

## **Public Entertainment Licence Tanning Salon Licence Conditions**

**Standard Conditions to be attached to the grant and renewal of public entertainment licences in terms of Paragraph 5 of Schedule 1 to the Civic Government (Scotland) Act 1982 in relation to premises licensed as a place of public entertainment in terms of Section 41 to the 1982 Act and which are used as suntan centres or offering sunbed treatments.**

1. The premises must comply with the requirements of the Health and Safety at Work, etc, Act 1974, and all relevant Regulations thereunder, and in particular the Workplace (Health, Safety and Welfare) Regulations 1992 and the Management of Health and Safety at Work Regulations 1999, and any amending regulations.
2. The premises must have suitable and sufficient ventilation to ensure that heat generated by the suntanning equipment is effectively dissipated. Within the premises, in any room or cubicle or enclosure containing suntanning equipment, a minimum positive fresh air supply of 17 litres per second per person must be provided, and the temperature rise in the room or cubicle or enclosure due to operation of the suntanning equipment must not exceed 5°C. The temperature of the room or cubicle or enclosure must not in any event exceed 25°C.
3. All suntanning equipment must be screened within a room or cubicle or enclosure of sufficient height and depth to prevent unnecessary exposure of UV radiation to persons not using the equipment.
4. Any room or cubicle or enclosure containing suntanning equipment must be capable of being opened from the outside by staff members in case of emergency. Any door to said room or cubicle or enclosure must be fitted in such a way that its opening cannot be impeded.
5. All surfaces of suntanning equipment that come into contact with equipment users must be sanitised between each use with the manufacturer's approved cleaning agents at the manufacturer's recommended dilution rate.
6. The premises must have at least one wash-hand basin with hot and cold running water or shower facilities for use by equipment users for personal hygiene purposes.
7. A supply of potable drinking water and, if necessary, disposable drinking vessels must be available for equipment users without charge.
8. In terms of the Management of Health & Safety at Work Regulations 1999 and any amending regulations, the operator of suntanning equipment must carry out a risk assessment and this assessment must be documented and be available at all times for inspection on the premises by the licensing authority.
9. The operator of suntanning equipment must ensure that equipment users are advised of the potential hazards of UV light, including short and long term exposure risks, and the current maximum exposure recommendations from the Health and Safety Executive, which should not be exceeded. This is particularly important for equipment users prior to them using the equipment for the first time. A notice detailing the potential hazards must be displayed in the premises in such a place and at such a height that it might conveniently be read and the notice must be brought to the attention of all equipment users prior to them commencing any sunbed treatments.

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10. The operator of suntanning equipment must ensure that each new equipment user is asked to provide details of any medical or health condition which could be affected by the use of said suntanning equipment and shall ensure that a pre-screening health questionnaire is completed in this regard prior to commencing any suntanning treatment. The operator will ensure that information obtained in this regard is processed in accordance with the provisions of the Data Protection Act 1998, and any amendment thereof. Advice on a suitable exposure regime should be given to each client on the basis of the information obtained from the pre-screening health questionnaire, taking into account skin type, previous exposures, enhanced sensitivity and any other medical information supplied by the equipment user. The pre-screening health questionnaire must require the provision of at least the following information:-

Customers should be advised not to use suntanning equipment if their skin is prone to damage from UV. Those most at risk include:

- people with Skin Type 1: Very sensitive (always burns, never tan) or Skin Type 2: Sensitive skin (always burns, sometimes tan);
- people with a history of sunburn, especially in childhood;
- people with a large number of freckles or red hair;
- people with a large number of moles;
- people taking a medicine or cream which may sensitise the skin to sunlight including some antibiotics, tranquillisers, some birth control pills, high blood pressure tablets, diuretics, cream analgesics for arthritis and rheumatism;
- people who have had cancer or who have a history of cancer in their family;
- women who are pregnant; and
- people subject to frequent cold sores.

Or persons who have a medical condition that may be adversely affected by heat, including:

- people with a heart or circulatory condition;
- people with high or low blood pressure; and
- people suffering from some forms of diabetes.

Where prospective equipment users have been advised to consult their doctor prior to using the suntanning equipment this should also be recorded. Completed pre-screening health questionnaires must be retained at the premises and be available for inspection by the licensing authority.

The tanning regime recommended by the operator must take account of current Health and Safety Executive guidelines, and the sunbed manufacturers recommendations, over the maximum length of exposure in each session and the maximum number of sessions that would be appropriate for each equipment user, which should not be exceeded. In particular, care must be taken to ensure that replacement UV tubes have the same output rating as the originals. Where the manufacturer allows the tube rating to be altered, the corresponding permitted exposure time must be adjusted accordingly to prevent any risk of over exposure.

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11. Records must be kept of each equipment user detailing: name, address and age of equipment user, the dates of exposure and number and duration of exposures received. The operator of suntanning equipment must take all reasonable steps to advise equipment users on the health implications of overexposure.
12. The operator of suntanning equipment must provide, free of charge, suitable eye protection which complies with the requirements of the Personal Protective Equipment Regulations 2002, and any amending regulations, in that the eye protectors shall provide protection against the effects of UV radiation. All eye protectors must be CE marked.
13. The operator of suntanning equipment must ensure that trained staff are on the premises to provide advice, supervision and assistance to equipment users at all times the premises are open to the public. Staff training must include instruction in the control, use and operation of UV equipment and its health and safety aspects. Staff also must be aware of the potential hazards of UV light to both themselves and equipment users.
14. The suntanning equipment must conform to the Electrical Equipment (Safety) Regulations 1994, and any amending Regulations, and where necessary in terms of the Regulations, instructions to allow safe use of the suntanning equipment must be provided. The suntanning equipment must satisfy the provisions of the British / European standard BS EN 60335-2-27.
15. Suntanning equipment must be so designed and constructed in order to ensure that there cannot be an increase, over the design output, of UV radiation as a result of mechanical or electrical changes during normal use.
16. Suntanning equipment must have provision for the release of equipment users who might be trapped as a result of electrical or mechanical failure. Equipment users must be told of this fact before using the suntanning equipment.
17. The timer mechanism of the suntanning equipment requires to have an accuracy of at least  $\pm 10\%$ , and requires to be designed and constructed so that, as far as is reasonably practicable, a malfunction cannot increase the pre-set exposure time and, in particular, the exposure terminates if the timer mechanism stops.
18. All electrical installation work within the premises requires to be carried out by a competent person as defined in the Electricity at Work Regulations 1989, and any amending Regulations.
19. The suntanning equipment must be serviced and repaired, when required, by a competent person as defined in the Electricity at Work Regulations 1989, and any amending Regulations. Records of servicing and repair work, including tube replacement and any permitted change to tube output ratings, must be kept for a period of 3 years from the date of service or repair or replacement. The suntanning equipment must be tested annually and test certification complying with BS7671, and any amendment thereof, issued. For the purposes of testing and certification, this must be carried out by a competent person approved by the National Inspection Council for Electrical Installation Contracting (NICEIC) or the Electrical Contractors Association (ECA, trading as SELECT).

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20. An accessible isolating device must be provided within the premises to enable the suntanning equipment to be isolated for maintenance or other purposes. A residual current device (RCD) must be installed as additional protection for the suntanning equipment. The RCD should have a rate residual current of 30mA, or less, and an operating time of 40msec, or less, at a residual current equal to or greater than 250mA.
21. A readily identifiable, accessible switch must be provided for use in an emergency to enable an equipment user whilst using the suntanning equipment to switch off the suntanning equipment. Equipment users must be told of this fact before using the suntanning equipment.
22. An alarm or sounder audible throughout the premises must be provided in every room or cubicle or enclosure to enable an equipment user to summon assistance in an emergency.
23. An operational telephone must be installed, or otherwise be available in the premises at all times.
24. Any defective suntanning equipment must immediately be withdrawn from use and only used again after repair and testing has been carried out by a competent person as defined in the Electricity at Work Regulations 1989, and any amending Regulations. Records of repair must be kept for a period of three years from the date of repair and be made available for inspection at all times on the premises by the Licensing Authority.
25. The premises must comply with the Fire Precautions (Workplace) Regulations 1997 and the Fire Precautions (Workplace) (Amendment) Regulations 1999 and any amending Regulations.
26. Persons under the age of 16 must be prohibited from using suntanning equipment.
27. A first aid box must be retained within the premises at all times, the contents of which comply with the Health & Safety (First Aid) Regulations 1981, and any amending Regulations.
28. As required by the Business Names Act 1985, a notice must be clearly displayed to customers giving details of the true name of the owner of the business, together with an address at which service of any document relating in any way to the business will be effective. 'True name' means the name of the limited company or the partners or the sole proprietor who owns the business.
29. The licence certificate must be displayed at the premises at all times and in such a place and at such a height that it might conveniently be read by any person attending at the premises. Any conditions pertaining to the licence must be available for inspection at all times on the premises by the licensing authority.
30. The prices of all goods e.g. cosmetics, protective goggles, etc, for customers and equipment users must be clearly displayed at all times and conform with the Price Marking Order 2004 and any amending regulations.

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31. The prices of all services provided from the premises must be clearly displayed at all times in the premises in such a place and at such a height that they might conveniently be read.
32. Any cosmetics provided or sold to customers or equipment users must comply with the Cosmetic Products (Safety) Regulations 2003, and any amending regulations.
33. Records must be kept for a period of three years from the date of any incident or complaint, giving sufficient detail of any customer complaints or any incidents concerning the safe operation of the premises, such as customer burning/over exposure, physical injury, equipment failure, fire etc., to allow investigation if required. All incidents or complaints must be notified in writing directly to the Director of Environmental Services, Renfrewshire Council, Headquarters, Cotton Street, Paisley, PA1 1UG within fourteen days of their occurrence. Such records must be made available for inspection at all times on the premises by the licensing authority.



Renfrewshire  
Council