



HILLINGDON
LONDON

Impact Assessment

STEP A) Description of what is to be assessed and its relevance to equality

What is being assessed? Please tick ✓

Review of a service Staff restructure Decommissioning a service

Changing a policy Tendering for a new service A strategy or plan ✓

Report of the Residents & Environmental Services Policy Overview Committee
2016/17 Shisha Bars, Lounges and Cafes

Who is accountable? E.g. Head of Service or Corporate Director
Chairman, Residents & Environmental Services Policy Overview Committee

Date assessment completed
4 September 2017

Names and job titles of people carrying out the assessment
Vicky Trott, Equality, Diversity and Inclusion Manager

A.1) What are the main aims and intended benefits of what you are assessing?

- The Terms of Reference of the review are:
- To understand the health and amenity impacts of shisha smoking.
 - 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.
 - To look at the extent of the problem of unauthorised shisha bars, lounges and cafes in the Borough.
 - To assess the impact of shisha bars, lounges and cafes on residents who live close to these premises
 - To look at what other local authorities are doing in relation to regulating shisha bars, lounges and cafes.

- To look at options available, and the development of a strategy, if appropriate and report to Cabinet as appropriate.

A.2) Who are the service users or staff affected by what you are assessing? What is their equality profile?

There is no equality data available for waterpipe (Shisha) users in the borough.

The main source of data on adult waterpipe use in Britain is the ASH Smokefree GB survey. Between 2012 and 2016, this annual cross-sectional survey obtained data on waterpipe use in 12,000 - 12,500 adults.¹

The data indicate that current waterpipe smoking (up to once or twice per month) in the British general population is very low, at around 1%.

Young adults are more likely to have tried waterpipe smoking than older adults, but current use remains low, at around 2% in 18-24 year olds.

Waterpipe use is higher in Black and Minority Ethnic (BAME) groups; the prevalence of current use is close to 7% in Asian/Asian British populations and slightly higher in young males than young females.

A.3) Who are the stakeholders in this assessment and what is their interest in it?

Stakeholders	Interest
Waterpipe (shisha) users	<p>To ensure Public Health concerns around waterpipe smoking are considered in the review.</p> <p>To ensure due regard is taken to any potential equality issues that arise in the review.</p>
Shisha lounge/bar/cafe owners	<p>To ensure advice and support for bar/cafe owners is considered in the review, including all relevant policies, guidance, regulations and legislation.</p> <p>To ensure due regard is taken to any potential equality issues that arise in the review.</p>

¹ Public Health England Waterpipe smoking (shisha) in England - The public health challenge Report February 2017

Hillingdon residents	To ensure enforcement action is considered in the review and taken where appropriate and relevant to do so. To ensure due regard is taken to any potential equality issues that arise in the review.
Hillingdon Council officers	To ensure all information that is made available to them is considered in the review, so that they can provide relevant and appropriate advice and support for waterpipe users and bar/cafe owners. To ensure due regard is taken to any potential equality issues that arise in the review.
Hillingdon Council Corporate Management Team	To ensure due regard is taken to any potential equality issues that arise in the review.
Residents & Environmental Services Policy Overview Committee	To ensure due regard is taken to any potential equality issues that arise in the review.
Hillingdon Council Cabinet	To ensure due regard is taken to any potential equality issues that arise in the review.

A.4) Which protected characteristics or community issues are relevant to the assessment? ✓ in the box.

Age	✓	Religion or belief	✓
Disability		Sex	✓
Gender reassignment		Sexual Orientation	
Marriage or civil partnership		Carers	
Pregnancy or maternity		Community Cohesion	✓

Race/Ethnicity	✓	Community Safety	✓
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STEP B) Consideration of information; data, research, consultation, engagement

B.1) Consideration of information and data - what have you got and what is it telling you?

The national equality data that is available shows that young men from BAME communities, specifically those who are Asian/Asian British, are more likely to be waterpipe users.

The shisha bar/cafe/lounges are also more likely to be owned by people from BAME communities.

Consideration therefore needs to be given to any recommendations proposed in the review to ensure they do not unintentionally discriminate on the grounds of race/ethnicity.

Operational/enforcement

The links below show some relevant guidelines and advice for licensed premises that are available on the council and other websites. These could be updated to make more explicit references to setting up a shisha lounge/bar/cafe.

Apply for a premises license

<http://www.hillingdon.gov.uk/article/21471/Apply-for-a-premises-licence>

Tobacco and nicotine inhaling products - age related sales

<http://www.hillingdon.gov.uk/article/17496/Age-related-sales-in-Hillingdon?frmClient=EDB54C9C-AC18-2B1B-0D4E61CF1C6FCFE9&frmItemID=122630&frmShared=1>

Tobacco etc - labelling, advertising & packaging

<http://www.hillingdon.gov.uk/article/17496/Age-related-sales-in-Hillingdon?frmClient=EDB54C9C-AC18-2B1B-0D4E61CF1C6FCFE9&frmItemID=316298&frmShared=1>

London Trading Standards Association - changes to law 20 May 2017

<http://www.londontradingstandards.org.uk/news/tobacco-vaping-law-changes-london-trading-standards-reminds-smokers-retailers/>

Health

The dangers of shisha smoking are included in the Hillingdon smoking cessation service. More could be done however to raise awareness amongst young people of school and further education age, about the greater risk to health of waterpipe smoking than cigarette smoking.

Consultation

B.2) Did you carry out any consultation or engagement as part of this assessment?

Please tick ✓ NO ✓ YES

No consultation was carried out specifically as part of this assessment.

It is proposed that the owners of the shisha bars/cafes/lounges are consulted on the best way that they would like to receive information, support and guidance on how to comply with all relevant policies, guidance, regulations and legislation for waterpipe smoking. These include smoking, planning, health and safety, trading standards, food standards.

B.3) Provide any other information to consider as part of the assessment

Legal context

The council has a public duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations (Equality Act 2010).

C) Assessment

C.1) Describe any **NEGATIVE** impacts (actual or potential):

Equality Group	Impact on this group and actions you need to take
Young Asian/Asian British men	<p>As this equality group are more likely to be waterpipe users and owners of shisha bar/cafe/lounges, recommendations in the review, specifically around enforcement, could have a potentially negative impact on this group.</p> <p>The recommendations therefore need to take due regard of the Council's general duty under the Equality Act 2010; to eliminate discrimination, advance equality of opportunity and foster good relations and ensure there is no unintentional direct or indirect discrimination.</p> <p>It is proposed that the owners of the shisha bars/cafes/lounges are consulted on the best way that they would like to receive information, support and guidance on how to comply with all relevant policies, guidance, regulations and legislation for waterpipe smoking. These include smoking, planning, health and safety, trading standards, food standards.</p>

C.2) Describe any **POSITIVE** impacts

Equality Group	Impact on this group and actions you need to take
Young Asian/Asian British men	As this equality group are more likely to be waterpipe users, the outcomes of the review may have a positive impact on the health of this group, by raising awareness of the serious health impacts of smoking a waterpipe and by ensuring all relevant policies, guidance, regulations and legislation for waterpipe smoking are adhered to by the bar/cafe/lounge owners.

D) Conclusions

As identified in the assessment, addressing the issues related to shisha smoking in the borough would have a positive impact on the health of predominantly young Asian/Asian British males, who are more likely to be waterpipe users, by raising awareness of the severe health risks associated with this type of smoking.

It is important, however, to understand that operational/enforcement issues targeted at a specific group could be problematic in relation to the Equality Act 2010, so a better approach would be to integrate waterpipe smoking with current tobacco legislation and other relevant policies, guidance, regulations and legislation.

It is suggested that the recommendations of the report are updated to reflect these conclusions.

Signed and dated:

 4/9/17

Name and position: Vicky Trott, Equality, Diversity and Inclusion Manager