



## COUNCIL – 26TH JUNE 2012

**SUBJECT: SECTIONS 14 TO 17 OF THE LOCAL GOVERNMENT  
(MISCELLANEOUS PROVISIONS) ACT 1982**

**REPORT BY: CHIEF EXECUTIVE**

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### **1. PURPOSE OF REPORT**

- 1.1 To seek authorisation to apply the provisions of Sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 to the County Borough of Caerphilly.

### **2. SUMMARY**

- 2.1 On 8th February 2011 Cabinet approved comprehensively updated byelaws on acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis. The approved draft byelaws were sent to the Welsh Government prior to adoption in Caerphilly County Borough Council. However, the Welsh Government subsequently made some fairly minor revisions to the Model Byelaws previously approved and on 18<sup>th</sup> October 2011 Cabinet approved the revised model byelaws. The Welsh Government have asked for evidence that the provisions of Sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 have been applied within this County Borough

### **3. LINKS TO STRATEGY**

- 3.1 Making Caerphilly a safer place to live and work is a priority within the Corporate Improvement Plan. The adoption of the Model Byelaws would further protect the health, safety and well being of the community and the application of the provisions of Sections 14 to 17 of the Local Government (Miscellaneous Provisions) Act 1982 is an essential pre-condition to making the byelaws

### **4. THE REPORT**

- 4.1 Sections 14 and 15 of the Local Government (Miscellaneous Provisions) Act 1982 (as amended by Section 120 of the Local Government Act 2003) provide that a person shall not carry out acupuncture, tattooing, semi-permanent skin-colouring cosmetic piercing or electrolysis in an area where the sections are in force unless registered with the local authority for that area. Section 16 contains supplementary provisions including the creation of offences for contravening the provisions of Sections 14 and 15 and for contravening byelaws. Section 17 gives powers to enter any premises where there is reasonable suspicion that an offence is being committed. These provisions do not apply unless a local authority has resolved that they should apply within its area.

## **5. EQUALITIES IMPLICATIONS**

- 5.1 There are no potential equalities implications of this report and its recommendations on groups or individuals who fall under the categories identified in Section 6 of the Council's Strategic Equality Plan. There is no requirement for an Equalities Impact Assessment Questionnaire to be completed for this report.

## **6. FINANCIAL IMPLICATIONS**

- 6.1 None.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 None.

## **8. CONSULTATIONS**

- 8.1 The report has been sent to Consultees listed below, and there are no consultation responses, which have not been reflected in the recommendations.

## **9. RECOMMENDATIONS**

- 9.1 It is recommended that in accordance with Section 13(2) of the Local Government (Miscellaneous Provisions) Act 1982, the Council resolve to apply the provisions of sections 14 to 17 of Part VIII of the Local Government (Miscellaneous Provisions) 1982 Act to the Caerphilly County Borough to come into force on 1st September 2012.

## **10. REASONS FOR THE RECOMMENDATIONS**

- 10.1 To facilitate the making of byelaws on acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

## **11. STATUTORY POWER**

- 11.1 Local Government (Miscellaneous Provisions) Act 1982 – Section 13(2)

Author: Robert Hartshorn, Head of Public Protection  
Consultees: Anthony O'Sullivan, Chief Executive  
Cllr Dave Poole, Cabinet Member for Community & Leisure Services  
Dan Perkins, Head of Legal and Governance