

DONCASTER METROPOLITAN BOROUGH COUNCIL

ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE

9TH NOVEMBER, 2010

A MEETING of the ELECTIONS AND DEMOCRATIC STRUCTURES COMMITTEE was held at the MANSION HOUSE, DONCASTER on TUESDAY, 9TH NOVEMBER, 2010 at 10.00 a.m.

PRESENT:-

Chair – Councillor Moira Hood
Vice-Chair – Councillor Doreen Woodhouse

Councillors Marilyn Green, Cliff Hampson, Ken Keegan, Ken Knight, Ray Mullis and Kevin Rodgers

APOLOGIES:-

Apologies for absence were received from Councillors Paul Bissett, Bob Ford and Beryl Harrison.

6. DECLARATIONS OF PERSONAL OR PREJUDICIAL INTEREST, IF ANY.

There were no declarations made at the meeting.

7. MINUTES OF THE MEETING HELD ON 8TH JUNE, 2010.

RESOLVED that the minutes of the meeting held on 8th June, 2010, be approved as a correct record and signed by the Chair.

8. REVOCATION OF EXISTING BYELAWS REGULATING ACUPUNCTURE, TATTOOING, EAR PIERCING AND ELECTROLYSIS AND ADOPTION OF NEW BYELAWS REGULATING ACUPUNCTURE, COSMETIC PIERCING, ELECTROLYSIS, TATTOOING AND SEMI-PERMANENT SKIN-COLOURING.

The Committee received a report seeking approval to recommend to Council the proposals to revoke the existing byelaws set out at Appendix 1 of the report and approve the new byelaws set out in Appendix 2.

It was reported that the Local Government (Miscellaneous Provisions) Act 1982 gave local authorities the option to adopt powers to require the operators of prescribed skin piercing practices to register with them and additionally the option to adopt byelaws. The prescribed practices were acupuncture, ear piercing,

electrolysis and tattooing. Doncaster Council adopted these provisions in 1982 and had required such skin piercing practitioners to register ever since. On 17th November 1982 Doncaster Councils Law and General Purposes Committee resolved that draft byelaws be prepared for approval to regulate the premises used for these activities. The Council currently have 3 sets of byelaws:-

1. Acupuncture;
2. Ear piercing & electrolysis; and
3. Tattooing

Members were advised that in recent years piercing practices have become more prolific and diverse in nature, particularly with regard to body piercing where there is a market demand for just about every part of the body to be pierced. Due to the 1982 Act being prescriptive it has not until recently been possible to require some practitioners to register nor publish byelaws to regulate these new piercing practices, namely body piercing and semi-permanent skin-colouring. For example, it was possible for a person to operate as a body pierce relatively unregulated as long as they avoided piercing ears.

It was reported that the new provisions give the Authority the ability to require practitioners of these practices to register, thereby allowing more effective control and regulation. To further minimise the potential risk of blood-borne virus (BBV) transmission it is felt that these new byelaws are required to encompass all the latest piercing practices and trends.

RESOLVED to recommend that Full Council:-

- (1) accept the proposals to revoke the existing byelaws as listed in Appendix 1 and resolves to approve the new byelaws set out in Appendix 2, for confirmation by the Secretary of State; and
- (2) in the event of objections/representations being received by the Secretary of State, the regulation and Enforcement Manager be authorised, in consultation with the Chair and/or Vice-Chair of the Elections and Democratic Structures Committee, to comment upon such objections/representations received and provide comments back to the Secretary of State.

9. REVISIONS TO THE COUNCIL'S PETITION SCHEME AND IMPLEMENTATION OF AN E-PETITIONS SYSTEM.

The Committee considered a report seeking Members approval of arrangements to establish an e-petition facility by the 15th December 2010 as required by the legislation. The report also sought Members endorsement of revisions to the Petitions Scheme

in relation to the e-petitions facility, as set out in Appendix A of the report. It was noted that subject to consultation with Members of the Standards Committee, the recommendations of the Committee on the e-petitions facility and associated revisions to the Petition Scheme will be submitted to the Full Council on 29th November 2010 for final approval.

It was reported the e-petition facility was being developed in-house and would be ready to 'go live' by 15th December 2010.

Details of the requirements of the Scheme were detailed within paragraphs 8 to 16 of the report.

RESOLVED to recommend to Full Council:-

- (1) the adoption of the revised Petition Scheme as set out at Appendix A to the report;
- (2) the proposed revisions to the Council Constitution set out at paragraph 22 of the report be approved; and
- (3) a review of the scheme be reported to the Committee on an annual basis.