

Agenda Item 20

Committee(s)	Dated:
Port Health and Environmental Services	9 May 2017
Subject: Enforcement Action taken against non-compliant massage parlours and sex establishments	Public
Report of: Director of Markets and Consumer Protection	For Information
Report author: Peter Davenport - Licensing	

Summary

A recent petition handed to the Deputy Chairman of the Port Health and Environmental Services Committee called upon the City Corporation to take a number of actions with regards to massage parlours and sex establishments.

The City Corporation currently carry out a number of activities in relation to these premises namely, inspections of licensed premises and enforcement action against unlicensed premises. The City of London Police currently log any incidents of public disorder whether in relation to massage parlours and sex establishment or otherwise.

As a result of the petition further inspections will be carried out by the licensing team on all massage parlours in the vicinity of the Middlesex Street Estate.

Members are asked to:

Recommendation(s)

- Note the report.

Main Report

Background

1. A petition was recently handed to the Deputy Chairman of the Port Health & Environmental Services Committee (PHES). The petition was signed by approximately 100 people calling on the City of London and The London Borough of Tower Hamlets to investigate all massage parlours and sex establishments in the vicinity of the Middlesex Street Estate to ensure that:
 - 1) Any such premises are compliant with licensing and all other statutory requirements,
 - 2) Any public order offences are being logged and acted on appropriately, and
 - 3) If any such premises are operating without a licence that enforcement action is taken promptly
2. This report confines itself to actions taken/to be taken by the City Corporation.

3. Sex establishments include Sexual Entertainment Venues (SEVs), Sex Shops and Sex Cinemas. The City Corporation has a policy which deals with these types of premises which states that there are no venues within the City of London that are suitable to host such premises. An SEV is typically a lap dancing club. To date there are no known Sex Establishments within the City of London.
4. A premises being run as brothel, or that carries out other activities of a sexual nature, fall within the remit of the City of London Police. It is not directly a licensing function.

Premises compliant with licensing and other requirements

5. In order for premises to carry out massage and special treatments they need to obtain a licence from the City Corporation under the London County Council (General Powers) Act 1920. Examples of the different types of massage and special treatments can be seen as Appendix 1.
6. The following premises in the vicinity of the Middlesex Street Estate have obtained such a licence:
 - Skin Health Spa, 12 Brushfield Street
 - Vitalia Beauty & Wellness, 18 Gravel Lane
 - Body Essential, 7 Harrow Place
 - The Healthy Way, 77 Middlesex Street
 - Nature and Health, 118 Middlesex Street
 - Bodyworkmassage, Astral House, 129 Middlesex Street
7. All premises are inspected when they first apply for a licence and then on a risk based approach with priority given to those premises that carry out laser treatments or where we've had complaints concerning the safety of an individual. On this basis, none of the above premises have received an inspection within the past 18 months.
8. In view of the petition, the licensing team will carry out inspections on the above named premises within the next few weeks to check for compliance with licensing requirements.
9. Where it is reported to the licensing team that acts of 'an indecent character' are taking place on a licensed premises or that therapists are not 'decently and properly attired' they will take the appropriate action. The level of action taken will depend on the level of evidence that can be ascertained and can range from a warning letter to revocation of the licence.

Public Order Offences

10. All public order offences are logged by the Police and acted on appropriately. To date no public order offences have been logged concerning the above named premises.

Premises operating without a licence

11. Where it is brought to the attention of the licensing team, or where licensing officers ascertain themselves whilst carrying out their duties, that a premises is carrying on massage and special treatments without a licence they will take the appropriate enforcement action.
12. Within the past 12 months, action has been taken against two premises. Both are now licensed and compliant with legal requirements. There are currently no known premises operating massage and special treatments without a licence.

Corporate & Strategic Implications

13. There are no Corporate or Strategic implications in this report.

Conclusions

14. The licensing team will carry out inspections on the above premises to ensure compliance with statutory licensing obligations.
15. Appropriate legal action is being taken whenever breaches of licensing conditions are found or unlicensed premises are discovered.
16. All public order offences are, and will be, logged by the City of London Police.

Appendices

- Appendix 1 – Examples of Massage and Special Treatment.

Background Papers

None

Peter Davenport Licensing

Manager T: 020 7332 3227

E: peter.davenport@cityoflondon.gov.uk

Appendix 1

London County Council (General Powers) Act 1920 Licensing of establishments for massage or special treatment

Examples of Massage and Special Treatment

- a. **Massage** including but not limited to acupuncture, aromatherapy, Ayurveda, body massage, bower technique, champissage (Indian head massage), facial massage, Grinberg method, holistic massage, manual lymphatic drainage, marma therapy, metamorphic technique, reflexology, rolfing, shiatsu, sports massage, stone therapy, thai massage or tui-na.
- b. **Manicure** including but not limited to all forms of manicures, nail extensions or pedicures.
- c. **Chiropody**
- d. **Light** including but not limited to colour therapy, infra-red, lasers / intense pulse light (IPL), lumi-lift / lumi-facial or ultra-violet tanning (sunbeds).
- e. **Electric** including but not limited to endermologie, faradism, foot detox, galvanism, high frequency, lumi-lift / lumi-facial, micro current therapy, scenar therapy or ultra sound.
- f. **Vapour** including but not limited to facial steamers, halo therapy or steam room.
- g. **Baths** including but not limited to fish pedicures, floatation tank, foot detox, hydrotherapy, sauna, spa or thalassotherapy.