

Report of	Meeting	Date
Director Streetscene, Neighbourhoods and Environment (Introduced by the Executive Member for Environment and Community Safety - Cllr E Bell)	Executive Cabinet	26 June 2007

## **SKIN PIERCING MODEL BYELAWS LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982**

### **PURPOSE OF REPORT`**

1. To seek approval for the adoption of revised Model Byelaws to regulate the practice of skin piercing activities on a commercial basis.

### **CORPORATE PRIORITIES**

2. Outcome 2.4 – Healthier communities and reduced health inequalities

### **RISK ISSUES**

3. The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	✓
Financial		Operational	✓
People		Other	

4. The risks associated with failing to adopt the revised Byelaws mean that we may fail to meet our statutory obligations with regard to regulating commercial skin piercing activities. In addition, undertaking operational enforcement work may be hampered by not having a combined set of standards covering all the current commercial skin piercing activities.

### **BACKGROUND**

5. The commercial trade of tattooing has been around for many centuries and its control for public health purposes has been achieved through public health legislation and associated byelaws which local authorities may adopt. In recent years, complimentary medical techniques as well as cosmetic treatments that involve piercing the skin have increased and there have been several notable instances of individuals suffering harm from infected wounds following body-piercing treatments.

Chorley Borough Council adopted model Byelaws for the control and regulation of skin piercing activities in 1987, which at the time, included tattooing, acupuncture and electrolysis. However, since that time the cosmetic skin piercing industry has developed



with new techniques being employed as well as new fashions in body pierced adornments. The Local Government Act 2003 introduced new powers to regulate these activities and in 2004 new guidance for local authorities was produced but without any clarity and direction on how enforcement and regulation could be combined to ensure standards were consistently applied across all commercial skin piercing activity. This clarity and direction was eventually forthcoming in September 2006.

### **MULTI PURPOSE BYELAWS**

6. The Department of Health have now published Model Byelaws to cover the wide variety of skin piercing and skin colouring activities. It is these Byelaws that approval to adopt is sought. In essence, the byelaws replicate the original byelaws relating to tattooing, acupuncture and electrolysis but also encompass the new and emerging skin piercing treatments.
7. The Council currently operates a compulsory registration scheme for all operators and premises where commercial skin piercing activities are undertaken. Under the registration, operators are required to work in hygienic premises and use effectively sterilised needles and other equipment in performing treatments.
8. The new Model Byelaws (Appendix A) widen the scope of the current Byelaws and apply these principles of hygienic and sterile operation to all current commercial skin piercing activities. Adoption of the Model Byelaws will allow the Council to regulate more effectively the operators and premises across this wide range of activities.

### **COMMENTS OF THE DIRECTOR OF HUMAN RESOURCES**

9. There are no direct HR implications from the report.

### **COMMENTS OF THE DIRECTOR OF CUSTOMER, DEMOCRATIC AND LEGAL SERVICES**

10. The adoption of Byelaws is a Council function and, consequently, the recommendation to adopt the attached Model Byelaws needs to be referred to the full Council.

### **COMMENTS OF THE DIRECTOR OF FINANCE**

11. There are no direct financial implications associated with this report.

### **RECOMMENDATION(S)**

12. The Council be recommended :
  - (i) to approve the adoption of Model Byelaws in the form attached to this report for securing the cleanliness of premises registered under sections 14(2) and/or 15(2) of the Local Government (Miscellaneous Provisions) Act 1982 and the fittings in such premises and of persons registered under the said sections;
  - (ii) to authorise the Director of Streetscene Neighbourhoods and Environment be authorised to apply to the Secretary of State for Health for confirmation of the Byelaws.

**REASONS FOR RECOMMENDATION(S)**  
**(If the recommendations are accepted)**

13. (i) To ensure the application of hygienic and sterile operation of commercial skin piercing activities in the Chorley Borough area.  
(ii) To ensure that the adoption of the Model Byelaws follow procedural requirements.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

12. None

JOHN LECHMERE  
DIRECTOR OF STREETSCENE NEIGHBOURHOOD AND ENVIRONMENT

There are no background papers to this report.

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