

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF GOVERNANCE	COUNCIL	17 JULY 2023	12

### COSMETIC PIERCING AND SEMI-PERMANENT SKIN COLOURING

#### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

#### SUMMARY

In March this year the Public Protection Committee considered a report recommending the extension of regulatory control in the council's area to the presently unregulated practices of cosmetic piercing and semi-permanent skin colouring. This would be achieved by extending the application of sections 14-17 of the Local Government (Miscellaneous Provisions) Act 1982 to cover those practices and by adding them to the scope of the council's byelaws.

While the Public Protection Committee has delegated authority to extend the application of sections 14-17 of the 1982 act, only the council can make or amend byelaws. The committee therefore recommended the byelaw changes to council. The report asks members to consider the proposed byelaw changes and pass the necessary resolutions to bring them about.

#### RECOMMENDATION

1. that the Council carry out the necessary procedures to make, and seek confirmation by the Secretary of State of, byelaws as set out in the appendix, which will bring cosmetic piercing and semi-permanent skin colouring to the scope of the council's byelaws.

#### SUMMARY OF PREVIOUS DECISIONS

At Public Protection Committee 23<sup>rd</sup> March 2023:-

1. Apply Sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Local Government Act 2003 to the council's area in respect of the regulation of Cosmetic Piercing, Acupuncture, Tattooing, Permanent and Semi Permanent Skin Colouring and Electrolysis, with effect from 1 May 2023.
2. Recommend that the Council carry out the necessary procedures to make, and seek confirmation by the Secretary of State of, byelaws as set out in the appendix, which will add cosmetic piercing and semi-permanent skin colouring to the scope of the council's byelaws

#### CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	
Tourism – To create a great place to live and visit	✓

## REPORT

1. On 23rd March 2023, the Public Protection Committee passed a resolution to adopt the relevant provisions of the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Local Government Act 2003, which would extend the scope of the council's registration scheme in relation to the regulation of Cosmetic Piercing, Acupuncture, Tattooing, Permanent and Semi Permanent Skin Colouring and Electrolysis, with effect from 1 May 2023.
2. As power to make or amend byelaws cannot be delegated to a committee, the committee also recommended that the council carry out the necessary procedures to make and seek confirmation of byelaws that would add cosmetic piercing and semi-permanent skin colouring to the scope of the current byelaws.
3. Once the Council meeting has resolved to make the byelaws, they must be submitted to the Secretary of State for confirmation. At least one clear month before applying for confirmation, notice of the Council's intention to apply for confirmation must be given in one or more local newspapers circulating the area to which the byelaws will apply.
4. A copy of the byelaws must be deposited at the Council offices and be open to public inspection without charge, at all reasonable times of the month. The byelaws could not come into effect until they have been confirmed.

IMPLICATIONS	
Finance	No further implications arising directly from the report.
Legal	The Council has a duty to protect public safety and prevent transmission of diseases.
Community Safety	The Council has a duty to protect public safety and prevent transmission of diseases.
Human Rights and Equalities	No further implications arising directly from the report.
Sustainability and Environmental Impact	No further implications arising directly from the report.
Health & Safety and Risk Management	The Council has a duty to protect public safety and prevent transmission of diseases.

LEAD AUTHOR	CONTACT DETAILS	DATE
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BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Current byelaws for acupuncture, ear piercing, electrolysis, and tattooing.	8 <sup>th</sup> April 1986	<a href="https://new.fylde.gov.uk/wp-content/uploads/2019/05/documents-original-10.pdf">https://new.fylde.gov.uk/wp-content/uploads/2019/05/documents-original-10.pdf</a>
Tattooing and body piercing guidance toolkit	July 2013	<a href="https://www.cieh.org/media/2004/tattooing-and-body-piercing-guidance-toolkit-july-2013.pdf">https://www.cieh.org/media/2004/tattooing-and-body-piercing-guidance-toolkit-july-2013.pdf</a>

Attached documents  
Model byelaws