

## APPENDIX A

**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 offering Ultra-Violet powered sunbed treatments.**

### **DEFINITIONS;**

- 1 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, (Hereinafter referred to as the 'Suntanning Area'), the temperature rise in the Suntanning Area due to operation of the suntanning equipment must not exceed 5°C. The temperature of the Suntanning Area must not in any event exceed 25°C.
- 2 All suntanning equipment must be screened within a Suntanning Area of sufficient height and depth to prevent UV radiation exposure to Patrons or members of the Public ("Patron(s)" or "Public" means persons admitted or seeking admission to the premises for any purpose other than in the performance of duties in connection with business of the Licence Holder) not using the equipment.
- 3 Any Suntanning Area containing suntanning equipment must be capable of being opened from the outside in case of emergency. All doors to Suntanning Areas must be fitted in such a way that their opening cannot be impeded, for example, by a Patron who has fainted.
- 4 All surfaces of suntanning equipment that come into contact with Patrons must be sanitised between each use with the said equipment manufacturer's approved cleaning agents at the manufacturer's recommended dilution rate.
- 5 The premises must have at least one wash-hand basin with hot and cold running water or shower facilities for use by Patrons for personal hygiene purposes.
- 6 A supply of potable drinking water and, if necessary, disposable drinking vessels must be available for Patrons without charge.

7. The Licence Holder must ensure that Patrons 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. 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 by Patrons on entry to the Premises and the notice must be brought to the attention of Patrons prior to them commencing any sunbed treatments.
  
- 8 The Licence Holder must ensure that each new Patron is asked to provide details of any medical or health condition which could be affected by the use of said tanning equipment and shall ensure that a pre-screening health questionnaire is completed in this regard prior to commencing any tanning treatment. Advice on a suitable exposure regime should be given to each Patron 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 Patron. The pre-screening health questionnaire must require the provision of at least the following information:-

Patrons should be advised not to use tanning equipment if their skin is prone to damage from UV. Those Patrons 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.

And/Or Patrons 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 Patrons have been advised to consult their doctor prior to using the suntanning equipment this should also be recorded in writing. 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 Licence Holder must take account of current Health and Safety Executive guidelines, and the sunbed equipment manufacturer's recommendations, regarding the maximum length of exposure in each session and the maximum number of sessions that would be appropriate for each Patron, which should not be exceeded. In particular, care must be taken to ensure that replacement UV tubes have the same output rating as the UV tubes supplied with the said equipment when first installed. Details of the correct output rating shall be kept on the premises for future reference. 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.

- 9 Records must be kept of each Patron detailing: name, address and age of Patron, the dates of exposure and number and duration of exposures received. The Licence Holder must take all reasonable steps to advise Patrons on the health implications of overexposure.
- 10 The Licence Holder must provide, free of charge, suitable eye protection which complies with the requirements of the Personal Protective Equipment (EC) Regulations 1992, 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.
- 11 The Licence Holder must ensure that trained staff are on the premises to provide advice, supervision and assistance to Patrons 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.
- 12 The suntanning equipment must satisfy the provisions of the British/European standard BS EN 60335-2-27.
- 13 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.

- 14 Suntanning equipment must have provision for the release of Patrons who might be trapped as a result of electrical or mechanical failure. Patrons must be told of this fact before using the suntanning equipment.
- 15 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, a malfunction cannot increase the pre-set exposure time and, in particular, the exposure terminates if the timer mechanism stops.
- 16 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).
- 17 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.
- 18 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. Patrons must be told of this fact before using the suntanning equipment and a written record made of this having taken place and kept on the relevant file.
- 19 An alarm or sounder audible throughout all necessary parts of the premises must be provided in every room or cubicle or enclosure so as to enable Patrons to summon assistance in an emergency, from the exposure position.
- 20 An operational telephone must be installed, or otherwise be available in the premises at all times.

- 21 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 Council.
- 22 Persons under the age of 18 must be prohibited from using suntanning equipment.
- 23 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.
- 24 The licence 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 the Patrons or the Public. Any conditions pertaining to the licence must be available for inspection at all times on the premises by the Council.
- 25 Records must be kept for a period of three years from the date of any incident or complaint, giving sufficient detail of any complaints by Patrons or any incidents concerning the safe operation of the premises, such as Patron 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 Head of Environmental Health, Highland Council, TEC Services, Glenurquhart Road, Inverness IV3 5NX within fourteen days of their occurrence. Such records must be made available for inspection at all times on the premises by the Council.