

Full Council

4 December 2025

Byelaws for the regulation of businesses involved in acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing, and electrolysis

For Decision

Cabinet Member:

Cllr G Taylor, Health and Housing

Local Councillor(s):

All members of Dorset Council

Senior Leadership Team:

S Crowe, Director of Public Health & Prevention

Report author and job title: Laura Brewer Service Manager Food, Safety & Port Health

Email: laura.brewer@dorsetcouncil.gov.uk

Statutory Authority: Under S.235 of the Local Government Act 1972 (the Act) the Council is provided with the power to make byelaws. Dorset Council's constitution under Article 4 (Article 4.6(g)) states that only Full Council will exercise the following functions: making, amending, revoking, re-enacting or adopting byelaws.

Report status: Public (the exemption paragraph is N/A)

1. Executive summary

1.1 Due to Local Government Re-organisation in 2019, there are inconsistencies in the regulatory requirements for business in this sector. To resolve this, a draft byelaw was prepared.

1.2 The draft byelaw was taken to the General Licensing Committee on the 21 May 2025 where the committee agreed to a public consultation on the proposed skin piercing byelaws. A 12-week consultation was carried out between the 22 May 2025 to 14 Aug 2025.

- 1.3 The purpose of this report is to seek Full Council approval for the adoption of the draft skin piercing byelaws regulating businesses involved in acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis across Dorset.
- 1.4 Whilst the public consultation response rate was low, the feedback was generally supportive and did not identify any substantial barriers to implementation.

2. Recommendation(s)

2.1 That Full Council

- 2.1.1 Approves the submission of the draft byelaws for the regulation of skin piercing practices across the Dorset Council area to the Government's byelaws section for provisional approval.
- 2.1.2 Authorises the adoption of the draft byelaws, and for the making and sealing of the byelaws for the regulation of skin piercing practices across the Dorset Council area, subject to confirmation from the Government's byelaws section that we may do so.
- 2.1.3 Approves the revocation of all existing legacy byelaws previously adopted by the former district councils on adoption of the new byelaws.
- 2.1.4 Authorises the submission of the byelaws to the Secretary of State for confirmation.
- 2.1.5 Authorises the Director of Public Health and Prevention to implement the byelaws upon confirmation, including communication with registered practitioners and businesses.
- 2.1.6 Delegates authority to the Service Manager for Food, Safety and Port Health and the Portfolio Holder for Housing and Health to request Department of Health confirmation of the byelaws, provided no objections are received during the advertising period. If only minor comments or objections requiring minimal amendments are received, they may proceed.

However, if any material changes are necessary following the advertising period, the amended byelaws will be returned to Full Council for consideration and to seek authority to return to the Department of Health for confirmation.

3. Reason for the recommendation(s)

3.1 Following the formation of Dorset Council, inconsistencies have emerged in the regulation of skin piercing practices due to the legacy byelaws inherited from former district and borough councils. These include:

- **East Dorset, North Dorset, and Purbeck:** Regulate ear piercing, electrolysis, tattooing, and acupuncture.
- **West Dorset and Weymouth & Portland:** Adopted Department of Health model byelaws, covering cosmetic piercing and semi-permanent skin colouring in addition to the above.

3.2 This fragmented approach has led to unequal enforcement and potential public health risks. The proposed adoption of the draft byelaws across the entire Dorset Council area will:

- Standardise regulation and enforcement.
- Reduce the risk of transmission of blood-borne viruses (e.g. HIV, Hepatitis B and C).
- Provide clarity and consistency for practitioners and businesses.

4. The report

4.1 Following Local Government Reorganisation in 2019, Dorset Council inherited a fragmented regulatory framework for skin piercing practices. While West Dorset and Weymouth & Portland Councils had adopted the Department of Health's model byelaws, East Dorset, North Dorset and Purbeck District Councils still operated under older, more limited byelaws.

4.2 This inconsistency has led to unequal enforcement powers and public health protections across the Dorset Council area. The proposed byelaws will standardise regulation and enforcement, ensuring all practitioners and premises are subject to the same requirements.

4.3 The Health and Care Act 2022 initially suggested a national licensing scheme might replace local registration. However, subsequent Government consultation clarified that local authority registration under the 1982 Act would continue for acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing, and electrolysis practices.

4.4 Therefore, the registration regime under the byelaws will continue for local authorities alongside a licensing scheme for aesthetic treatments when Government enact regulation for a licensing scheme.

4.5 This means that it is appropriate for the Council to make and adopt byelaws to enable a consistent approach across the Dorset Council area.

5. Alternative options considered

5.1 Further information on the licensing regime for aesthetic practices, provided by the Chartered Institute of Environmental Health, has confirmed that a second round of consultation on the licensing regulations will take place in 2026.

5.2 These regulations will rate aesthetic practices into;

- High risk aesthetic treatment – which will include Brazilian Butt Lifts,
- Medium risk aesthetic treatments – which will include Botox and fillers and
- Low risk aesthetic treatments – which will include micro-needling and micro pigmentation.

5.3 It is understood that the Government's intention is for local authorities to be responsible for the licensing of medium and low risk aesthetic practices and will also be responsible for continuing to administer the registration of practices and premises under the byelaws.

5.4 High risk aesthetic treatments will be regulated by the health care regulator.

6. Legal considerations

6.1 The Byelaws will be adopted under Part VIII of the Local Government (Miscellaneous Provisions) Act 1982, as amended by the Local Government Act 2003. Breaches of the byelaws may result in:

- Criminal prosecution.
- A fine of up to £1,000.
- Cancellation of registration under the Act upon conviction.

7. Financial implications

7.1 The introduction of the Dorset Council byelaws will replace existing byelaws and therefore the resources are already in place to register piercing premises and practitioners, along with associated administration and enforcement.

- 7.2 There will be cost implications for adopting the byelaws and advertising the confirmed byelaws. However, registration income may be increased following the introduction of the byelaws and this will cover the additional costs.

8. **Natural environment, climate & ecology implications**

- 8.1 There are no negative implications arising from the recommendations contained within this report in terms of meeting the Council's climate change obligations

9. **Well-being and health implications**

- 9.1 There could be a positive impact on the health and wellbeing of the public as regulation of acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis would increase health protection and reduce the risk of transmission of blood borne virus infections such as HIV, Hepatitis B and Hepatitis C and other infections.

10. **Other implications**

- 10.1 There are no other implications arising from the recommendations contained within this report in terms of impacts on other service areas within the Council.

11. **Risk implications**

- 10.1 HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: Low

Residual Risk: Low

11. **Equalities**

- 11.1 An initial assessment has been carried out which concluded there is no need to carry out an EqIA, this position has been reviewed after the public consultation, and still concludes there is no need to carry out an EqIA. This assessment is attached as Appendix C and has been signed off by the Council's Equality Officer.

12. **Appendices**

- 12.1 Appendix A: Draft Byelaws for Dorset Council. "Dorset Council – Byelaws for the Regulation of Acupuncture, Tattooing, Semi-Permanent Skin-colouring, Cosmetic Piercing and Electrolysis".
- 12.2 Appendix B: Existing Byelaws in place relating to the five district areas, to be revoked, namely:

i. North Dorset District Council Byelaws (x3) for: Acupuncture, Tattooing and Ear Piercing and Electrolysis

dated 8th January 1986 and confirmed by the Secretary of State for Social Services on 29th May 1986;

ii. Weymouth and Portland Borough Council - Byelaws for the regulation of Cosmetic Piercing and Skin Colouring businesses dated 30th November 2009 and confirmed by the Secretary of State for Health on 16th June 2010;

iii. West Dorset District Council – Byelaws for the regulation of Acupuncture, Tattooing, Semi-permanent Skin-colouring, Cosmetic Piercing and Electrolysis dated 2nd July 2010, confirmed by the Secretary of State for Health on 18th August 2010;

iv. East Dorset District Council –Byelaw for regulation of Acupuncture, Tattooing and Ear piercing Wimborne District Council 22nd Feb 1985, confirmed by the Secretary of State on 14th May 1985

v. Purbeck District Council – Byelaws for Acupuncture, Tattooing, Ear piercing and electrolysis 25th March 1992

12.3 Appendix C: Equalities Impact assessment

12.4 Appendix D: Consultation report

13. **Background papers**

13.1 None.

7 **Report sign-off**

11.1 This report has been through the internal report clearance process and has been signed off by the Director for Legal and Democratic (Monitoring Officer), the Executive Director for Corporate Development (Section 151 Officer) and the appropriate Portfolio Holder(s)