

Residents' & Environmental Services Policy Overview Committee - Major Review 2016/17 - Shisha Bars, Lounges and Cafes

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REASON FOR ITEM

The report provides the Committee with information on the public health implications of Shisha Smoking as requested at the last meeting of the Committee, together with officer comments on the appropriateness to Hillingdon, of the recommendations contained in the Westminster report which looked at the public health implications of Shisha Smoking.

OPTIONS OPEN TO THE COMMITTEE

The Committee is asked to consider the information provided and discuss possible recommendations for the review.

INFORMATION

1. 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. Details of the information provided is contained within the Minutes of the last meeting, which are attached to this agenda.
2. Consideration was also given to a report which had been commissioned by Westminster City Council which looked at the public health implications of Shisha Smoking. Officers were asked to provide a Hillingdon perspective on the recommendations which came out of the report. Some of these are contained in the report but further verbal updates will be given at the meeting.

RECOMMENDATIONS FROM WESTMINSTER REPORT

- 1.1. LAs with a low number of shisha premises and mildly perceived problem related to the shisha industry should develop a preventive approach to ensure uncontrolled proliferation of shisha premises does not occur.
- 1.2. 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.
- 1.3. 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.
- 1.4 Shisha premises should be monitored for recreational drug use and use of other illicit

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substances.

- 1.5 As is seen in Turkish law, legal consideration should be given to limiting what liquids can be used in the base of the shisha pipe apparatus, including a prohibition on the use of alcohol. Although this is a non-researched area of shisha's health effects, it is likely to induce intoxication, contribute to antisocial behaviour and be a major fire hazard if flammable spirits are used.
- 1.6 Shisha premises that have an alcohol license should be monitored for this.
- 1.7 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 have suggested that the Committee recommends 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 will also be utilised as an intelligence gathering tool to assist & support partner agencies across the enforcement services.

The Committee may like to consider, recommending that additional suitably qualified, and/or experienced regulatory staff from existing services are authorised to enable the service of Fixed Penalty Notices on individuals smoking in a smoke free place.]

- 1.8 Considering shisha premises smokers may only be presented with the shisha pipe and not see the original shisha tobacco packet, existing legislation needs to clarify how the shisha industry should comply with health warning labels.
- 1.9 If health warning labels need to be applied to the shisha pipe, consideration should be given to the fact that the shisha pipe has multiple detachable parts (head/body/bowl/hose), and thus each may need its own health warning.
- 1.10 Another consideration is whether these labels need to be fixed to the shisha pipe or whether they can be removable, especially in the light of needing to regularly wash the pipes which could inadvertently wear away health warning labels.
- 1.11 Given the reduced harm perception towards shisha and distinct features of the apparatus compared to cigarettes, health warnings should be shisha-specific in order to effectively educate shisha smokers e.g. 'shisha is not a safe alternative to cigarettes', 'water in the base of the shisha pipe does not filter out harmful chemicals', 'non-tobacco (herbal) shisha contains similar harmful chemicals to tobacco shisha and cigarettes'.

1.12 LAs should collectively contact shisha tobacco companies and encourage them to comply with labelling requirements on their packets to avoid future seizures, whilst teams should work with the UK Border Agency to control the supply of illicit shisha tobacco into the country.

[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).]

1.13 General enforcement guidance should be sought from the Department of Health, and LAs should work together to lobby

1.14 The concept of underage test purchasing in the shisha industry needs to be revisited. Considering the second-hand smoke harm exposure from premises non-compliant with the Smokefree law, it may be unethical to subject a young person to such an environment. However, a rewording of the legislation from 'point of supply' to 'point of sale' may partly overcome this. There appears to be no issues with performing underage test purchasing at retail shops rather than shisha premises.

[Tackling issues relating to under age sales by organised test purchase operations occasionally with Police assistance at off-licensed premises. The same approach cannot be taken for Shisha premises due to health and safety implications.]

1.15 Despite problems associated with underage test purchasing, prevalence studies from this report as well as anecdotal evidence from LA staff members highlight the attractive nature of shisha premises to young people. Community groups and youth clubs should aim to provide suitable alternatives to young people that may emulate the ambient environment created by shisha premises, but in a safer manner.

1.16 Guidance and advice provided to shisha premises owners should include an emphasis on the current legal state of herbal (non-tobacco) shisha – that is, it is covered by the Smokefree law, it can be sold to under eighteens, it is not liable for duty payments nor is it a requirement to display health warnings.

1.17 While herbal shisha is exempt from duty payments, it should not be exempt from underage sales and health warning labels considering the product is unstandardized and contains many of the same harmful chemicals as regular shisha tobacco (see *section 4* of this report). Herbal shisha needs not include statements on addiction as it does not contain nicotine.

1.18 As is seen in Scottish law (*see section 5.3.7*), fixed penalty notices for underage sales should be issued by trading standards officers. This will reduce the burden on the police force and enhance efficacy of the LA response to shisha use.

1.19 Considering there are approximately 500 shisha premises in the London and this figure is likely to increase, Her Majesty's Revenue & Customs (HMRC) should place shisha duty evasion as a priority alongside alcohol, cigarettes and hand-rolling tobacco.

1.20 If shisha premises do not store more than a few nights' worth of tobacco and LAs are not impacting business profitability through recurrent seizures, further investigation should be sought into the supply chain to identify warehouses/suppliers that deliver to these premises.

1.21 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.

[Meetings are attended and Shisha Enforcement is discussed. The level of enforcement is a local decision. Enforcement sanctions and approach to enforcement under smoke free law are understood amongst EHO's. The committee may like to recommend some targeted enforcement activities.]

1.22 A useful adjunct to evidence gathering is the use of carbon monoxide monitors. Whilst these should be used to ascertain the level of harm exposure in enclosed smoking venues, they can 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.

[CO monitoring is achievable, there are a number of CO monitors within the department that could be installed using existing Health and Safety powers. The committee may like to recommend some targeted monitoring activities.]

1.23 Environmental health officers may consider using Health and Safety Prohibition Notices if prosecutions for breaching the Smokefree law are too labour intensive.

[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 may include, for example confirming levels of CO in premises. Would require input from the legal service.]

1.24 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.

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

1.26 Consideration should be given to extending the Smokefree law to pavements considering the large volumes of smoke emitted by shisha smokers per session.

[Would require a legislative change unless some restriction is possible through licensing legislation]

1.27 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.

[The Committee may wish to consider 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.]

1.28 Planning enforcement appears to have the requisite tools to effectively deal with shisha premises and many inspectors on appeal recognise that shisha smoking constitutes a sui-generis use. However, consideration should be given to recognising shisha premises use class in its own right thereby recognising the land use planning characteristics often associated with such a use.

1.29 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.

1.30 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.

1.31 Secondary schools and colleges should be encouraged to incorporate shisha smoking into existing tobacco awareness lesson plans.

1.32 All Stop Smoking Services should have their staff trained on providing cessation advice for shisha smokers, especially in regions where shisha premises are particularly prevalent. At the moment, there is no evidence base on nicotine replacement therapy so intervention should include behavioural support only.

- 1.33 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.
- 1.34 The most effective method to tackle the shisha industry is via a well-synchronised, multi-agency approach including the police, HMRC, fire brigade and planning enforcers which should be timed at peak industry operating hours in both a proactive and reactive fashion. This may only be possible with increasing resources to LAs. However, not all LAs have access to these agents.
- 1.35 Prosecution fines are currently too small and they should be increased to impact business profitability, or at least be made proportional to the size of the business or the number of repeat offences.
- 1.36 Magistrates should show consistency in the prosecution process and case examples should be sought from other boroughs to ameliorate this process.
- 1.37 In boroughs where resources are 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.

[Focus on smoke free is currently on complaint only]

- 1.38 Shisha tobacco and shisha pipe seizure appear to be a more cost-effective method of enforcement, and in larger premises the impact of this may surpass the maximum prosecutable fine.
- 1.39 If the co-operation of the police is available, an effective enforcement tactic may be fixed penalty notices. Not only will this reduce loyalty to a particular premise, but will help change public attitudes that shisha is a safe alternative to cigarettes and therefore exempt from current tobacco legislation.
- 1.40 LAs should form a London-wide regional network specifically for shisha premises enforcement to reduce fragmentation between them. This should promote information and data sharing between LAs to encourage consistency in shisha enforcement. This should also be used as a platform to lobby for further guidance regarding the legislative difficulties in enforcing the shisha industry and funding, for instance, for a regional sample testing unit.
- 1.41 LAs should seek to establish a positive and close relationship with shisha premises to encourage co-operation and compliance.

1.42 Powers of closure and seizure should extend to environmental health officers if resources do not permit for a synchronised, multi-agency approach.

[A decision of the priority for this would need to be made in the context of other workloads, e.g. food safety inspections and investigations. The number of EHO's at Hillingdon Council are approximately half of those in Westminster, *FSA Full Time Equivalent Data 2015/2016].

1.43 Press releases of LA enforcement activity may help stimulate behaviour change across the shisha culture. They can also serve as health promotion messages to the local community.

1.44 On their visits to shisha premises local authorities should note any advertising to websites and social media, and periodically but regularly monitor such sites for breaches of legislation, including advertising to young people, pictures suggestive of indoor smoking, and misleading advertising such as claiming that shisha is a harmless form of smoking. This could be a cost effective way of monitoring the industry and evidence gathering for any future prosecutions.

1.45 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.

1.46 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.

1.47 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.

1.48 LAs should be encourage to collect mapping and longitudinal data on the number and type of shisha premises, as well as enforcement statistics such as number of prosecutions, prohibition orders, closure notices, size of tobacco/pipe seizures and rates of non-compliance. Such evidence may justify further resource allocation to LAs.

1.49 Licensing shisha premises should be considered but a full evaluation of its potential impact on the shisha industry should be explored prior to any implementation.

1.50 Discussions over licensing should unequivocally include reference to herbal shisha, which is a non-tobacco product.

COMMENTS FROM LICENSING

2. Under Alcohol and Street Trading 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. The Licensing Act at section 14 provides that a licence is required for the sale of alcohol in the circumstances described above. It would have to be correct in weights and measures but if a sale for example was made to a customer of a whiskey in a licensed area and the customer poured the whiskey into a hooker pipes water container, or ordered the pipe containing a bottle of wine rather than water. Officers could not see that any offence would be occurring.
3. This practice albeit unusual, provided that the alcohol is sold in a licensed area and under the supervision of a licence holder then the consumption or otherwise use of the alcoholic drink in the pipe would not itself be any more cause for concern than if the alcohol was drunk in the otherwise normal way.
4. Consideration should be given to extending the Smokefree law to pavements considering the large volumes of smoke emitted by shisha smokers per session.
5. Consideration could be given to adding a condition to street trading licenses issued by the Authority for tables and chairs licensing where the tables and chairs require to use the public footway.
6. A condition banning the use of the area licensed and the storage of pipes in that area would have the effect that many restaurants would be excluded from conducting this practice on the public highway.

COMMENTS FROM HILLINGDON PUBLIC HEALTH

7. Shisha Smoking refers to a smoking method in which smoke passes through water before it is inhaled. It is known by many names e.g. Shisha, Hookah, Hubble Bubble Shisha pipes use burning pieces of charcoal which heats tobacco sweetened with fruit syrup or molasses sugar (30% tobacco and 70% honey).
8. Centuries old tobacco use, Smoked for over 400 years , Roots in ancient India. It is estimated that 100 million people around the world smoke a water pipe daily
9. Can cause high exposure to carbon monoxide (CO), but the amount of CO in water pipes or Shisha smoke depends on the size/ variety of tobacco and charcoal type. Some Shisha tobacco does not contain nicotine, but the reduction of tobacco would be replaced by higher levels of glycerine, which can cause poisoning in the body.
10. A summary of several studies enables the following estimates to be made: One shisha session, smoked alone for approximately 45 minutes, may produce 22-50 times more tar, 6-13 times more Carbon monoxide (CO) and 1-10 times more nicotine than a single cigarette. Shisha is also known to produce significant levels of cancer-causing chemicals (carcinogens), including 3-39 times more benzo[a]pyrene. Reports also reveals that a Shisha session was equivalent to 100 cigarettes worth of smoke.

11. A common misconception is that the smoke passing through the bowl of water 'filters' the smoke. In actual fact, it cools the smoke making it more palatable and therefore users deeply inhale and are exposed to 'longer' puff sessions. Some evidence suggests the use of illicit drugs with Shisha as well as the water in the bowl being replaced by alcohol.
12. One of the most serious concerns of Shisha is cancer. The smoke increases the risk of various cancers such as lung cancer and cancer of the mouth. In addition to cancer, there are various gum diseases that are linked to Shisha as well as the development of COPD (chronic obstructive pulmonary disease).
13. According to the U.S. News & World Report, Shisha also carries a risk of addiction. Shisha is a danger to health because it can lead to daily water pipe use. In just one puff of shisha, the smoker inhales the same amount of smoke as they would inhale from a whole cigarette.
14. Water pipes or Shisha has the potential for spreading infectious disease (such as oral herpes, cold and flu and even possibly HPV, TB & Hep C) giving that smokers share the same mouthpiece and pipe.
15. Smoking Shisha while pregnant can cause breathing complication and lower birth weight is also reported among the newborns of Lebanese woman who smokes water-pipes.
16. Shisha emits four times the amount of carcinogens in comparison to a single cigarette. A one hour session creates toxins equivalent to 2-10 cigarette smokers.

COMMENTS FROM TRADING STANDARDS

17. The Service continues to work well with internal and external agents to deliver on targeting illicit activities in tobacco and alcohol at licensed premises.
18. Tackling issues relating to under age sales by organised test purchase operations occasionally with Police assistance at off-licensed premises. The same approach cannot be taken for Shisha premises due to health and safety implications.
19. Health warnings / Labelling of Shisha products is subject to legal requirements as with all tobacco products. The 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).
20. London Trading Standards Tobacco & Alcohol Group is working towards putting together a good working practice guide relating to Trading Standards enforcement of Shisha. This is an ongoing program of activity and a member of LBH TS Team attends this group.

APPENDIX

Appendix A - Scoping report for the review.



Residents' & Environmental Services Policy Overview & Scrutiny Committee Review Scoping Report

Shisha Bars, Lounges and Cafes

1. REVIEW OBJECTIVES

Aim and background to review

To look at the controls this Council and its partners have in relation to Shisha Bars, Lounges and Cafes in the Borough and to look at developing a strategy to deal with the health impacts and the nuisance, amenity and harm caused by unregulated shisha smoking.

The review could look at ways of engaging with both shisha smokers and businesses to raise awareness of the health and amenity impacts of shisha smoking, to help drive behaviour change. Possible outcomes for a review could be:

Regulate the Activity – a range of regulatory tools can be used to help limit the impact of shisha smoking, involving different services and agencies. The Council needs to best utilise the available powers in a coordinated and cost effective way.

Lobbying and Partnership – with no specific regulatory system in place to manage public shisha smoking, there is could be an opportunity to lobby for changes to legislation to enable better regulation of commercial premises offering this service. Existing powers are

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used to good effect in some cases, but on their own they do not adequately support the Council to work with shisha businesses to ensure they are compliant within a reasonable timeframe.

Shisha smoking is a London and nation-wide issue and it is important to further develop the Council's relationships with partner agencies, working jointly, sharing learning and moving forward with a unified position on shisha smoking, ensuring the Council can get the best results from our collective efforts.

Terms of Reference

1. To understand the health and amenity impacts of shisha smoking.
2. To examine the range of regulatory tools which could be used to help mitigate the impact of shisha smoking, working with different services and partners.
3. To look at the extent of the problem of unauthorised shisha bars, lounges and cafes in the Borough.
4. To assess the impact of shisha bars, lounges and cafes on residents who live close to these premises
5. To look at what other local authorities are doing in relation to regulating shisha bars, lounges and cafes.
6. To look at options available, and the development of a strategy, if appropriate and report to Cabinet as appropriate.

2. INFORMATION AND ANALYSIS

Shisha smoking is a way of smoking tobacco or herbal smoking product (which can be flavoured) through a waterpipe or hookah. Businesses are not required to have a specific licence for shisha smoking, and there is no definitive list of premises within the Borough of Hillingdon. However, the Council is aware of a large number of premises which offer shisha smoking through its licensing, trading standards, planning and enforcement functions.

Despite widely held misconceptions about the relative safety of shisha smoking – sometimes due to the misapprehension that smoking the tobacco through water 'filters' it of toxins – shisha smoking is at least as harmful to health as cigarette smoking. Public shisha smoking and the premises in which it takes place can also give rise to or contribute towards a number of amenity and quality of life issues, such as unauthorised or dangerous structures, noise and smells particularly late at night. In addition, shisha products sold in the UK are mainly illicit, with no duties paid. Whilst some of the health and amenity

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concerns can be managed using a range of existing regulatory powers, some areas of concern remain.

Current context

The Council has a number of controls in relation to the operation of shisha bars which are enforced by various teams from across the Council:

Trading Standards

Trading Standards has controls over tobacco as follows:

1. Sale of tobacco to under 18's

Tobacco cannot be sold to persons under the age of 18.

- Proxy sales are also illegal (whereby tobacco is sold to an adult purchasing on behalf of a young person).
- The manner in which shisha is used is such that the managers of a shisha business need to be particularly vigilant. Shisha customers will normally share pipes and best practice would be that the age of EVERYONE smoking should be checked.
- (It may be a sensible precaution not to allow under-18s into the building but this is not a requirement under the legislation).
- The following notice must also be displayed anywhere that tobacco is served.

2. Labelling of the tobacco products

The legislation covering the labelling of tobacco products is detailed

- Where the product is supplied in a water pipe to the customer eg chosen from a "menu", then the water pipes themselves should be labelled with the same written health warnings and pictures that are required on conventional packs.
- There may be difficulties in labelling the pipes and it may be possible to comply with the spirit of the law by other means eg on menus, or on cards given with the pipes.

3. Non-duty paid product

Enforcement of non-duty paid product is the responsibility of Her Majesty's Revenue and Customs (HMRC). However, Trading Standards work closely with HMRC and would draw any concerns to their attention.

Food Health and Safety Team

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The Food Health and Safety Team have controls around smoke-free places. Smoke free is governed by the Health Act and includes the following three powers:

1. A person who smokes in a smoke-free place commits an offence as follows:

- A smoke free place is either an enclosed or substantially enclosed premises used by members of the public or used in the course of paid or voluntary work.
- Shisha is a different way of smoking which poses a serious risk to health, and smoke free legislation applies in the same way whether or not the substance being smoked contains tobacco.
- Subject to other controls, shisha operators may set up at premises where smoking is carried out in the open air, or undercover in a partly enclosed space. Evidence must prove that the space is more than 50% open (non substantially enclosed.)

2. A person in management control of a smoke-free premise who fails to cause a person there to stop smoking commits an offence.

- Shisha operators often provide facilities for smoking shisha under cover claiming that they are non-substantially enclosed.

3. Failure to display signage is an offence.

- At least one non smoking sign must be displayed in a smoke free premises.

Environmental Protection Unit

The Environmental Protection Unit has input into controls through:

1. The Planning Process

During the planning application process, a noise assessment and a noise management statement would normally be required to demonstrate how noise would be mitigated and minimised.

Consideration would be given to the siting of a lounge, the hours of operation and what management controls would be in place.

2. Receipt of a complaint

Where complaints of noise and / or fumes are received about a premises, this can be dealt with under the Environment Protection Act 1990 as statutory nuisance.

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There is no fixed level for nuisance defined in the legislation but it must seriously affect an individual's use or enjoyment of their property for a period of time and be a frequent problem.

The Council's Anti-Social Behaviour Investigation Team may get involved where there are issues of noise nuisance out of hours and will carry out monitoring visits where appropriate.

Planning

In the majority of cases, planning permission is required for the change of use of a property to a shisha lounge, and for any structure (extension or outbuilding / shelter) that is built to accommodate shisha pipe smoking.

In the absence of planning permission, such changes of use and structures are unauthorised. If they result in harm to the area, planning enforcement notices can be served on the owner and occupier.

There are two types of notices which could be served: A 'Material Change of Use' notice can require the cessation of the use, with the removal of shisha pipes etc. from the premises, and an 'Operational Development' notice can require the demolition of the structure.

The approval of the relevant Planning Committee is required to serve such notices. Notices take effect in 1 month unless an appeal is made against them to the Secretary of State, and after the effective date there is a period for compliance which is typically 1 to 3 months.

The use / structure only becomes illegal after the expiry of the notice period. Prosecution through the criminal courts is possible for non compliance.

Responsibilities

This review will concern a number of Council services within in Residents Services: Licensing, Trading Standards, Food Health & Safety, Environmental Protection Unit, Planning Enforcement and Public Health. The services which support the Licensing function are covered under the Portfolios of the Cabinet Member for Community, Commerce and Regeneration, the Cabinet Member for Planning, Transportation & Recycling and the Cabinet Member for Social Services, Housing, Health & Wellbeing. External organisations involved are other local authorities.

Current intelligence, best practice and research

A number of other local authorities have undertaken studies and reviews which could help the review in terms of consideration of recommendations and best practice.

Further information

Throughout the review, Members will be made of aware of publications and studies which will help inform Members during the review.

Public Health Implications of Shisha Smoking in London (2013) Dr Mohammed Jawad, Imperial College London. Published by Westminster City Council

3. EVIDENCE & ENQUIRY

Information will be provided on the number of shisha bars, lounges and cafes within the Borough, both regulated and unregulated. Information on the practices of surrounding Boroughs will also be presented to Members to help the review formulate suggested recommendations.

More detail will be provided on the health & safety impact of shisha bars, together with the controls the Council and its partners have in enforcing the regulations around these premises. Information will also be provided on the legislative framework around shisha premises.

Witness testimony

Witnesses will be invited from Council services such as Licensing, Trading Standards, Food Health & Safety, Environmental Protection Unit, Planning Enforcement and Public Health. In addition contact could be made with other neighbouring local authorities to look at their controls and to look at best practise which this Council could adopt.

Lines of enquiry

What is the extent of shisha smoking within the Borough?

What current control does this Council have in relation to enforcing the various implications of shisha smoking in the Borough?

What are the health risks to shisha smokers and to those who live in close proximity to shisha bars, lounges and cafes?

What education is provided by the Council in relation to informing residents of the potential health risks associated with shisha smoking?

What are other local authorities doing differently to this Council in terms of controlling the problems associated with shisha smoking?

Emerging conclusions or themes for development

These will emerge and become apparent as the review progresses.

4. REVIEW PLANNING & ASSESSMENT

Proposed timeframe & milestones for the review up to Cabinet and beyond in terms of monitoring:

Meeting Date	Action	Purpose / Outcome
24 January 2017	Agree Scoping Report	Information and analysis plus witness evidence from internal sources
22 February 2017	Witness Session 1	Evidence & enquiry - witness evidence from internal sources and other local authorities
22 March 2017	Witness Session 2	Evidence & enquiry - Final witness session and suggested outcomes for the review
26 April 2017	Draft Final Report	Proposals – agree recommendations and final draft report

Resource requirements

None.

Equalities impact

The review will give consideration to the impact of shisha smoking and the premises used for this practice. The effect on certain communities within the Borough will be considered.