

LICENSING, HEALTH AND SAFETY AND GENERAL PURPOSES COMMITTEE

13 NOVEMBER 2013

15 PROPOSED ADOPTION OF BYELAWS MADE BY WIRRAL BOROUGH COUNCIL WITH RESPECT TO ACUPUNCTURE, TATTOOING, SEMI-PERMANENT SKIN-COLOURING, COSMETIC PIERCING AND ELECTROLYSIS .

The Strategic Director of Regeneration and Environment invited Members to recommend to Council that a resolution be passed to affix the Common Seal of the Council to a Consolidated Byelaw "the Wirral Byelaw" which conformed with the Model Byelaw produced by the Department of Health to embrace acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis. The Consolidated Wirral Byelaw would replace three sets of existing byelaws and would provide better controls over the practices of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis. Members were also advised of the required statutory procedure that would need to be carried out and it was suggested that a consultation exercise be carried out with interested parties, in respect of the proposed new byelaw, to run concurrently with the Statutory advertisement period. Members were advised that any representations made in response to the statutory advertisement or to the voluntary consultation would be referred back to this Committee for consideration.

Members were informed that the adoption of the Wirral Byelaw would enable Environmental Health Officers to legally enforce hygiene standards within cosmetic piercing and skin colouring establishments and that this would contribute to preventing the spread of blood borne viral infections to the residents of Wirral and people visiting Wirral.

Colin Clayton, Environmental Health Strategic Manager, attended the meeting to outline the report. Kate Hitchin, Environmental Health Officer was also in attendance.

Colin Clayton and Kate Hitchin responded to questions from Members including matters relating to charges, their wish to support small businesses and also enforcement issues in relation to the potential for non compliance of the byelaws. Discussions also took place regarding the possibility of operators adopting a rating system which would give an indication of the cleanliness of the premises to members of the public.

Resolved –

- (1) That Council be recommended to approve the proposed Wirral Byelaw as set out at Appendix D to the report.**
- (2) That Council be recommended to affix the Common Seal of the Council to the Wirral Byelaw as set out in Appendix D to report.**
- (3) That Council be recommended to authorise the Strategic Director of Transformation and Resources (or his nominee) to carry out the required**

statutory procedure for the advertisement of a Notice of Intention to apply to the Secretary of State for Health for confirmation of the Wirral Byelaw and a copy of the sealed Wirral Byelaw be made available on deposit for a period of at least one month prior to application for said confirmation.

- (4) That Council be recommended to authorise the Strategic Director of Regeneration and Environment (or his nominee) to carry out further non statutory consultation with interested parties concurrently with the advertisement period.**
- (5) That Council agrees that any subsequent representations received during the advertisement period, or from the non-statutory consultation, be referred back to a future meeting of the Licensing, Health and Safety and General Purposes Committee for further consideration.**
- (6) That Council be recommended, subject to due consideration being given, to any representations received, to authorise the Strategic Director of Transformation and Resources (or his Nominee), if appropriate, to apply to the Secretary of State for Health for confirmation of the Wirral Byelaw as set out in Appendix D to the report.**
- (7) That Council be recommended, subject to the adoption and subsequent confirmation of the Wirral Byelaw by the Secretary of State for Health, to revoke the existing Byelaws (as set out in Appendices A, B and C to the report) in relation to acupuncture, tattooing, ear piercing and electrolysis.**