

Memo

To: Licensing Team
3rd Floor
Argus Chambers
Bradford

Department of Health and Wellbeing

Environmental Health
5th Floor
Britannia House
Bradford
BD1 1HX

From: Jane Bradbury

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Date: 18 September 2018

Licensing Act 2003
Application for a Temporary Event Notice
Naya Lounge, 12 Russell Street, Keighley BD21

I wish to object to the Temporary Event Notification submitted for 06 October 2018 – 07 October 2018 from 10:00 hours to 03:00 hours under the prevention of crime & disorder objective.

This department has been made aware that the premises opened in June 2018 and has been operating as a shisha lounge since this date. The department became aware of the premises in April 2018, when an officer visited the premises and discovered equipment being installed for the heating of coals and the smoking of shisha pipes on site.

The premises are fully enclosed and therefore any smoking inside the premises is in contravention with the smoke free legislation and poses a serious fire risk on site.

The premises are open from 6pm until 11pm and have a large sign outside the premises advertising the sale of shisha.

The premises interior is clearly seen on social media sites, showing members of the public smoking lit shisha pipes in an enclosed premise. There are a number of videos on social media showing the premises enclosed, with numerous shisha pipes in the seating area and members of the public clearly smoking shisha pipes without regard for the legislation.

Should the TEN be granted this Department will consider taking enforcement action against the person in control of the premises for not preventing the smoking of lit material, namely shisha in smoke free premises.

The smoking of shisha in smoke free premises is in contravention of Section 8 (4) of the Health Act 2006, which carries a fine of £2500.



In addition to the owner, the department would consider serving Fixed Penalty Notices on members of the public found smoking inside the premises, which carries a fine of £50 per fixed penalty notice.

The smoke free legislation was introduced to help reduce the number of ill health cases including lung cancer attributed to the direct or indirect inhalation of smoke. Hazardous particles can build up gradually during shisha pipe use to reach dangerously high levels and presents a serious health risk.

The owner has been sent a warning letter regarding the activities of allowing smoking in the premises, to which no response has been received.

Yours sincerely

Jane Bradbury
Environmental Health Officer
Health and Safety Team