
CENTRAL LICENSING COMMITTEE 11-11-2024

Attendance: Chair: Councillor Elfed Williams
Vice-chair: Councillor Gwynfor Owen

Councillors: Anwen Davies, Annwen Hughes, John Brynmor Hughes, Gareth Tudor Jones, Linda Ann Jones, Edgar Wyn Owen, Huw Rowlands, Elfed Williams (Chair), Arwyn Herald Roberts, Angela Russell and Gareth Williams

Officers: Gareth Jones (Assistant Head of Environment), Gwenan Mai Roberts (Licensing Manager), Sion Huws (Propriety and Elections Manager - Legal Department), Nia Grisdale (Legal Service Manager) and Lowri Haf Evans (Democracy Services Officer)

1. APOLOGIES

Apologies were received from Cllr Alan Jones Evans and Cllr Hefin Underwood

2. DECLARATION OF PERSONAL INTEREST

None to note

3. URGENT ITEMS

None to note

4. MINUTES OF THE PREVIOUS MEETING

The Chair signed the minutes of a meeting of the committee held on 10 June 2024 as a true record

5. MINUTES OF THE CENTRAL LICENSING SUB-COMMITTEES

Submitted and received for information, the minutes of the Central Licensing Sub-Committees held on 10 June 2024, 25 July 2024 and 6 October 2024

6. NEW MANDATORY LICENSING SCHEME – SPECIAL PROCEDURES

A report was presented by the Licensing Manager detailing a new Welsh Government 'Special Procedures' licensing scheme which would be implemented in November 2024 under Part 4 of the Public Health (Wales) Act 2017; including the Special Procedures (Wales) Regulations 2024 and the Special Procedures Licensing Committees (Wales) Regulations 2024.

Members were reminded that the Committee, at a meeting in December 2023, had received information on the main requirements and implications of the scheme together with a presentation of the main principles from Dr Sarah Jones, Senior Environmental Health Adviser to the Welsh Government.

It was reported that the intention of the scheme was to reduce the health risks associated with treatments such as tattooing, semi-permanent skin colouring, cosmetic piercing, acupuncture, dry needling and electrolysis, and the new licensing scheme would be mandatory. The new procedure would involve Local Authorities being asked to be

responsible for enforcing licensing requirements and keeping a register of special treatment licences issued by them. Special Treatment Practitioners would be required to demonstrate their competence to undertake these treatments by completing training and being subject to inspection by Public Protection Officers (Environmental Health Officers). They would also have to provide a Basic DBS as part of their licence application.

Attention was drawn to the role of the Central Licensing Committee, by noting that the 2017 Act (clause 21, Schedule 3) delegated certain functions to the Authority's licensing committee established under the Licensing Act 2003 (i.e. the Central Licensing Committee), which allowed the Committee to make decisions in relation to those functions. It was noted that Public Protection Officers would serve a Warning Notice to those practitioners who did not respond to the requirements of the scheme, although the practitioners would have the right to respond. It would be the responsibility of the Central Licensing Committee to consider those responses and decide whether action should be taken in accordance with the steps set out in the Warning Notice. It was reiterated that the Licensing Act 2003 allowed the Central Licensing Committee to delegate this function to an established Central Licensing Sub-Committee and Members who were experienced in considering and deciding applications.

Thanks were expressed for the report.

During the ensuing discussion, the following observations were made by members:

- Welcomed the new scheme
- Supported the need to monitor practitioners' work – too many examples of poor treatments
- Need to consider the suitability of settings
- Suggestion to place a badge on property / vehicle window highlighting the standard

In response to the comments, the Licensing Manager noted that the group implementing the new powers was in the process of creating robust statutory guidance and stringent procedures in line with the Public Health Act that would take into account settings, hygiene standards, safety and legal matters. The Licensing Department would be able to consider whether a settings Suitability Policy was required in future. It was added that the legislation was coming into force in response to examples of poor treatments that had led to the need to enforce a robust licensing system to manage the situation. A national register of licensed practitioners would be available to the public.

In the context of placing a standard badge on the window of a property / vehicle, it was noted that the practitioners would be required to display a certificate of qualification within the property, in accordance with Government guidelines. Inspection exercises would be carried out by Environmental Health Officers who would check all properties prior to licensing. If the standard fell short, then a Warning Notice would be issued to the practitioner, which in turn would be further considered by Officers or referred to a Sub-Committee.

It was reiterated that Environmental Health Officers would have the requisite expertise and qualifications to complete this challenging work and they would do their utmost to follow the requirements of the Act.

RESOLVED:

To approve the sub-delegation of the functions delegated to the Central Licensing Committee under the Public Health (Wales) Act 2017 to the Central Licensing Sub committee.

The meeting started at 10.40am and ended at 11:15am