

Minutes

RESIDENTS' AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE

22 March 2017



Meeting held at Committee Room 4 - Civic Centre,
High Street, Uxbridge UB8 1UW

| | |
|-----|--|
| | <p>Committee Members Present: Councillors Michael White (Chairman), Michael Markham (Vice-Chairman), Lynne Allen, Patricia Jackson, Kuldeep Lakhmana, Judy Kelly, John Morse and Brian Stead.</p> <p>Apologies: Councillors Jas Dhot (Councillor Lynne Allen substituting) and Allan Kauffman.</p> <p>Officers: Bill Hickson (Anti-Social Behaviour Investigation Team Manager), Paul Richards (Head of Green Spaces, Sport & Culture) and Khalid Ahmed (Democratic Services Manager).</p> |
| 41. | <p>TO CONFIRM THAT ALL ITEMS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT ANY ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE</p> <p>It was confirmed that all items on the agenda would be considered in public.</p> |
| 42. | <p>MINUTES OF THE MEETING HELD ON 22 FEBRUARY 2017</p> <p>Agreed as an accurate record.</p> |
| 43. | <p>SHISHA BARS, LOUNGES AND CAFES</p> <p>Members were reminded that at the last meeting of the Committee, Members received evidence from a number of offices from within the Council, who explained their role in relation the controls which should be in place for Shisha Bars, Lounges and Cafes.</p> <p>Reference was made to a report which had been commissioned by Westminster City Council which looked at the public health implications of Shisha Smoking.</p> <p>The Committee discussed the appropriateness of the recommendations to Hillingdon and it was agreed that consideration should be given to the following recommendations and that for the next meeting of the Committee, officers provide comments on these suggestions.</p> <p>1.LAs with a low number of shisha premises and mildly perceived problem related to the shisha industry should</p> |

develop a preventive approach to ensure uncontrolled proliferation of shisha premises does not occur.

2. Managers of shisha premises should be encouraged to learn management techniques and attend workshops in an attempt to prevent their customers from creating antisocial behaviour.
3. Shisha premises should be monitored for alcohol use inside the pipe. While this is currently legal, LA staff should be aware of this practice and report it.
4. Shisha premises should be monitored for recreational drug use and use of other illicit substances.
5. Shisha premises that have an alcohol license should be monitored for this.
6. LAs should ensure they have adequate out of hours support for enforcing legislation on shisha premises, as non-compliance is likely to increase at unsociable hours of trading.

[Officers suggested that the Committee could consider recommending that the Anti-Social Behaviour Investigation Team's Out of Hours service, in partnership with Licensing Services, conduct regular patrols of existing & all new shisha premises to ensure compliance with legislation relating to nuisance & anti-social behaviour. These visits would also be utilised as an intelligence gathering tool to assist & support partner agencies across the enforcement services.

Also consideration could also be given to recommending that additional suitably qualified, and/or experienced regulatory staff from existing services were authorised to enable the service of Fixed Penalty Notices on individuals smoking in a smoke free place.]

7. Health warnings / Labelling of Shisha products is subject to legal requirements as with all tobacco products. The Trading Standards Service advises premises in the Borough on such matters in accordance to the guidance 'Implementation of smokefree legislation in England' produced jointly by the CIEH (Chartered Institute of Environmental Health) and CTSI (Chartered Trading Standards Institute).
8. Guidance and advice provided to shisha premises owners should include an emphasis on the current legal state of herbal (non-tobacco) shisha , that was it was covered by the Smokefree law, it can be sold to under eighteens, it was not

Action By:

Action By:

liable for duty payments nor was it a requirement to display health warnings.

9. Environmental health officers should maximise communication lines via Health & Safety Liaison Groups and Health & Safety Quadrants to raise shisha issues with colleagues across London and encourage a more consistent enforcement approach.

10. A useful adjunct to evidence gathering was the use of carbon monoxide monitors. Whilst these should be used to ascertain the level of harm exposure in enclosed smoking venues, they could also be used to assess the quality of air outside shisha premises considering the large volumes of smoke (usually greater than one hundred litres per pipe per hour) produced by shisha smoking.

[Officers reported that CO monitoring was achievable. There were a number of CO monitors within the department which could be installed using existing Health and Safety powers. The Committee could possibly recommend some targeted monitoring activities.]

11. Environmental health officers could consider using Health and Safety Prohibition Notices if prosecutions for breaching the Smokefree law were too labour intensive.

[Officers reported that would need to consult with liaison group and wider regulatory community on where or if in any circumstances Prohibition Powers have been used. The evidential test could include, for example confirming levels of CO in premises. This would require input from legal services.]

12. Shisha premises should be provided with case examples of dangerous health and safety scenarios from other premises in order to educate and emphasise the need to comply.

13. All LAs should include a suggested shisha pipe cleaning protocol as part of general advice and guidance to shisha premises.

14. All LA staff members involved in enforcement against the shisha industry should be made aware of the full extent of powers currently held by planning enforcement officers, including the use of Planning Contravention Notices and Stop Notices, and employ these powers where necessary.

[Officers reported that consideration could be given to

Action By:

a recommendation to all regulatory service managers concerned to contribute to a shared regulatory service document the purpose of which would be to instruct all staff of the range of enforcement powers available to the Council.

15. LAs should identify and collaborate with ethnic community groups to provide a well-targeted, multi-lingual approach to shisha educational campaigns. To avoid widening of inequalities, LAs should also run a general campaign in schools or at events. One particularly effective avenue could be through the existing activities of the Stop Smoking Services. These campaigns should be evaluated for impact.
16. Each enforcement officer should be trained on the health effects of shisha, especially areas surrounding herbal shisha, and contribute to health promotion activities whilst inspecting shisha premises. This underlies a need for public health staff and legislation enforcers to work closely.
17. Secondary schools and colleges should be encouraged to incorporate shisha smoking into existing tobacco awareness lesson plans.
18. All Stop Smoking Services should have their staff trained on providing cessation advice for shisha smokers, especially in regions where shisha premises were particularly prevalent. At the moment, there was no evidence base on nicotine replacement therapy so intervention should include behavioural support only.
19. Shisha smoking prevalence should be incorporated on local and national health survey questions, including frequency and intensity of use, to gain better insight into smoking habits of the general population. Young people should also be asked about electronic shisha pipes as these appear popular in this age group.
20. In boroughs where resources were strained, prosecution should be a last resort and officers should liaise with other agents to maximise legislative powers including powers of closure. Focus should therefore be a reactive response with monitoring of high risk shisha premises.
21. LAs should seek to establish a positive and close relationship with shisha premises to encourage co-operation and compliance.

Action By:

| | | |
|-----|--|---|
| | <p>22. Powers of closure and seizure should extend to environmental health officers if resources do not permit for a synchronised, multi-agency approach.</p> <p>23. All boroughs should have an advisory document which outlines all legislative aspects related to opening and operating a shisha premises. These should be standardised across London boroughs to promote a consistent message to shisha premises owners.</p> <p>24. Due to the recurrent lack of compliance with legislation, LAs should consider periodical educational sessions/workshops/Q&A sessions for premises managers and staff. This could serve as an efficient way of educating shisha premises.</p> <p>25. LAs should liaise with their neighbouring LAs prior to initiating shisha enforcement campaigns to ensure rebound mushrooming of the industry does not occur in neighbouring boroughs.</p> <p>A number of comments from Council service areas were provided for the Committee which included details on possible initiatives and suggestions to control shisha smoking and to raise awareness of the dangers of shisha smoking.</p> <p>Discussion took place on the Council producing Guidelines for Shisha Premises which could provide information on smoke free legislation, the health facts, the legal considerations of converting premises for Shisha smoking and Planning / Building Control, Trading Standards and Licensing implications surrounding Shisha Bars.</p> <p>It was suggested that one of the recommendations of the review could be the production of guidelines which could cover some of the suggestions in the Westminster report. Members asked that for the next meeting, officers be asked to provide an estimate on the number of Shisha Bars in the Borough.</p> <p>RESOLVED –</p> <p>1. That officers be asked to provide an at the next meeting of the Committee, on the feasibility of the suggested recommendation outlined above.</p> | |
| 44. | UPDATE ON THE COMMITTEE'S REVIEW ON REGULATIONS AND BYELAWS RELATING TO CEMETERIES AND BURIAL GROUNDS WITHIN | <p>Khalid Ahmed / Bill Hickson Action By:</p> |

| | | |
|-------------------|--|-----------------------------|
| | <p>HILLINGDON</p> <p>The Council's Head of Green Spaces, Sport & Culture attended the meeting and provided an update on the progress made in implementing this Committee's recommendation on the review undertaken in 2013 on the Regulations and Byelaws relating to Cemeteries and Burial Grounds within Hillingdon.</p> <p>Members were provided with details of the various works and initiatives which were taking place across the various sites within the Borough.</p> <p>Discussion took place on the recommendation relating to officers investigating introducing leaflets and a booklet, which would summarise key elements of the regulations which would be circulated to bereaved families via Funeral Directors.</p> <p>The Committee was informed that the key elements of the regulations were on the Council's website and these were communicated to Funeral Directors to communicate to bereaved families.</p> <p>There was concern expressed by Members that information on the website was not sufficient to enable the message to get across to all communities in the Borough. This was asked to be revisited again, should there still be a problem with non-compliance of the Regulations and Byelaws.</p> <p>RESOLVED –</p> <p>1. That the information provided be noted.</p> | <p>Paul Richards</p> |
| <p>45.</p> | <p>FORWARD PLAN</p> <p>Noted. Members were informed that both the Noise Supplementary Planning Document and the Accessible Hillingdon Supplementary Planning Document, would be brought to the Committee for comments.</p> | <p>Khalid Ahmed</p> |
| <p>46.</p> | <p>WORK PROGRAMME</p> <p>The Committee noted the report and that at the next meeting of the Committee, Members would be asked to consider possible review topics for the next Municipal Year.</p> <p>Areas mentioned included, Cycle paths / lanes, Road Safety, Pelican Crossings and Zebra Crossings.</p> <p>Noted.</p> | <p>Khalid Ahmed</p> |
| | <p>Meeting commenced at 5.30pm and closed at 6.45pm Next meeting: 26 April 2017 at 5.30pm</p> | |

These are the minutes of the above meeting. For more information on any of the resolutions please contact Khalid Ahmed on 01895 250833. These minutes are circulated to Councillors,

Officers, the Press and Members of the Public.