1 July 2022. On approval of the proposed fees, those currently registered will be given until 1 September 2022 to renew their registration with the Council at no additional charge as the Council has no authority to recharge businesses and practitioners already registered. The new charges will apply to new registrations from 1 July 2022.
- 8.3 All documentation, registration forms and the Council's website pages relating to skin piercers are in the process of being updated.

9. Community Impact and Corporate Risks

- 9.1 The proposed changes are to bring the fees in line with the purpose of the legislation and to ensure that both skin piercer premises and those trading as mobile skin piercers (i.e. have no fixed premises) are captured within the registration scheme. The change in charges may be a challenge for regulated businesses but ensuring all types of skin piercers are included within the scheme should be seen as a positive move and it will assist in ensuring a level playing field for all businesses.
- 9.2 Failure to approve suitable fee levels for all registrations will result in the Council's costs in administering the regime not being recovered.

10. Other Implications

Are there any implications for the following?		
	Yes	No
Crime and Disorder The change to the fees will ensure that those mobile skin piercers who do not have a premises to trade from are still captured by the registration scheme and are therefore regulated.	X	
Biodiversity and Climate Change Mitigation		X
Human Rights and Equality Impact		X
Safeguarding and Early Help		X
General Data Protection Regulations (GDPR)		X
Health and Wellbeing		X
Other (please specify)		X

11. Appendices

- 11.1 None

12. Background Papers

- 12.1 None