

Shisha and the law

Shisha smoking has been practised in Arabic cultures for more than 400 years. It is now popular in other societies and has become a wider social activity.

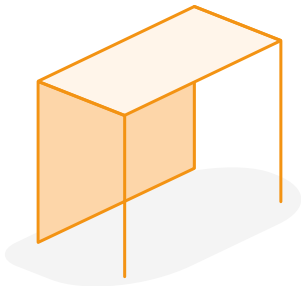
There have been recent instances where businesses offering shisha have been visited by enforcement officers and have been found to be operating outside the appropriate legislation. This leaflet summarises the legal requirements for cafe owners.



Smokefree legislation

It is illegal for anyone to smoke in enclosed or substantially enclosed premises, or for business owners to allow this to happen. Such premises include permanent or temporary structures such as (but not limited to) buildings, marquees and shelters.

Smoking is permitted within areas that either have no roof, or comply with the 50% rule, where at least half of the structure is open to fresh air. An example of an acceptable structure is shown below, but full guidance can be received from the Health Protection Team at Sheffield City Council.



Other legislation

Business owners have a responsibility to ensure their business premises meet with building, health and safety, fire, environmental, licensing, smokefree, trading standards, and planning legislation.

The activities involved in the operation of shisha bars and cafés are additionally regulated by a variety of tobacco control measures, including those relating to product labelling, tobacco advertising and promotion, under age sales, and liability for payment of tax and duty.

In this document the word shisha is used to cover all forms of smoking tobacco using a water pipe.

Enforcement

If a business is found to be operating in contravention to the legislation, enforcement officers have the following options available to them:

- ▶ Verbal warning,
- ▶ Written warning, and
- ▶ Fixed penalty notice or legal proceedings against an owner, occupier, manager, or any other person in charge of no smoking premises.

It is also important to note that where customers are found to be smoking in an enclosed or substantially enclosed structure, the person smoking will be issued with an on the spot fine. Details of the penalties are available in the booklet accompanying this leaflet.



Health considerations

A popular misconception is that shisha smoking is less harmful than cigarette smoking. However:

- ▶ An hour of smoking shisha is estimated to be the same as smoking 100-200 cigarettes and the user inhales 30 times more carbon monoxide than in a single cigarette and is exposed to higher levels of arsenic, lead, and nickel.
- ▶ Shisha users have an increased risk of gum disease.
- ▶ Sharing a shisha mouthpiece increases the risk of transmitting infectious diseases such as flu, colds, coronavirus, tuberculosis, herpes, and hepatitis.
- ▶ Second-hand smoke from shisha is a combination of tobacco smoke exhaled by the smoker plus smoke from the fuel (e.g. charcoal) used to heat the pipe.

Help to quit and more information

When you're ready to quit, switch or cut down, we're here for you. Visit **smokefreesheffield.org**

Further details about the legal requirements for smokefree premises are given in the booklet – Guidance to Shisha Premises, which is available from Sheffield City Council's Environmental Health team. Email: **health.protection@sheffield.gov.uk**

Produced in partnership with:

Smokefree Sheffield
smokefreesheffield.org

