

Agenda

Licensing & Gambling Acts Casework Sub-Committee

This licensing hearing will be held on:

Date: **Monday 12 January 2026**

Time: **6.00 pm**

Place: **Long Room - Oxford Town Hall**

For further information please contact:

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Committee Services Officer

 01865 252946

 democraticservices@oxford.gov.uk

Members of the public can attend to observe this meeting.

The Licensing Team sends details to interested parties who have made valid representations in writing on these applications. Only those interested parties may speak at the hearing.

Information about speaking and recording is set out in the agenda and on the [website](#)

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Committee Membership

Councillors: Membership 3: Quorum 3

Substitutes are permitted from other members of the Licensing and Gambling Acts Committee

Councillor Katherine Miles

Councillor Simon Ottino

Councillor Louise Upton

Agenda

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1 Election of Chair for the hearings	
To confirm the Chair of this Sub-Committee for the duration of this hearing.	
2 Apologies for absence	
3 Declarations of Interest	
4 Procedure for the hearing	7 - 12
The hearing procedures are attached.	
5 Application to review a Premises Licence – Thirst, 7-8 Park End Street, Oxford, OX1 1HH	13 - 170
The Sub-Committee is asked to determine Thirst's application, taking into account the details in the report and any representations made at this Sub-Committee meeting.	
6 Dates of Future Meetings	
The dates of future meetings are:	
<ul style="list-style-type: none">• 17 February 2026• 9 March 2026	

Information for those attending

Recording and reporting on meetings held in public

Members of public and press can record, or report in other ways, the parts of the meeting open to the public. You are not required to indicate in advance but it helps if you notify the Committee Services Officer prior to the meeting so that they can inform the Chair and direct you to the best place to record.

The Council asks those recording the meeting:

- To follow the protocol which can be found on the Council's [website](#)
- Not to disturb or disrupt the meeting
- Not to edit the recording in a way that could lead to misinterpretation of the proceedings. This includes not editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being recorded.
- To avoid recording members of the public present, even inadvertently, unless they are addressing the meeting.

Please be aware that you may be recorded during your speech and any follow-up. If you are attending please be aware that recording may take place and that you may be inadvertently included in these.

The Chair of the meeting has absolute discretion to suspend or terminate any activities that in his or her opinion are disruptive.

Councillors declaring interests

General duty

You must declare any disclosable pecuniary interests when the meeting reaches the item on the agenda headed "Declarations of Interest" or as soon as it becomes apparent to you.

What is a disclosable pecuniary interest?

Disclosable pecuniary interests relate to your* employment; sponsorship (ie payment for expenses incurred by you in carrying out your duties as a councillor or towards your election expenses); contracts; land in the Council's area; licenses for land in the Council's area; corporate tenancies; and securities. These declarations must be recorded in each councillor's Register of Interests which is publicly available on the Council's website.

Declaring an interest

Where any matter disclosed in your Register of Interests is being considered at a meeting, you must declare that you have an interest. You should also disclose the nature as well as the existence of the interest. If you have a disclosable pecuniary interest, after having declared it at the meeting you must not participate in discussion or voting on the item and must withdraw from the meeting whilst the matter is discussed.

Members' Code of Conduct and public perception

Even if you do not have a disclosable pecuniary interest in a matter, the Members' Code of Conduct says that a member "must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself" and that "you must not place yourself in situations where your honesty and integrity may be questioned". The matter of interests must be viewed within the context of the Code as a whole and regard should continue to be paid to the perception of the public.

*Disclosable pecuniary interests that must be declared are not only those of the member her or himself but also those member's spouse, civil partner or person they are living with as husband or wife or as if they were civil partners.

OXFORD CITY COUNCIL

LICENSING CASEWORK SUB-COMMITTEE PROCEDURES

Housekeeping Matters

- Mobiles must be switched off
- No smoking throughout the building
- Consumption of food is not permitted

The Meeting

1. The Licensing Casework Sub-Committee shall consist of three members of the Council (councilors). At the start of each Sub-Committee meeting a Chair shall be elected from among the three members. The Sub-Committee is responsible for reaching a decision upon the application being heard by the Sub-Committee, having received addresses and representations from all parties.

The Paperwork

2. Officers of the Licensing Authority (the City Council) will prepare the paperwork for the application that is to be heard by the Sub-Committee. The paperwork will include:-
 - A summary of the application, the representations received and of any other relevant material
 - The application and any other supporting material supplied by the applicant
 - Representations made by the responsible authorities
 - Representations made by interested parties

Introductions

3. The Chair will commence the hearing by introducing her or himself and the other two Sub-Committee members. The Chair will then ask all of the other parties present to introduce themselves and explain in what capacity they are attending.

Conduct of Proceedings

4. The role of the Chair is to control the proceedings. All questions must be put through the Chair.
5. The Chair will indicate that the members of the Sub-Committee have read and familiarised themselves with the papers and issues. The Chair will stress that the Sub-Committee does not therefore require points to be made or repeated at length.
6. The hearing shall take the form of a discussion. Formal cross-examination shall not be permitted unless the Chair considers that cross-examination in a particular circumstance would assist. In exercising this discretion to permit cross-examination, the Chair must have regard to the rules of natural justice and the right to a fair hearing.
7. Members of the Sub-Committee may ask questions to any party to elicit further information. The representative of the Licensing Authority may also ask questions of any party in order to clarify the evidence and any issues in the case.
8. The Sub-Committee will determine the application in accordance with the Council's Statement of Licensing Policy, the Licensing Act 2003 and Guidance and Regulations under the Act, taking into consideration the overriding need to promote the four Licensing Objectives.
9. In considering any representation or notice made by a party the Sub-Committee may take into account documentary or other information produced by a party in support of their application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.
10. The Sub-Committee will generally not expect any of the parties to take more than 20 minutes to address it, to give further information or to call witnesses.
11. Where a person attending the hearing is acting in a manner that the Sub-Committee consider to be disruptive, the Sub-Committee may require that the person leave the hearing and may:
 - (a) refuse to permit that person to return; or
 - (b) permit him / her to return only on such conditions as the Authority may specify.

12. Before the end of the hearing any person who was required to leave the hearing under paragraph 11 may submit in writing any information which they would have been entitled to give orally had they not been required to leave.

Order of Proceedings

13. All parties have a right to attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

The Licensing Authority

14. The representative of the Licensing Authority shall present the report relating to the application to be heard by the Sub-Committee. The representative shall say who the applicant is, what the application is for and explain the paperwork before the Sub-Committee.

Applicant case

15. The applicant must fully outline their application and address the licensing objectives, and then may call witnesses if desired.
16. Where a responsible authority or interested party seeks to cross-examine the applicant or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

Responsible Authorities case

17. Each responsible authority must fully outline the nature of their representation and address the licensing objectives, and then may call witnesses if desired.
18. Where the applicant or an interested party seeks to cross-examine the responsible authority or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

Interested parties case

19. Each interested party must fully outline the nature of their representation and address the licensing objectives, and then may call witnesses if desired.

20. Where there are a number of interested parties and the nature of the representations are similar, such parties may decide to appoint a spokesperson to represent the group.
21. Where a person is representing an interested party, the representative will be required to state the full name and address of the interested party.
22. Where the applicant or responsible authority seeks to cross-examine the interested party or any of their witnesses, he / she must seek the permission of the Chair who will exercise the discretion as to whether to allow such questioning.

Closing submissions

23. All parties will then be given the opportunity briefly to summarise their key points. The order shall be:-
 - Applicant
 - Responsible authorities
 - Interested parties
24. Interested parties may choose to appoint a spokesperson to briefly summarise the key points.

Determinations

25. At the end of a hearing, the Chair will announce that the hearing is adjourned while the Sub-Committee retires to deliberate in private.
26. The Sub-Committee must make its determination at the conclusion of the hearing in the following cases:
 - application for a variation and conversion of an “existing licence” (“existing licence” defined at paragraph 1 of Schedule 8);
 - application for variation and conversion of an existing club premises certificate;
 - counter notice following police objection to temporary event notice;
 - review of a premises licence following closure order;
 - determination of application for conversion of existing licence;
 - determination of application for conversion of existing club premises certificate;
 - determination of application by holder of a justices’ licence for grant of a personal licence.

27. In other cases (not mentioned in paragraph 26), excluding where a hearing has been dispensed with, the Sub-Committee must make its determination within the period of five working days beginning with the day or the last day on which the hearing was held.
28. A written decision outlining the reasons for the decision will be sent to the parties forthwith on making its determinations.

Closed hearing

29. The hearing shall take place in public. However, the Sub-Committee may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

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To: Licensing and Gambling Acts Sub-Committee
Date: 12th January 2026
Report of: Deputy Chief Executive of City and Citizens' Services
Title of Report: Trading Standards, Oxfordshire County Council – Application to review a Premises Licence – Thirst, 7-8 Park End Street, Oxford, OX1 1HH
Application Ref: 25/04901/RVPREM

Summary and recommendations	
Decision being taken:	To inform the determination of Trading Standards, Oxfordshire County Council's application to Review a Premises Licence
Corporate Priority:	Strong, fair economy & thriving communities
Policy Framework:	Statement of Licensing Policy – Licensing Act 2003

Recommendation(s): That the Licensing and Gambling Acts Sub-Committee resolves to:
1. Determine the review application taking into account the details in this report and any representations made at this Sub-Committee meeting.

Appendix No.	Appendix Title	Exempt from Publication
Appendix 1	Application to review a Premises Licence	No
Appendix 2	Existing Premises Licence - 25/04374/PREM	No
Appendix 3	Representation from Responsible Authority – Thames Valley Police	No
Appendix 4	Representation from Responsible Authority – Public Health	No
Appendix 5	Mitigation Statement on Behalf of the Premises Licence Holder	No
Appendix 6	Location Plan	No

Introduction and background

1. This report is made to the Licensing & Gambling Acts Casework Sub-Committee so it may determine in accordance with its powers and the Licensing Act 2003 the Review of the Premises Licence 25/04374/PREM for **Thirst, 7-8 Park End Street, Oxford, OX1 1HH**.

Application Summary

2. An application to review the premises licence for Thirst, 7-8 Park End Street, Oxford, OX1 1HH was submitted by Trading Standards, Oxfordshire County Council on 25th November 2025. The application submitted outlines the grounds and evidence for the review.
3. The review of the premises licence is being brought due to evidence that the licensed premises has been used to store and supply illegal tobacco products on three separate occasions, in breach of the licensing objective of preventing crime and disorder. In addition, the failure to display the statutory tobacco warning notice and the advertising or promotion of shisha via social media, has been identified during the course of the investigation, in breach of the licensing objective of protection of children from harm.
4. Although a revocation can be considered, Trading Standards are recommending that a period of suspension and the addition of relevant conditions to the premises licence would act as a necessary deterrent to promote the crime and disorder licensing objective and to protect the wider community.

A copy of the application can be found at **Appendix One**.

5. The current premises licence permits the following licensable activities and hours:

Live and Recorded Music, Supply of Alcohol (On and off Sales):

Monday to Saturday: 11:00 hours to 03:00 hours the following day
Sunday: 12:00 noon to 03:00 hours the following day

Late night refreshment:

Sunday to Saturday: 23:00 hours to 03:00 hours the following day

A copy of the current premises licence can be found at **Appendix Two**.

Relevant Representations

6. Valid representations supporting the review of the premises licence have been received from two of the Responsible Authorities, Thames Valley Police and Public Health, as detailed in the table below:

Responsible Authority	Response	Licensing Objective(s)
Licensing Authority	No comments	
Thames Valley Police	Support Review Application	Crime and Disorder, Protection of Children from Harm
Fire and Rescue Service	No comments	
Health and Safety	No response	
Environmental Health	No response	
Planning	No response	
Child Safeguarding	No response	
NHS – Public Health	Support Review Application	Public Safety
Trading Standards	Applicant	
Home Office Immigration	No comments	

Copies of these representations are attached at **Appendix Three and Appendix Four**.

7. Upon receipt of the review application, the Premises Licence Holder submitted a mitigation statement, accepting full responsibility and offering measures to ensure the offences are not repeated including a period of temporary closure for 2 weeks commencing 5th January 2026.

A copy of the statement is attached at **Appendix Five**.

Location

8. A map is attached at **Appendix Six** showing the general location of the premises subject of the review application.

Statement of Licensing Policy

9. The Sub-Committee is referred to the Council's Statement of Licensing Policy. In particular, the following paragraphs have a bearing upon the application:

Relevant Policy Matters	Section	Policy
Safety	8.2.1 to 8.2.4	OS1 to OS3

Reviews	9.1 to 9.14	RE1 to RE4
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Home Office Statutory Guidance

10. Members are also referred to the statutory guidance issued by the Home Office.

Of particular relevance to this application are the following matters:

Relevant Sections	Relevant Paragraph
Crime & Disorder	2.1 to 2.5
Public Safety	2.8 to 2.15
Unauthorised activities	3.35
Reviews	11.1 to 11.11
Reviews arising in connection with crime	11.24 to 11.28

11. A copy of the Home Office Statutory Guidance may be found online at:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Other Relevant Considerations

12. The Sub-Committee is reminded of its responsibilities under the Crime and Disorder Act 1998 (to co-operate in the reduction of crime and disorder in Oxford) and the Human Rights Act (which guarantees the right to a fair hearing for all parties in the determination of their civil rights, and also provides for the protection of property, which may include licences in existence, and the protection of private and family life) when considering the fair balance between the interests of the applicant and the rights of local residents. Any decision taken by the Sub-Committee must be necessary and proportionate to the objectives being pursued.
13. Members are reminded that whenever they make a decision under the Licensing Act 2003, they have a duty to act with a view to promoting the licensing objectives.
14. When considering any representations, only those issues relating to the four licensing objectives should be considered and appropriate weight given to the importance and relevance of each representation.
15. In making its decision, Members must also have regard to the Home Office statutory guidance issued under section 182 of the Licensing Act 2003 and the Council's own Statement of Licensing Policy.

16. The Sub-Committee must, having regard to the application and any relevant representations, take such of the following steps (if any) as they consider appropriate for the promotion of the licensing objectives:

- a) to modify the conditions of the licence;**
- b) to exclude a licensable activity from the scope of the licence;**
- c) to remove the designated premises supervisor;**
- d) to suspend the licence for a period not exceeding three months;**
- e) to revoke the licence;**

and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition is added.

17. Members are asked to note that they may not modify the conditions or reject whole or part of the application merely because they consider it desirable to do so. It must be appropriate to do so in order to promote the licensing objectives. Any such step must relate to a relevant representation made.

Legal issues

18. Members should note that the applicant, premises licence holder or persons making representations have the right of appeal against the decision made by the Sub-Committee.

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Job title	Senior Licensing Compliance Officer
Service area or department	General Licensing
Telephone	01865 252565
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Background Papers:

- 1 Oxford City Council's Statement of Licensing Policy:
[Download the Statement of Licensing Policy | Oxford City Council](#)
- 2 Home Office Revised Guidance under Section 182 of the Licensing Act 2003:
[Revised Guidance issued under section 182 of the Licensing Act 2003](#)

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Application for the review of a premises licence or club premises certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I [REDACTED] Trading Standards Service of Oxfordshire

County Council

(Insert name of applicant)

apply for the review of a premises licence under section 51 (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description

Thirst
7 - 8 Park End Street

Post town Oxford

Post code (if known) OX1 1HH

Name of premises licence holder or club holding club premises certificate (if known)

Spirit Bar Limited

Number of premises licence or club premises certificate (if known)

14/00499/MVPREM / **25/04374/PREM**

Part 2 - Applicant details

I am

Please tick yes

1) an interested party (please complete (A) or (B) below)	<input type="checkbox"/>
a) a person living in the vicinity of the premises	<input type="checkbox"/>
b) a body representing persons living in the vicinity of the premises	<input type="checkbox"/>
c) a person involved in business in the vicinity of the premises	<input type="checkbox"/>
d) a body representing persons involved in business in the vicinity of the premises	<input type="checkbox"/>
2) a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title
(for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

**Current postal
address if
different from
premises
address**

Post town

Post Code

Daytime contact telephone number

**E-mail address
(optional)**

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address

Tobacco Control Officer
Oxfordshire County Council
Graham Hill House
Electric Avenue
Ferry Hinksey Road
Oxford OX2 0BY

Telephone number (if any)

E-mail address (optional)

██████████ application to review relates to the following licensing objective(s)

Please tick one or more boxes

1) the prevention of crime and disorder	<input checked="" type="checkbox"/>
2) public safety	<input type="checkbox"/>
3) the prevention of public nuisance	<input type="checkbox"/>
4) the protection of children from harm	<input checked="" type="checkbox"/>

Please state the ground(s) for review (please read guidance note 1)

The grounds for review are as follows:

1. On 1st August 2024, officers from Oxfordshire County Council Trading Standards conducted an advice visit to the premises and issued a shisha compliance guidance document to Thirst. It was claimed during this visit that no waterpipe tobacco was kept, prepared or sold on the premises and that the waterpipes were for hire only with customers providing their own waterpipe tobacco
2. On 16th March 2025 at 21:00 hours, Oxfordshire County Council Trading Standards conducted a formal inspection of the premises. The Thirst Assistant Manager asked officers to leave, claiming the premises did not open until 22:00 hours, which was false. 10 unit packs (8kg) of non-duty paid waterpipe tobacco were subsequently identified in an unlocked cupboard and seized.
3. The statutory tobacco warning notice was not displayed on either visit and social media posts made from Thirst accounts have advertised or promoted waterpipe tobacco or shisha, or their effect was to do so.
4. On 22nd August 2019, 9kg of non-duty paid waterpipe tobacco was seized by HMRC from the premises and extensive written and verbal advice was subsequently provided to Thirst by Trading Standards
5. On 13th February 2020, 7.5kg of non-duty paid waterpipe tobacco was seized by HMRC from the premises. A licence review was contemplated by Trading Standards but, acting on advice received, was not instigated due to the Covid pandemic and lockdown.

**Please provide as much information as possible to support the application
(please read guidance note 2)**

1. This review is being brought due to evidence that the licensed premises has been used to store and supply illegal tobacco products on three separate occasions, in breach of the licensing objective of preventing crime and disorder. In addition, the failure to display the statutory tobacco warning notice and the advertising or promotion of shisha via social media, has been identified during the course of the investigation, in breach of the licensing objective of protection of children from harm
2. On 1st August 2024 at 20:45 hours, trainee Trading Standards Officers visited the premises to update business records and, if relevant, to issue shisha compliance guidance with a view to a formal enforcement visit being conducted by the Tobacco Control Officer, if required, at some point in the future.
3. The Assistant Manager informed the officers that the person that deals with the shisha was not there and that he did not feel comfortable going through his things with the officers. He asked if the officers could return at a later date.
4. The trainee officer explained that they could not return at a later date and that they did not need the person who ran the shisha operation to be present during the visit. The Assistant Manager continued to insist that officers return at a later date before ultimately telling them that he did not consent and that he would not allow the officers to conduct the visit. The officer explained that they did not require his consent to conduct an inspection under their powers and further explained that his refusal to allow them to carry out their duties would be obstruction.
5. The Assistant Manager said that the bar did not officially open until 21:00 hours and insisted that officers returned during official opening hours. Officers agreed and returned at that time. The man in charge of running the shisha was now present.
6. To one side of the garden space was a small area in which a quantity of waterpipes and hoses were stored on display, above which was a sign affixed to the wall that read "Shisha £15". The statutory tobacco warning sign was not displayed, whereas it should be prominent and clearly visible at the point of sale (see Annex)
7. Officers asked how the shisha system worked and the two staff members explained that the bar only rented out the waterpipes to customers for £15 but that the customers brought their own shisha tobacco with them. Both claimed that no shisha tobacco at all was kept, prepared, or sold on the premises. Trainee officer [REDACTED] made contemporaneous notes of this discussion and subsequently produced a signed witness statement (see Annex).
8. Trainee officer [REDACTED] issued the Assistant Manager with a guidance sheet which covered her areas of concern, as well as providing further information on the law around shisha. She also issued him with an Inspection and Action Report form which noted the fact that she had issued the guidance. The Assistant Manager signed to say he had received this on behalf of Thirst (see Annex).
9. On 16th March 2025 at 21:00 hours, the Tobacco Control Officer and colleagues visited the premises to undertake a formal inspection. The front door was wide open and staff were in position behind the bar. Officer Sharland identified himself to one of the staff behind the bar and explained the purpose of the visit.
10. The person stated that he was a "Bar Tender" although was, in fact, a Duty Manager. This person refused to sign the Notice of Powers & Rights issued before

the commencement of any inspection and phoned the Assistant Manager. The Assistant Manager spoke to Officer [REDACTED] and claimed that the premises did not open until 22:00 hours and so officers must leave and come back. It was explained to him that the door was wide open and officers had walked into the premises. The Assistant Manager claimed that the door was only open because it was a hot night. It was explained by Officer [REDACTED] that the inspection would be going ahead (see Annex).

11. Officers were told that the shisha area was locked and the responsible person would not be arriving until 22:00 hours. Upon checking, it was identified that the shisha area was not in fact locked and inside the storage cupboard were 10 unit packs of waterpipe tobacco, with a gross weight of 8kg.

12. All of the unit packs were non-compliant with legal requirements because they made prohibited references to tastes or smells and were not labelled with the statutory pictorial and written health warnings. In some cases, the labelling explicitly stated that the product had been manufactured for use in another country and so was clearly smuggled. These were all seized. The duty value of the seizure at that time was [REDACTED] (tobacco duty) + VAT = [REDACTED] (see Annex). It was noted that the unit packs were very similar to those seized in 2019 and 2020, both in terms of labelling and quantities.

13. An Inspection & Action Report form was issued to the Duty Manager who, again, refused to sign (see Annex).

14. It was later established that the operator of the shisha business, [REDACTED], had travelled abroad in February. He did not return until July, which delayed the investigation.

15. In the meantime, Spirit Bar Ltd t/a Thirst was interviewed under caution via one of its director, [REDACTED]. He was legally represented. [REDACTED] was frank and straightforward with officers. Relevant points from the interview are as follows:

- Thirst has traded since 1999 and is one of 4 bars operated by the Company
- Day-to-day operations are overseen by [REDACTED], Operations Manager, who has been with the Company for 22 years
- The system for communicating any contact from one of the Responsible Authorities is that management report to [REDACTED] who then reports to [REDACTED]
- Shisha has been supplied at Thirst for approximately 14 years by a third party, [REDACTED], who employs his own staff and provides all equipment
- [REDACTED] pays Spirit Bar Ltd an amount (subsequently confirmed as being £ [REDACTED] per annum) to cover the increase in insurance costs (this was introduced approximately 2 years ago)
- No formal written contract exists; it was a verbal arrangement
- [REDACTED] agreed that a member of the public would not know that the shisha operation and the bar were separate businesses
- [REDACTED] was unable to assist with any details of the shisha operation and admitted that the Company did not take any precautions or exercise any due diligence to ensure that any shisha tobacco products supplied on the premises were legal
- This was because it was felt that alcohol was their responsibility and they were selling that directly but a third party sold the shisha tobacco and they had no dealings with it in terms of the purchase of the products, what was sold and who it was sold to
- He added "we did not ask these questions, regrettably"
- Thirst staff received no training in relation to shisha tobacco or its consumption
- It was stated that [REDACTED] was responsible for any advertising and promotion of the shisha
- When the statement of trainee Officer [REDACTED] was read to him, [REDACTED] stated "I wasn't aware of that visit. I wasn't aware that he (the Assistant Manager) had said

that" and explained that the Assistant Manager should have informed his manager who should have informed [REDACTED] who should have then informed [REDACTED]

- He explained that he was "not happy" that had not happened and, had the system been followed and he had been informed of the advice visit, he would have had a conversation with [REDACTED] to talk to [REDACTED] to see if he was complying and, if he wasn't, he would no longer be allowed to sell shisha from the premises
- Importantly, [REDACTED] said that it was not the Company's understanding that the model had changed to waterpipe hire only and, from his understanding, [REDACTED] sold shisha tobacco.
- As far as the Company was aware, there was never a time that the waterpipes were merely rented out with customers bringing their own tobacco to the premises
- He was asked what the Company's view was of the Assistant Manager telling the trainee officers that there was only a waterpipe hire system and said "implies that he's lying"
- He also confirmed that the premises was open at 21:00 on Sundays (and thus not 22:00 as claimed by the Assistant Manager)
- He said that the Company agreed that the seized tobacco was there because there was an intention that it would be sold by [REDACTED] business to the public for the purpose of consuming via smoking through a waterpipe
- He was not aware of any previous advice regarding shisha being sold at the premises
- He could not recollect the 2019 seizure and [REDACTED] attending an advice meeting and signing an Acknowledgement Form on behalf of the Company
- He was not aware of the 2020 seizure
- He explained that he should have been informed of both seizures and the system in place to communicate with him had not been followed

16. [REDACTED], the shisha operator, was interviewed under caution on 21st July, shortly after his return to the UK. Key points from his interview can be summarised as follows:

- He had been out of the UK between February – July
- He says a customer (a new student) left 3 unit packs (of the 10 units packs seized) at the premises
- He was unable to account for the other 7 unit packs saying "I have no idea because I wasn't there"
- He did not recognise the name [REDACTED], who was the operator at the time of the 2024 advice visit
- He was unable to give the full name of the person who was due to operate the business on the 16th March 2025, simply saying he was called [REDACTED] and also worked for Thirst
- He explained that the price was £10 and the customer provides their own waterpipe tobacco; they then prepare the waterpipe for the customer's use
- The system had changed post-Covid
- The charge is £10 per waterpipe not per customer and that they pay cash
- When challenged that the signage stated "Shisha £15" he explained that customers would rarely pay the full price as bartering was commonplace and sometimes it was given for free
- He estimated the business had a turnover of around £4,000 per year (less wages and payments to Spirit Bar Ltd)
- He did not recall being made aware of the advice visit and had never seen the guidance sheet that was issued
- He did recall the 2019 seizure
- He denied attending a joint meeting with Trading Standards & Environmental Health, even when shown the acknowledgment form signed by him
- He did recall the 2020 seizure
- He did recall being advised that the statutory health warning information should be supplied with the waterpipe and that this was advised to be done via laminated

signage attached to the pipe

- He stated that he did have the signs but was not present during the 2025 seizure

17. Due to some discrepancies in accounts, a further set of questions was sent to [REDACTED] via written questionnaire. A response was never received despite attempts to elicit one.

18. It was brought to officer [REDACTED]'s attention that the Instagram and Facebook social media accounts operated by Thirst contained posts advertising and/or promoting the shisha operation. A full audit was conducted on 8th August 2025 and none of these posts (2021-2024) made any mention of the change in system to waterpipe hire. In addition, images of users smoking from waterpipers show no evidence of the statutory health warning information being attached to the pipes. At the time of this application, social media posts advertising and/or promoting the shisha operation continued to be displayed (see Annex).

19. On 18th August 2025, the Assistant Manager provided a written statement under caution regarding his actions on 1st August 2024 and 16th March 2025 (see Annex)

20. Additional questions under caution were then sent to the Company via a questionnaire and answered by [REDACTED]. The Company reiterated its position that they had no knowledge of any change in the business model. [See Annex]

21. This matter is aggravated by the previous history of the premises.

22. On 22nd August 2019 a joint visit took place with Trading Standards, HMRC, Licensing and Environmental Health, resulting in 9kg of non-duty paid waterpipe tobacco being seized by HMRC. [REDACTED] Operations Manager, was present at this time (see Annex).

23. As a result, a comprehensive letter of advice was sent to the business and a joint meeting took place with [REDACTED] and [REDACTED] and officers from Trading Standards and Environmental Health. Both parties signed acknowledgment forms (see Annex)

24. On 13th February 2020, a revisit with the same agencies took place at the premises. [REDACTED] was again present and [REDACTED] arrived shortly afterwards. 7.5kg of non-duty paid waterpipe tobacco was seized by HMRC and verbal advice was reiterated to [REDACTED] and [REDACTED] (see Annex).

25. [REDACTED] was invited to attend an interview under caution and a review of the premises licence was being strongly considered. Due to the global Covid pandemic and subsequent lockdown and forced closure of on-licensed premises, it was decided that it was not in the public interest to take formal action at that time.

26. The statutory guidance provides some assistance in determining the seriousness of the sale and storage of illegal tobacco in licensed premises.

At para 11.27 it states:

"There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. The list includes the use of the licensed premises:

- for the sale or storage of smuggled tobacco

And at para 11.28 it states that:

"Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence - even in the first instance - should be seriously considered." (See Annex).

27. There is also decided case law to assist. In *R (Bassetlaw District Council) v Worksop Magistrates' Court* (2008) EWHC 3530, MJ Slade found that deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable. (See Annex).

28. The supply and possession for supply of illegal tobacco products are regarded as serious criminal offences. They are also given particular prominence within the statutory guidance. They are sold at prices well below the legally compliant versions, giving premises doing so a commercial advantage over any competitor that trades legally.

29. The severe health risks associated with smoking are widely reported and accepted. Smoking costs the National Health Service in England approximately £2 billion a year for treating diseases caused by smoking. The availability of illegal tobacco products may undermine the efforts of a current smoker to quit as price is often a key driver and, in fact, may encourage some smokers to smoke more. The sale of illegal waterpipe tobacco products or shisha, making unlawful claims regarding smells or tastes, may also help recruit a new generation of smokers (see Annex).

30. The Trading Standards service regards the failure to heed detailed previous advice as an aggravating factor of particular concern. Given the statutory guidance and supporting precedent, if a third seizure of smuggled tobacco had been made from a retail, off-licenced premises, there is no doubt that the recommendation of this service would be that the premises licence should be revoked.

31. However, in this case, it is understood that the loss of the premises licence would mean the business could not operate and may have to be sold or closed. As such, it is recommended that, while it is correct that revocation should be strongly considered, a period of suspension with appropriate conditions would act as a necessary deterrent to promote the crime prevention objective and to protect the needs of the wider community, including law-abiding businesses, as well as adults and young people. Those conditions are proposed as follows:

1. Tobacco or Herbal Smoking Products

- a) No tobacco or herbal smoking products to be stored, sold or supplied in the course of business
- b) No waterpipes to be available for use on the premises whether by payment of a fee or not
- c) A3 Illegal Tobacco Keep It Out poster including the illegal tobacco hotline reporting number shall be displayed prominently at the entrance and outside area of the licensed premises at all times (to be supplied by trading standards)

2. Training

- a) All staff working at the premises in a managerial or supervisory capacity (whether paid or unpaid) shall receive training on the role of the Responsible Authorities. Training to include expectations from the Company on how members of staff are to

conduct themselves and communication of all visits and any written material in accordance with the management structure.

- b) Training to be given on appointment to a managerial or supervisory capacity and repeated on an annual basis.
- c) Records of such training to be kept at the premises and made available to any officer of a Responsible Authority upon request.

ANNEXES

1. Photographs taken during advice visit (01/08/2024)
2. Witness Statement of trainee Trading Standards Officer re advice visit (01/08/2024)
3. Shisha Compliance Guidance Sheet (01/08/2024)
4. Inspection & Action Report Form (01/08/2024)
5. Notebook entries of Tobacco Control Officer re inspection visit (16/03/2025)
6. Tobacco Duty Rates applicable (16/03/2025)
7. Photographs of the labelling of examples of seized products (16/03/2025)
8. Inspection & Action Report Form (16/03/2025)
9. Social media posts made by Thirst 2021-2024 (08/08/2025)
10. Excerpt from Tobacco Advertising & Promotion Act 2002
11. Advertising Standards Authority ruling (16/01/2019)
12. Written statement under caution - Assistant Manager (18/08/2025)
13. Questionnaire and responses under caution - Spirit Bar Ltd (26/09/2025)
14. Witness Statement & Exhibits re inspection visit (22/08/2019)
15. Additional photographs from inspection visit (22/08/2019)
16. Witness Statement & Exhibits re inspection revisit (13/02/2020)
17. Excerpt from statutory guidance
18. R (Bassetlaw District Council) v Worksop Magistrates' Court (2008) EWHC 3530
19. Extracted Pages from LGA publication "Reducing the harm of shisha and the need for better regulation" 2024
20. Excerpt from Licensing Act 2003
21. Excerpt from Gov.uk publication "Bringing goods into the UK for personal use"
22. Example Waterpipe

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

--	--	--	--	--	--	--

If you have made representations before relating to this premises please state what they were and when you made them

Please tick yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant's solicitor or other duly authorised agent
(See guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

Date 25/11/2025

Capacity Tobacco Control Officer

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)
See section C above

Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.

ANNEX 1 - 2 pages





OXFORDSHIRE COUNTY COUNCIL
TRADING STANDARDS SERVICE

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9; Magistrates Courts Act 1980, s. 5B)

STATEMENT OF [REDACTED]

Age of witness
(if over 18 enter "over 18")

Over 18

Occupation of witness Trainee Trading Standards Officer

This statement (consisting of 4 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 14th day of April 2025

Signed.... [REDACTED]

I am a Trainee Trading Standards Officer employed by Oxfordshire Trading Standards.

One of my roles at Trading Standards is to ensure that tobacco and related products on sale in Oxfordshire are compliant with the requirements of the Tobacco and Related Products Regulations 2016.

On 1st August 2024 at approximately 20:45 hours, accompanied by officer [REDACTED]

[REDACTED] of this authority, I entered the premises trading as Thirst Bar, 7-8 Park End Street, Oxford, as part of a 2024 shisha project. The purpose of the visit was to assess compliance with the Tobacco and Related Product Regulations 2016, gather information to update business records, and to issue shisha compliance guidance with a view to a formal enforcement visit being conducted by the Tobacco Control Officer at some point in the future, if required.

Signed.... [REDACTED]

STATEMENT OF WITNESS

Upon arrival at the premises, I noticed an A-board displayed outside of the entrance advertising "shisha". The entrance doors were propped open, and there were a small number of staff members stood behind and around the bar area. There were no customers present.

Upon entry, I spoke to a man who identified himself as the manager, [REDACTED]. Officer [REDACTED] and I introduced ourselves and showed our credentials. I then explained the purpose of our visit to [REDACTED] and began to explain that I would be issuing a Notice of Power's and Rights.

At this point, [REDACTED] interrupted me and informed me that the man that deals with the shisha was not there and explained that he did not feel comfortable going through his things with us. He asked if we could return at a later date.

I explained to [REDACTED] that we could not return at a later date and that we did not need the person who ran the shisha to be present during our visit – I reiterated that we would just be observing how the business is operated and providing guidance.

[REDACTED] continued to insist that we return at a later date before ultimately telling us that he did not consent, and that he would not allow us to conduct the visit. I then directed [REDACTED]' attention back to the Notice of Powers and Rights and explained that we did not require his consent to conduct an inspection under the Consumer Rights Act 2015. I further explained that his refusal to allow us to carry out our duties would be [REDACTED].

Signed. [REDACTED]

STATEMENT OF WITNESS

At this point, [REDACTED] claimed that the bar did not officially open until 21:00 hours and insisted that we return during official opening hours. I agreed and officer [REDACTED] and I exited the premises at approximately 20:50 hours.

At 21:00 hours, officer [REDACTED] and I returned to the premises. Upon our return, the man in charge of running the shisha was now present, and he identified himself as [REDACTED].

I repeated the reason for the visit and issued [REDACTED] with a Notice of Powers and Rights, which he read and signed. I produce a true copy of this Notice of Powers and Rights as exhibit **ED/TB/01**.

Officer [REDACTED] and I were accompanied into the outside space at the rear of the premises by [REDACTED] and [REDACTED]. The outside space was enclosed by brick walls on all sides and covered over by a net roof.

To one side of the garden was a small area in which a quantity of shisha pipes and hoses were stored on display, above which was a sign affixed to the wall that read "shisha £15". No statutory tobacco warning signs or 'No smoking' signs were present.

I asked how the shisha system worked, and [REDACTED] and [REDACTED] explained that the bar only rented out the shisha pipes to customers for £15, to be used in the garden, but that the customers brought their own shisha with them. [REDACTED] and [REDACTED] claimed that no shisha at all was kept, prepared, or sold on the premises.

Signed. [REDACTED]

STATEMENT OF WITNESS

As I had concerns regarding the advertisement of 'shisha' on the entrance A-board and the sign above the shisha pipes, as well as regarding the partially enclosed space where customers reportedly smoked shisha, I informed [REDACTED] that I would issue him with a guidance sheet which covered these areas of concern, as well as provide further information on shisha regulations in case the businesses decided to ever start selling shisha tobacco. I produce a copy of this guidance sheet as exhibit **ED/TB/02**.

I also issued [REDACTED] with an Inspection and Action Report which noted the fact that I had issued the guidance. I produce a copy of this report as exhibit **ED/TB/03**.

I exited the premises with officer [REDACTED] at approximately 21:15 hours.

Signed....

A large black rectangular redaction box covering a signature.

ANNEX 3 - 2 pages

Trading Standards



OXFORDSHIRE
COUNTY COUNCIL

Shisha Compliance Guidance Sheet

www.oxfordshire.gov.uk

1. Introduction

If you are the owner of a café, bar or restaurant which sells or supplies Shisha there are certain legal requirements with which you must comply. This document sets out brief guidance on the main points.

2. Taxation / duty

Shisha, including herbal shisha, is liable for tobacco duty. The current duty (since November 2023) is £173.68 per kilogram. Please note rates tend to increase every year in the Budget. If you are currently buying your Shisha for anything less than the figures below, it's likely the duty has not been paid and it will be an offence to supply it.

50g pack = £8.68	100g pack = £17.37	150g pack = £26.05
250g pack = £43.42	500g pack = £86.84	1000g pack = £173.68

It is your responsibility to prove that excise duty has been paid and if you can't, it may be liable for seizure.

3. Health warnings and labelling

Shisha tobacco products must show a combined health warning with text and graphic health warnings surrounded by a black border. These must be in English. The combined health warning must cover 65% of the surface area of the front and back of the product. It must also be accompanied by a general warning and information message with the phrase "**Get help to stop smoking at www.nhs.uk/quit**" followed by one of 14 prescribed warning statements such as "**Smoking causes lung cancer**".

For herbal shisha products (i.e. products without any tobacco) a modified health warning must be present covering 30% of the front and back surface area stating, "**Smoking this product damages your health**". Other labelling restrictions also apply such as a ban on claims about organic or natural properties or having other health or lifestyle benefits.

If you are selling any 'loose' Shisha – e.g. in a small packet or in a bowl – our advice is you still need to comply. This could be done by including the warnings and images on a laminated sign that complies with the requirements explained above and is attached to the pipe when supplied to a customer.

4. Age restricted sales

It is an offence to sell Shisha (whether containing tobacco or an herbal mixture) to anyone under the age of 18. If you think someone is underage you need to ask them for proof of age. An A3 sign saying "**It is illegal to sell tobacco products to anyone under the age of 18**" must be displayed prominently and clearly visible at the point of sale. The letters must be at least 36mm in height. Free notices are available from trading standards.

5. Tobacco advertising

Advertising any tobacco product is limited to a single A5 sign at the point of sale. The sign must include the warning '**Smoking kills**' or '**Smoking seriously harms you and others around you**'.

Posters in windows, banners on the side of premises or any other sign which carries a shisha brand or logo are all prohibited.

6. Health Act 2006 - the Smokefree Law

Smoking is banned in virtually all enclosed public places and workplaces. This includes the smoking of shisha through a water pipe. Water pipes can only be smoked outside in the open air, or where a smoking shelter is at least 50% open – all of the time. You must also display a statutory no-smoking sign in a visible position at each entrance to the premises. This area of law is enforced in Oxfordshire by District Council Environmental Health teams.

7. Smoking Shelters

If you build a smoking shelter, it must be at least 50% open - all of the time. Doors, windows and tent/marquee side-panels will be classed as part of the wall if they can be shut or rolled up. If rugs, carpets or sheeting are used to cover up the spaces so that it is no longer at least 50% open, you may be in breach of the Health Act 2006. For guidance contact your District Council Environmental Health team.

8. Planning permission & building control

If you are thinking about changing the use of a building; making physical changes to the building or erecting a smoking shelter you may need planning permission. If you are erecting any new structure or changing existing buildings, then you may also need to obtain Building regulations approval. For guidance contact your District Council Environmental Health and/or Building Control teams.

9. What are the penalties if the law is broken?

Failure to comply with the above requirements may result in criminal offences being committed, which may lead to a prosecution. If convicted Courts have the powers impose fines and even, in some cases, imprisonment. Premises with a licence to sell alcohol may also face having the licence suspended or even revoked.

10. Further information

Further information is available by visiting <https://www.businesscompanion.info/>

**Oxfordshire County Council
Trading Standards Service
Graham Hill House
Electric Avenue
Ferry Hinksey Road
Oxford OX2 0BY**
www.oxfordshire.gov.uk
01865 895999

ANNEX 4 - 1 page

Trading Standards Service Graham Hill House, Electric Avenue Ferry Hinksey Road, Oxford, OX2 0BY Trading.standards@oxfordshire.gov.uk Tel: 01865 895999 Option 2		 OXFORDSHIRE COUNTY COUNCIL
INSPECTION & ACTION REPORT		
Date: 01/08/24	Business Owner: [REDACTED]	
Trading Name: Thirst	Address, Telephone & Email: 1-3 Park End Street, OX1 1HH [REDACTED]	
This intervention was carried out under the legislation ticked below:		
Children and Young Persons (Protection from Tobacco) Act	Consumer Protection Act	Prices Act
Consumer Protection from Unfair Trading Regulations	Companies Act	Weights & Measures Act
Animal Health Act	Food Safety Act	Other
Agriculture Act	Licensing Act	TRPR <input checked="" type="checkbox"/>
Areas examined/Issues discussed/Matters requiring action		Legal Requirement
- Guidance sheet regarding shisha compliance issued		
Timescale for rectifying matters above:		
This report covers the specific areas inspected at the time of the inspection. It does not indicate compliance with any legal provisions, nor does it give general approval to your business.		
Inspecting Officer Name: [REDACTED]	Recipient Name: [REDACTED]	
Signature: [REDACTED]	Signature: [REDACTED]	
Job Title: Finance Trading Standards Officer	Job Title: Manager	
TSD/GEN/1: Issue 12 W022-01 (M/22)		
Page ____ of ____		

ANNEX 5 - 5 pages

16/3/23 SPURR BAR LTD 1a WEST, 7-8

PARK END STREET, OXFORD OX1 1HA

Just after 9pm on 10/03/23 (approx)
with EW, EO & KE flying over
at 9000ft WINE DROPPED INTO THE STREET.

BAR STAFF WERE BEHIND THE
BAR AND A PERSON WAS SEEN
SITTING IN THE MAIN BAR
ALONG WITH FIVE OTHERS.
ONE OF THE BAR
STAFF WHO GAVE HIS NAME

To [REDACTED] I EXPLAINED THE

PURPOSE OF THE VISIT & ATTEMPTED
TO ISSUE THE WINE. BUT JT
(KELLY) TO SIGN & ADDDED TO
No. 0024

call the manager. He did
so I could have him speak with
to the other hotel so quickly.
"Sorry, Sirs." The phone
was passed to me + I informed
myself to the other person.

He gave his name [REDACTED]

[REDACTED] manum 1C-H

Said that the promised amount
was until 10pm + so defendant
must leave + come back.

(NB: We still stand 9pm still)

I explained the front door was
not open + 1C-H said it
was a hot night (it was not)

No. 0025

I explained to him that
my opinion was that a
reasonable time to contact
the defendant is when
convicted. However, the
two things that justify such an
action are the length of time
and the person's behavior
was not the same until then.
The lack of intent was a consideration
so I also agreed to contact
the defendant so that he would
show the magistrate area.
On Custom Inspection, the
defendant was given a summary
locked & so I have upon it.

have more than a hundred
from one or two
countries & so when ICH
and I+A relate from WA &
is used to IT who should
decided to S. C. and ICH
was affiliation of the factory
now & why & said that
any situation does were
operators by a third party
& why a separate business.
It was turned out to ICH
then this planned and
in addition to structure
on the premises was a credit
No. 0027

ALL SC2000 SENSORS SAWED OFF

665531 + 665532 (COPPER ONLY(40))

No. 0028



HM Revenue
& Customs

Guidance

Tobacco Products Duty rates

Updated 30 October 2024

Contents

Duty rate

Minimum Excise Duty for cigarettes

Further information

Duty rate

Tobacco product	Duty rate from 6pm 15 March 2023	Duty rate from 6pm 22 November 2023	Duty rate from 6pm 30 October 2024	Impact on customers
Cigarettes	£294.72 per 1,000 cigarettes plus 16.5% of retail price	£316.70 per 1,000 cigarettes plus 16.5% of retail price	£334.58 per 1,000 cigarettes plus 16.5% of retail price	Additional 54 pence to a packet of 20 cigarettes
Cigars	£367.61 per kg	£395.03 per kg	£417.33 per kg	Additional 27 pence per 10g of cigars
Hand rolling tobacco	£351.03 per kg	£412.32 per kg	£476.83 per kg	Additional £2.32 to a packet (30g) of hand rolling tobacco
Other smoking tobacco and chewing tobacco	£161.62 per kg	£173.68 per kg	£183.49 per kg	Additional 35 pence to a packet (30g) of pipe tobacco
Tobacco for heating	£302.93 per kg	£325.53 per kg	£343.91 per kg	Additional 13 pence to a typical 6g pack of tobacco for heating

You can find information about the rates on tobacco for heating in the [Tobacco Products Duty rates](https://www.gov.uk/guidance/tobacco-products-duty#rates) (<https://www.gov.uk/guidance/tobacco-products-duty#rates>) guide.

Minimum Excise Duty for cigarettes

ANNEX 7 - 12 pages







AL FAKHER
الفاخ

• Name of the product : Shisha Tobacco

HEALTH WARNING: Smoking is a main cause of lung cancer,
lung diseases and of heart and arteries diseases.

Nicotine: 0.5% Tar: 0.0%

Ingredients: Tobacco, Molasses, Glycerine, Natural and Synthetic Flavours.

For MRP, Production Date and Best Before Date see inkjet area.

Imported by: Advanced Inhalation Rituals India Pvt. Ltd., 3rd Floor, Niryat Bhawan
Plot No.2 Vasant Gaon, Rao Tularam Marg, New Delhi - 110057, India

Manufactured in the UAE by Al Fakher Tobacco Factory F.Z.E.

Contact in case of Consumer complaint: CCE at above address or
Phone: +91 11 44077855 E-mail: info@alfakher.com

www.alfakher.com

FOR ADULTS ONLY



Net Weight:
1 Kg















Oxfordshire County Council Trading Standards Service	
Exhibit:	RDS/SBL/9
Dated:	1 st May 2025
Signed:	



ANNEX 8 - 1 page

Trading Standards Service Graham Hill House, Electric Avenue Ferry Hinksey Road, Oxford, OX2 0BY Trading.standards@oxfordshire.gov.uk Tel: 01865 895999 Option 2		 OXFORDSHIRE COUNTY COUNCIL
INSPECTION & ACTION REPORT		
Date: <u>16/05/2025</u> Trading Name: <u>THIRL</u>	Business Owner: <u>SPICE & CO CO</u> Address, Telephone & Email: <u>7-8 PARKE END STREET</u> <u>OX4 1EW</u>	
This intervention was carried out under the legislation ticked below:		
<input type="checkbox"/> Children and Young Persons (Protection from Tobacco) Act <input type="checkbox"/> Consumer Protection from Unfair Trading Regulations <input type="checkbox"/> Animal Health Act <input type="checkbox"/> Agriculture Act	<input type="checkbox"/> Consumer Protection Act <input type="checkbox"/> Companies Act <input type="checkbox"/> Food Safety Act <input type="checkbox"/> Licensing Act	<input type="checkbox"/> Prices Act <input type="checkbox"/> Weights & Measures Act <input checked="" type="checkbox"/> Other
Areas examined/Issues discussed/Matters requiring action		
<u>Trade & consumer protection regulations 2016</u> <u>- UNIT PRICE OF CONSUMED TOBACCO</u> <u>SEIZURE DUE TO NON-CONFORMITY WITH</u> <u>TRADE & CONSUMERS REG</u> <u>- UNIT PRICE</u>		
<u>LETTER TO FOLLOW</u>		
Timescale for rectifying matters above:		
This report covers the specific areas inspected at the time of the inspection. It does not indicate compliance with any legal provisions, nor does it give general approval to your business.		
Inspecting Officer Name: <u>[REDACTED]</u>	Recipient Name: <u>[REDACTED]</u>	
Signature: <u>Tobacco Control Officer</u>	Signature: <u>DELEGATED TO SIGN</u>	
Job Title: <u>TRADE & CONSUMERS</u>	Job Title: <u>TRADE & CONSUMERS</u>	

ANNEX 9- 21 pages





Thirst

November 17, 2023 · ④

Oxfordshire County Council Trading Standards Service	
Exhibit:	RDS/SBL/20
Dated:	13 th August 2025
Signed:	[Redacted]

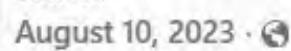
Dive into the weekend with a splash of fun at THIRST! Friday nights here are a cocktail of good times, great tunes, and unbeatable vibes. Let's make some memories together





Thirst

August 10, 2023 ·



Book a table for an unforgettable night out!!
For bookings or queue jump:

Oxfordshire County Council Trading Standards Service	
Exhibit:	RDS/SBL/21
Dated:	13 th August 2025
Signed:	[Redacted]



Oxfordshire County Council
Trading Standards Service
Exhibit: RDS/SBL/22
Dated: 13 th August 2025
Signed: [Redacted]



 Thirst
July 8, 2023 - 4

Have a big event coming up?
Book it at THIRST Now!
For bookings and queue jump:

 4



 Thirst
October 10, 2022 · 3

Start your week right and come and see us
tonight for our happy hour.

£2 off all our cocktails till 10 p.m.

Book your night with [Redacted]

Love Thirst 

#Thirst #thirstbar #cocktail #cocktails
#happyhour #Oxford #goodvibes #dance See
less

1



Oxfordshire County Council
Trading Standards Service
Exhibit: RDS/SBL/25
Dated: 13 th August 2025
Signed: [REDACTED]



 Thirst
July 20, 2022 · 3

As the heatwave continues we will keep our air conditioning on to cool you down whilst serving you a few cheeky cocktails.
Pop in before 10 p.m. tonight to take advantage of our happy hour!
Bookings can be made with [REDACTED]

Love Thirst 

#Thirst #thirstbar #wednesday #humpday
#cocktail #cocktails #hotweather  #summer
#happyhour





 Thirst
June 22, 2022 · 3

Ready to book a table in our open air garden?
Get in touch with [REDACTED]
See you soon.

Love Thirst ❤

#Thirst #thirstbar #cocktail #cocktails #summer
#hotweather ☀ #dance #goodvibes

0 3



 Thirst
February 11, 2022 · 

Weekend can only mean one thing 

Thirst Bar Oxford!

Cocktails 

Dancing 

Shisha 

DJ 

Happy Hour 7-9

Free Entry til 10pm

Open til 3am

#outout #weekend #weekendvibes #goodvibes
#goodtimes #friday #happypeople #happyhour
#cocktails #cocktailbar #bestnight #oxfordshire
#oxfordsfavourite #shisha #dancing #nightlife
#partytime See less

 3



Thirst
February 7, 2022 · 5
Out for the night?
Do it right!
delicious Cocktails 🍹 🍹
Dj 🎛️ Dancing 🎶
Shisha Garden 🌺
Open Late 🕒
#latenight #cocktailbar #yesplease #dancing
#shisha #outout #letsgoout #doitright
#partytime #party #cocktails #thirst #thirstbar
#oxfordsbestnight

5





Thirst

October 13, 2021 - 6

Shisha Back From Tonight!

#hookah #shisha

Happy Hour 7-9

Free Entry All Night!

Open til 2:30am

#goodtimes #shishagarden #hookahbar #cocktails #happyhour #cocktailbar #thirst #thirstbar
#oxford #latenight

Oxfordshire County Council
Trading Standards Service

Exhibit: RDS/SBL/31

Dated: 13th August 2025

Signed: [REDACTED]





thirstbaroxford • Follow

Original audio

...



thirstbaroxford Midweek escape starts here. Doors open till 2:30am

every Wednesday—come find your late-night fix. 🌙 *

#ThirstTillDawn #AfterHoursLondon #WednesdaysAtThirst

#oxfordbars #oxfordstudent #oxforduniversity #oxfordcocktailbar
#cocktailporn #cocktails 🍹 #oxfordcity #partytime #outout

42w



42w 1 like Reply

♡



Bookmark

56 likes

October 16, 2024



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Post



Thirsty for a Saturday night ?
Thirst bar welcomes you



thirstbaroxford • Follow

Original audio

...

thirstbaroxford Saturdays at Thirst are the remedy for a long week.
Come find your cure!

@thirstbaroxford Open tonight till 3AM

#WeekendRush #CheersToThat #saturday #nightout #saturdayvibes
#saturdaymood #partyvibes #partyinspiration #dance
#danceallnight #dancefloor #dj #djlife #groove #freshers #drink
#cocktail #cocktails #spiritmixers #thirst

44w



35 likes

September 28, 2024



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The Thirst logo is a circular emblem. It features a dark outer ring with the word "THIRST" in a bold, white, sans-serif font. Below "THIRST", the word "DESIRE" is written in a smaller, white, all-caps, sans-serif font.

thirstbaroxford • Follow

...

The Thirst logo is a circular emblem. It features a thick, dark outer ring. Inside this ring, the word "THIRST" is written in a bold, white, sans-serif font, all-caps. Below "THIRST", in a smaller, thinner white font, is the word "BEER".

thirstbaroxford Sip away those Tuesday blues at THIRST! 🍷✨
Join us for a night of crafted cocktails, good company, and beats
that elevate your midweek spirits.

75w



18 likes

February 27, 2024

1



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thirstbaroxford Turn your Tuesday into a toast-worthy day at THIRST! 🥂✨ Beat the midweek slump with our crafted cocktails, good company, and the kind of vibes that make every sip count.

79w



18 likes

January 30, 2024



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thirstbaroxford 7 days a week, because we couldn't find a day to be boring even if we tried! Come join the non-stop party! For bookings

97w



18 likes

September 24, 2023





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thirstbaroxford Book a table for an unforgettable night out!!
For bookings or queue jump:
[REDACTED]

104w



25 likes

August 10, 2023



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Giulio Cercato • Innocent (feat. Kianna) (Instrumental) 30s



thirstbaroxford Dancefloor, Cocktails & Shisha, What more can you ask for?

For bookings

104w



16 likes

August 7, 2023



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Post



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...



thirstbaroxford Now open til 4am Fri&Sat til 2022!

Let's go Oxford!

#dontstopmenow #thirst #thirsty #saturday #weekend
#weekendvibes #cocktails #shisha #bar #dancing #goodtimes

190w



190w Reply



Promote it on @drinks_hubb_

190w Reply



20 likes

December 11, 2021

ANNEX 10 - 2 pages

Changes to legislation: There are currently no known outstanding effects for the Tobacco Advertising and Promotion Act 2002. (See end of Document for details)



Tobacco Advertising and Promotion Act 2002

2002 CHAPTER 36

An Act to control the advertising and promotion of tobacco products; and for connected purposes.
[7th November 2002]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Modifications etc. (not altering text)

C1 Act modified (S.) (29.4.2013 for specified purposes) by The Sale of Tobacco (Display of Tobacco Products and Prices etc.) (Scotland) Regulations 2013 (S.S.I. 2013/85), regs. 1(1), 17

1 Meaning of “tobacco advertisement” and “tobacco product”

In this Act—

“tobacco advertisement” means an advertisement—

- (a) whose purpose is to promote a tobacco product, or
- (b) whose effect is to do so, and

“tobacco product” means a product consisting wholly or partly of tobacco and intended to be smoked, sniffed, sucked or chewed.

Commencement Information

I1 S. 1 wholly in force at 14.2.2003; s. 1 not in force at Royal Assent see s. 22(1)(2); s. 1 in force for the purpose of making regulations at 20.11.2002 by S.I. 2002/2865, art. 2(1)(a); S.S.I. 2002/512, art. 2(1)(a); s. 1 in force in so far as not already in force at 14.2.2003 by S.I. 2002/2865, art. 2(2)(a); S.S.I. 2002/512, art. 2(2)(a)

Changes to legislation: There are currently no known outstanding effects for the Tobacco Advertising and Promotion Act 2002. (See end of Document for details)

2 Prohibition of tobacco advertising

- (1) A person who in the course of a business publishes a tobacco advertisement, or causes one to be published, in the United Kingdom is guilty of an offence.
- (2) A person who in the course of a business prints, devises or distributes in the United Kingdom a tobacco advertisement which is published in the United Kingdom, or causes such a tobacco advertisement to be so printed, devised or distributed, is guilty of an offence.
- (3) Distributing a tobacco advertisement includes transmitting it in electronic form, participating in doing so, and providing the means of transmission.

F1(4)

Textual Amendments

F1 S. 2(4) omitted (31.12.2020) by virtue of The Tobacco Products and Nicotine Inhaling Products (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/41), regs. 1, **2(2)**; 2020 c. 1, Sch. 5 para. 1(1)

Modifications etc. (not altering text)

C2 S. 2 restricted (31.10.2012 for specified purposes, 6.4.2015 in so far as not already in force) by The Tobacco Advertising and Promotion (Display) Regulations (Northern Ireland) 2012 (S.R. 2012/246), art. 1(1)**reg. 9** (with reg. 1(2))

C3 S. 2 restricted (N.I.) (6.4.2015) by The Tobacco Advertising and Promotion (Specialist Tobacconists) Regulations (Northern Ireland) 2012 (S.R. 2012/244), regs. 1(1), **2** (with reg. 4)

Commencement Information

I2 S. 2 partly in force; s. 2 not in force at Royal Assent see s. 22(1)(2); s. 2 in force for certain purposes at 14.2.2003 and for certain further purposes at 14.5.2003 by S.I. 2002/2865, **art. 2(2)(b)(3)(a)** (with art. 3) (as amended by S.I. 2003/258, **art. 2(3)-(6)**) and S.S.I. 2002/512, **art. 2(2)(b)(3)(a)** (with art. 3) (as amended by S.S.I. 2003/80, **art. 2(3)-(6)**)

I3 S. 2 in force at 21.12.2004 for specified purposes for S. by S.S.I. 2004/546, **art. 2(1)**

I4 S. 2 in force at 21.12.2004 for specified purposes for E.W.N.I. by S.I. 2004/3138, **art. 2(1)**

I5 S. 2 in force at 31.7.2005 for specified purposes for E.W.N.I. by S.I. 2004/3138, **art. 2(2)(a)**

I6 S. 2 in force at 31.7.2005 for specified purposes for S. by S.S.I. 2004/546, **art. 2(2)(a)**

I7 S. 2 in force at 26.9.2006 for E.W.N.I. so far as not already in force by S.I. 2006/2372, **art. 2**

I8 S. 2 in force at 28.9.2006 for S. so far as not already in force by S.S.I. 2006/473, **art. 2**

ASA Ruling on Lebanese S Lounge Ltd t/a Beirut Nights

Upheld | Internet (on own site) | 16 January 2019

Ad description

A website, beirutnights.co, the restaurant and shisha lounge Beirut Nights, seen on 23 April 2018, featured a page which included a menu for their shisha products. The page was titled "The BEST SHISHA IN LONDON". Text on the page stated "Beirut Nights in Park Royal offers the best Shisha in London. With high quality and authentic Al Fakher and Starbuzz tobacco with heated outdoor seating, ideal for the perfect night out with friends or family. Enjoy the culinary delights of the best Lebanese restaurant in London and finish your meal with a relaxing smoke of high quality flavoured tobacco in a relaxed, ambient environment. We offer the following range of Shisha flavours". Alongside the text were images of people smoking shisha. The rest of the page listed the different flavours of shisha and prices.

Issue

The complainant challenged whether the ad breached the Code because it promoted tobacco products.

Response

Beirut Nights said the purpose of their website was to promote their business rather than advertise tobacco products.

Want to make sure your ads are right first time? Get helpful advice and tips by signing up to our newsletter.



The CAP Code reflected the statutory prohibition on the advertising of tobacco products. Under the Tobacco Advertising and Promotion Act 2002 (TAPA), advertisements where the purpose, or one of the purposes, or effect of which was to promote a tobacco product were prohibited, subject to certain exceptions as set out in TAPA and related regulations. We understood shisha was a tobacco product as defined by TAPA.

The website featured prominent photos of people smoking shisha at the restaurant alongside the text "Enjoy the culinary delights of the best Lebanese restaurant in London and finish your meal with a relaxing smoke of high quality flavoured tobacco". The rest of the web page included a menu for different types of shisha such as "Al Fakher" and "Starbuzz". We considered that the website promoted shisha as an attraction of visiting their restaurant.

We noted that TAPA and the related regulations set out certain exclusions from the prohibitions: for example, some tobacco content was permitted where tobacco products were offered for sale or where the content and context might be considered as a response to a consumer's specific request for information about a tobacco product.

However, we noted that shisha could not be purchased via the Beirut Nights website and we did not consider that a restaurant website, which was in any case likely to attract an audience beyond those seeking tobacco products, constituted a response to a consumer's request for information.

Because the ad promoted shisha, a tobacco product, and did not fall within the exclusions of the relevant legislation, we concluded that the ad breached the Code.

The ad breached CAP Code (Edition 12) rule **21.1** (Tobacco products).

Action

The ad must not appear again in the form complained of. We told Beirut Nights to ensure that future ads for the restaurant did not advertise, for example, tobacco-containing shisha, by removing the shisha menu, the images of customers smoking shisha and the claim "finish your meal with a relaxing smoke of high quality flavoured tobacco".

CAP Code (Edition 12)

21.1 Want to make sure your ads are right first time? Get helpful advice and tips by signing up to our newsletter.



ANNEX 12 - 4 pages

I, [REDACTED], confirm the following:

1. I am 23 years old and have no criminal convictions or cautions.
2. I am presently employed as the Assistant Manager at the Thirst Bar, located at 7-8 Park End Street, Oxford. I have held this position under the employment of Spirit Bar Ltd, the company that operates the venue. I do not hold any ownership or director status in the business, I do not have a personal licence, and I am not the Designated Premises Supervisor (DPS). I was originally employed as a bartender about 3 years ago in 2022, but have since been promoted to Assistant Manager.
3. I report to [REDACTED] who is the General Manager. The next manager is [REDACTED] [REDACTED] and then the next line manager would be [REDACTED].
4. My role at Thirst Bar is limited to assisting the General Manager and overseeing the Thirst bar staff.
5. When I initially joined Thirst Bar, the Shisha Bar was already in operation and was located outside in the garden area.
6. I did not manage, supervise, or oversee the operation or supply of shisha at the premises. That area was not part of my responsibilities, and I was not expected or instructed to manage or oversee it during shifts. I have never received training or instruction regarding shisha or tobacco regulations, nor have I been expected to have any involvement or expertise in these areas as part of my responsibilities.
7. I was never involved in taking payment from Shisha customers.
8. To the best of my knowledge, the outdoor area was used by a third-party business owned by [REDACTED] to offer shisha. I did not know the arrangements between Thirst Bar and/or Spirit Bar with the owners of the Shisha Bar as to how it was operating in the garden area. I was not involved in the arrangement and had no role in how it operated. I had no involvement in its daily running, storage, supply, or

procurement of products, and I have never received any payment, commission, tips, or other benefit in connection with it.

9. During a visit by Trading Standards officers on 1 August 2024 at about 8.30 p.m. I was present at Thirst Bar when the officers spoke to me and asked to check the shisha area for updating records and issuing guidance. I explained that the shisha area was managed by a third party and that the relevant individual was not on-site at the time. I requested officers to return during opening hours so they could speak with him directly. The Bar opened at 9 p.m. on a Thursday.
10. The officers returned when the Bar was open and the shisha operator was present. I knew him as [REDACTED]. [REDACTED]'s English was not very good, and he attempted to explain the arrangement at the Shisha Bar. I was present with [REDACTED] when he was speaking to the Trading Standards officers. Due to his limited English, I assisted with communication at times to help the officers understand what he was trying to say.
11. Looking back, I can see how my efforts to assist with communication might have given the impression that I had detailed knowledge of the shisha operation, but that was not the case. My intention was only to help [REDACTED] explain himself due to language barriers. I may have spoken during the interaction, but I was not trying to present information or speak with authority on the shisha operation, of which I am not involved.
12. I want to make it absolutely clear that I did not and do not have the knowledge or responsibility for that part of the premises.
13. I am aware that Trading Standards attended Thirst Bar again on 16 March 2025, but I was not present at the premises on that occasion. I received a phone call from a newly appointed duty manager, [REDACTED]. He told me he had spoken to Trading Standards and said he was a bartender. I have no idea why he would say that he was a bartender when he had just been appointed as a new manager. I knew this individual had only recently taken on a managerial role, and the way the situation was described left me

confused and unsure how to respond. My line manager, [REDACTED] (the General Manager) was on holiday at the time, which I believe is why I was contacted rather than him.

14. My intention was not to obstruct the inspection, but to give myself a moment to understand what was happening and how best to respond. I considered contacting the Operations Manager, [REDACTED], or seeking guidance from someone more experienced. However, when I told Trading Standards that the venue opened at 10 pm, they advised that they had the right to enter and proceeded inside anyway. So, I did not have time to take further steps or fully consider how to handle the situation. I simply felt unsure and unprepared in that moment and was trying to act responsibly.
15. Prior to these visits, I had never had any dealings with Trading Standards and was unfamiliar with the process. Looking back, I acknowledge that I could have communicated more clearly or confidently at the time. I now have a better understanding of the role Trading Standards plays in compliance and enforcement. I have made a personal effort since then to educate myself on these matters, so that I can handle such situations more effectively in the future.
16. I have always tried to act in good faith and attempted to handle situations responsibly.
17. I have had the opportunity to review the disclosure provided by Trading Standards.
18. In respect to the letter alleging that I have aided and abetted [REDACTED], I do not understand this allegation at all. I have not done anything that could be construed as being involved with the Shisha Bar at all. The absolute extent of any involvement with the Shisha Bar was to direct customers to the outside area where the Bar was located. If I received any correspondence from [REDACTED] or any member of the Shisha Bar team, it was placed in the safe and I would inform management.
19. In respect to the witness statement of [REDACTED], I would like to reply as follows: -

- a. I never said that I did not consent to the Trading Standards' officers coming in the Bar (page 2), but I do accept that I asked them to return on another date because the shisha person was not there.
- b. I do recall being given some paperwork but cannot really remember at what stage this was. I do remember saying something about whether [REDACTED] and [REDACTED] were the correct people to be named on the paperwork, as they did not own or run the Shisha Bar. I specifically remember saying that the Shisha Bar was owned by a third party.

20. I have provided this statement voluntarily to support Trading Standards enquiry.

Signed [REDACTED]

Dated 18/08/25

ANNEX 13 - 9 pages

QUESTIONNAIRE – Spirit Bar Ltd

Part 1

You are obliged to answer these questions.

1. What is the name of the Company you represent?

Spirit Bar LTD

2. What is the registered office address?

7 – 8 Park End Street, Oxford, OX1 1HH

3. What is the full name of the person responding to this questionnaire?

[REDACTED] but where matters are not within the personal knowledge of Mr [REDACTED], he has sought confirmation of information from other staff members.

4. Please confirm you are authorised to speak on behalf of the Company on these matters?

Yes

Part 2

Caution:

You are not obliged to answer these questions but it may harm your defence if you do not mention when questioned something that you later rely on in Court. Any questions you do answer may be given in evidence.

You are entitled to seek legal advice before answering any of these questions.

1. Between 13th October 2021 – 30th December 2024 who was responsible for approving content posted on Thirst Bar's social media accounts?

[REDACTED], [REDACTED], [REDACTED], [REDACTED], and Wonderlist (social media company) were all responsible for posting media content. Wonderlist was instructed to create posts that were 'in-brand'. No-one can remember who – if anyone – was responsible for approving the social media posts.

2. Between those same dates, who was responsible for selecting the photographs and writing the captions for Thirst Bar's social media?

[REDACTED], and Wonderlist (social media company) were all responsible for posting media content. There was no one person who held overall responsibility,

3. Please refer to exhibits RDS/SBL/19-RDS/SBL/39 inclusive. What was the purpose behind posts showing photographs of groups of people with waterpipes?

The purpose of the posts was to promote Thirst Bar more so than the Shisha use in the garden area. The posts aimed to highlight the atmosphere of Thirst Bar generally, show people having a good time in the terrace/garden area. This was a strong feature of the venue; we wanted to encourage customers to Thirst Bar as opposed to promoting the Shisha garden and the use of Shisha. In turn, by encouraging customers, it was hoped that the revenue of Thirst Bar would be increased due to customers purchasing drinks.

4. What was the purpose of the use of hashtags such as #shisha, #hookah, #shishabar and descriptions like “shisha garden”?

The use of the hashtags was to improve the Search Engine Optimisation algorithm on the social media platforms.

5. What was the purpose of posts showing photographs which include signage that states shisha with a price?

[REDACTED] was spoken to and she cannot remember why she would include these photographs.

6. What was the purpose of videos that show people appearing to smoke shisha tobacco? (see exhibits RDS/SBL/33 and RDS/SBL/38 specifically).

As per the answer to question 3, the purpose of the video was simply to highlight the atmosphere in the terrace/garden area and to show people enjoying themselves.

7. What consideration was given to the legal implications of advertising or promoting tobacco products in this manner?

Any disclaimers in respect to Shisha usage was not considered to be part of Thirst Bar's responsibility as [REDACTED] operated and had full control of everything to do with the Shisha Bar.

Oxford City Council visited [REDACTED] regarding the Health Act 2006 to ensure compliance with issues relating to the general smoking area, but not the Shisha. For example, there were restrictions on the height of the roof in the smoking area. [REDACTED] was aware that it was prohibited to advertise different flavours of Shisha.

8. Please confirm that none of the social media posts indicate any change in how shisha tobacco was supplied i.e. there are no references that describe that waterpipes are for hire only and customers must bring their own shisha tobacco into the premises.

[REDACTED] were under the impression that [REDACTED] sold the Shisha in his water pipes. There was no social media posts to indicate that there was a change in the supply of Shisha tobacco as this was not within the knowledge of [REDACTED] nor [REDACTED]. It would not have been their responsibility to advise of such a change. The staff would not have been aware if customers were bringing Shisha into the premises, unless it was discovered via the security checks undertaken when customers entered Thirst Bar.

9. On 3rd September 2019, a letter of advice was sent to Thirst Bar which included the following “Tobacco Advertising and Promotion Act 2002. A person who in the course of a business publishes a tobacco advertisement, or causes

one to be published, is guilty of an offence. A tobacco advertisement is one whose purpose is to promote a tobacco product, or whose effect is to do so" and "As such, it is an offence for an advertisement to have the effect of promoting shisha tobacco products. This can include free offers, student discounts, price reductions or the supply of coupons. Posters and shisha pipes in windows banners on the side of premises, A-boards or any other sign which carries a shisha pipe, brand or logo are all prohibited. This equally applies to your business website and social media."

Please confirm that the business received this letter of advice.

Neither [REDACTED] recall receiving this letter as it was six years ago.

10. Following the letter being sent, on 25th October 2019, officers met with [REDACTED] and went through the details contained within the letter with him. [REDACTED] signed an acknowledgment form that he had attended the meeting and discussed the relevant legislative controls as they related to shisha tobacco. Please can you confirm the role of [REDACTED] at this time and his role on 16th March 2025.

In 2019 [REDACTED] was General Manager and on 25 March 2025 he was Operations Manager.

11. In his interview under caution, [REDACTED] stated that post-covid, the shisha business changed its model and that waterpipes were hired to customers for £15, with customers bringing their own shisha tobacco into the premises to use in the waterpipes. Please can you confirm what the situation was post-covid and specifically on 16th March 2025.

[REDACTED] did not know of any such change in [REDACTED] operational decisions and did not know that customers were bringing in their own tobacco.

12. If [REDACTED] is correct, what steps did Spirit Bar Ltd introduce to ensure that customers did not bring contraband tobacco into the licensed premises to be consumed within the waterpipe?

[REDACTED] may well have changed his method of customers using Shisha, but this change of allowing customers on to Thirst Bar premises, was not conveyed to [REDACTED]. Had such information been imparted to [REDACTED], he would have taken the necessary steps to ensure compliance with any relevant legislation or licensing requirements.

As per the response to question 11, [REDACTED] did not have any knowledge of customers taking contraband tobacco on to the premises. Spirit Bar employed Security Industry Authority registered security personnel, from a company called Contractors Scope Securities. The usual security checks would be undertaken by the security operatives, but the main concern for Spirit Bar was the possession of illegal drugs and weapons by customers. If any item were to be found on a customer that was illegal, the item would be confiscated and the customer would not be allowed entry into Thirst Bar.

13. If [REDACTED] is correct, what steps did Spirit Bar Ltd introduce to ensure that customers did not bring tobacco products mixed with anything controlled by the Misuse of Drugs Act 1971 and/or any psychoactive substance into the licensed premises to be consumed within the waterpipe?

Answers as per the answers to questions 11 & 12.

14. [REDACTED] said in his interview under caution that customers sometimes leave their waterpipe tobacco on the licensed premises. How did the Company ensure that contraband tobacco was not stored on the licensed premises?

Answers as per answers to questions 11 & 12. [REDACTED] was provided with a shelf and cupboard which had a padlock attached. Thirst Bar staff were not permitted access to this cupboard and it was under the control of [REDACTED].

15. [REDACTED] described the payments to Thirst (Spirit Bar Limited) as informal contributions rather than formalised rent or business expenses. He repeatedly emphasised that the shisha operation was not a formal business but more of a casual service to enhance customer experience. He stated that payments to Thirst were made weekly, typically around £10 to £20, sometimes reaching £100, depending on how much money was taken at the shisha stand. These contributions were said to cover things like heating costs. Is this correct? If not, please could you clarify what the position was on 16th March 2025 and whether that was different in previous years.

[REDACTED] was under the impression that the Shisha operation was a business conducted by [REDACTED]. The suggestion that it was '...more of a casual service to enhance customer experience...' is misleading. It is accepted that by customers visiting the Shisha Bar/garden, that this would lead, potentially, to the increase of drinks being purchased.

[REDACTED] is wrong when suggesting that payments were ad hoc. There was an agreement with [REDACTED] that [REDACTED] would be responsible for the uplift in the insurance premium payable. [REDACTED] was to pay approximately £650 p.c.m. which he did pay in cash amounts and the cash was placed in the safe. The cash was utilised to pay for sundry expenses, but equated to the uplift in the insurance premium due to the increased risk of Shisha usage on Thirst Bar's premises. The cash was not banked as it was utilised for other purposes. Please see attached screenshot relating to the insurance premium.

16. Please can you confirm what payments [REDACTED] made to Spirit Bar Ltd as part of the contribution to increased insurance costs. [REDACTED] could not confirm the exact figure and said that any contributions were made in small amounts over time (e.g. £100 here, £50 there), not as a lump sum. Please could you advise and produce any business records to support your answer.

Answer as per answer to question 15.

17. Between 1st August 2024 - 16th March 2025, please could you confirm what role [REDACTED] held?

Assistant Manager

18. Please can you confirm when he was first employed by Spirit Bar Ltd?

13 September 2021 as a bartender at Hanks Bar.

19. Please can you advise what [REDACTED]’ key duties were between 1st August 2024 – 16th March 2025.

As Assistant Manager, [REDACTED] was primarily to assist the manager/s on duty. His responsibilities were to open up and close the Bar, he would cash off at the end of the night, counting and ordering wet stock, he had to look after staff, report to managers if any issues arose, liaise with late night economy partners (e.g. police), assisting in the training of staff, attending customer-related issues and was essentially a front-facing shift manager.

20. Prior to it being amended, [REDACTED]’ LinkedIn entry states he was employed as Assistant Manager of Spirit Bar Ltd from January 2020. It also stated that his duties included:

Security Team Management: Directed a highly trained security team to ensure the safety and well-being of guests, staff, and property

- Correct

Customer Service Excellence: Ensured exceptional customer experiences by upholding high standards of service and effectively handling guest feedback and concerns.

- Correct

Marketing and Promotion: Developed marketing strategies and promotions to attract and retain a loyal customer base through the app and other channels.

- Correct. [REDACTED] designed an app which has about 800 customers and which is similar to a loyalty app for Thirst customers.

Compliance and Licensing: Ensured compliance with all relevant laws, regulations, and licensing requirements.

- *Correct.*
- *As best practice we ensure that the manager in training undertake a day's training course to learn about the legal responsibilities and about the four licensing objectives. This course is a Personal Licence course with an exam at the end of the day. This information would be passed on to other staff. [REDACTED]*
- [REDACTED] would be required to be aware of relevant legislation and licensing requirements in connection with the sale of drinks/alcohol in the Thirst Bar.*

Training and Development: Conducted ongoing training programs for the team. keeping them updated on industry best practices.

- *Correct. Any information imparted by [REDACTED] would have to be conveyed to the staff by [REDACTED].*

Please could you explain if any of that information is misleading or false.

21. During his interview under caution, [REDACTED], when questioned about any licensing training he had received, particularly regarding the Licensing Act 2003, responded with “no comment” and did not confirm whether he had received any formal training. Please could you explain what training he has received regarding the Licensing Act 2003 and when this training has been provided and refreshed. If you have training records, please can you include copies with your response.

[REDACTED] undertook the APHIS training on 10 January 2025. APHIS stands for the Aphis Training & Services Ltd who provide training services for courses such as Personal Licence. [REDACTED] has possession of the certificate confirming he attended the course.

22. Do you wish to add anything?

Nothing further at this stage. As previously indicated in my interview, I wish to do everything possible to fully cooperate with Trading Standards.

Full name

A solid black rectangular box used to redact the full name of the individual.

Signed

Date 26 September 2025

OXFORDSHIRE COUNTY COUNCIL
TRADING STANDARDS SERVICE

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9; Magistrates Courts Act 1980, s. 5B)

STATEMENT OF [REDACTED]

Age of witness
(if over 18 enter "over 18")
Occupation of witness

Over 18

Counter Fraud Manager

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Signed... [REDACTED]

I am [REDACTED] and I am currently employed by Oxfordshire County Council as its Counter Fraud Manager. Prior to this role, I was an enforcement officer employed by the Council's Trading Standards Service and as such was an authorized officer for the purposes of the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015. On the 22/08/2019 at 1958 hours, I entered the premises of Thirst Bar, 7-8 Park End Street, Oxford with Trading Standards Officer [REDACTED], Oxford City Council Environmental Health Officer, [REDACTED] and HMRC Officer, [REDACTED]. This was a multi-agency visit in order to inspect any shisha products that may have been on sale and to establish the conformity to relevant regulations as they applied to each agency. I spoke to a member of staff and asked if they would contact the duty manager or owner. He introduced himself as the Assistant Manager, [REDACTED]. I explained the reason for the visit and issued the notice of powers and rights. HMRC Officer [REDACTED] issued public notice 16, 'Excise visits'. [REDACTED] stated that the shisha

bar on the premises was operated by a third party that he knew only as [REDACTED]

At 2010 hours [REDACTED] arrived in the bar and identified himself as the Operations Manager for the business (Spirit Bar Ltd t/a Thirst Bar). I explained to [REDACTED] the purpose of the visit and showed him the notice of powers and rights I had earlier issued to [REDACTED]. He confirmed the third-party operation of the Shisha bar and said it was run by [REDACTED]. I asked if he knew who [REDACTED] bought the shisha from and he said he was aware of two suppliers, ' [REDACTED]' on the Cowley Road in Oxford and the [REDACTED] [REDACTED] also on the Cowley Road.

I asked [REDACTED] if the Shisha bar had a shisha menu. He produced a menu in a frame which detailed different flavours. I photographed the menu and produce a copy of the photograph as **DAB 1**. A copy of the inspection and action report which outlined the topics of discussion and advice discussed was left with [REDACTED] and I produce a copy as **DAB 2**. HMRC seized 9kg of shisha tobacco as the price paid indicated by the receipts shown, indicated it was non UK duty paid.

As a result of this visit, on the 03/09/2019 I issued a letter of advice to Mr [REDACTED] and I produce a copy as **DAB 3**.

This letter advised [REDACTED] that he was now also required to attend a meeting with both the County Council's Trading Standards Team and the City Council's Environmental Health Team. This meeting took place on the 25/10/2019 and an acknowledgement form confirming their attendance at the meeting was signed by both [REDACTED] and [REDACTED]. I produce a copy of these forms as **DAB 4** and **DAB 5** respectively.

Signed...

On the 13/02/2020 at 2034 hours, I again entered the premises of Thirst Bar with Trading Standards Officer, [REDACTED] and Oxford City Council Officers, [REDACTED] from the Licencing and Environmental Health teams respectively. I spoke to an employee who identified himself as the duty manager [REDACTED] and asked him to contact [REDACTED] who duly arrived at 2045 hours. He contacted [REDACTED] who arrived at 2050 hours. [REDACTED] advised that his current supplier of shisha was [REDACTED] [REDACTED] An invoice he showed indicated he was paying £100 per kg. On inspection of the product I advised that it was in non compliant packaging which had previously been brought to his attention and relevant advice provided. Officer [REDACTED] also provided advice on age restricted sales and statutory signage and left a refusals book and a business companion for use by the business. All of the above advice was provided to [REDACTED] and [REDACTED]. HMRC seized 7.5kg of shisha as it appeared to be non UK duty paid and all officers left the premises at 2215 hours.

Signed [REDACTED]

THIRST

SHISHA MENU

*Double Apple

*Grape

*Water Melon

*Mint

*Strawberry

*Blueberry

*Mixed Fruits

*Peach

*Bubblegum

All Shisha's £10

All flavours available to mix (£12)

Warning: Smoking is harmful to you and others around you.



INSPECTION & ACTION REPORT

Date: 22/08/19	Business Owner [REDACTED]
Trading Name: Thirst Bar 7-8 PARK END STREET OXFORD OX1 1HH.	Address, Telephone & Email: 7-8 Park End Street Oxford OX1 1HH

This intervention was carried out under the legislation ticked below:

Children and Young Persons (Protection from Tobacco) Act	✓	Consumer Protection Act	Prices Act	
Consumer Protection from Unfair Trading Regulations		Companies Act	Weights & Measures Act	
Animal Health Act		Food Safety Act	Other	
Agriculture Act		Licensing Act	CRA 2015	X

Areas examined/Issues discussed/Matters requiring action	Legal Requirement	Best Practice
STANDARDISED PACKAGING OF TOBACCO PRODUCTS 2015		
TOBACCO AND RELATED PRODUCTS REG 2016		
THIRD PARTY KIOSK SPACE FOR SHISHA.		
PRICE LIST FOR SHISHA INSPECTED.		
CHALLENGE 30 AT DOOR.		
MACHINE TO CHECK I.D. "SCAN NET"		
NO REFUSAL BOOK		
ACCEPTABLE I.D'S.		
SIGNAGE-		
PART OF OF. BEDTIME.		
T.S TO CONTACT FOR ADVICE VIA YAS HUNTER.		
Timescale for rectifying matters above:		

Timescale for rectifying matters above:

This report covers the specific areas inspected at the time of the inspection. It does not indicate compliance with any legal provisions, nor does it give general approval to your business.

Inspecting Officer Name: <u>John McCarthy</u>	Recipient Name: <u> </u>
Signature: <u> </u>	Signature: <u> </u>
Job Title: <u>ENFORCEMENT OFFICER</u>	99
Job Title: <u>Operations Manager</u>	



Reference: 63434

Trading Standards Service
Graham Hill House
Electric Avenue
Ferry Hinksey Road
Oxford OX2 0BY

[REDACTED]
Thirst Bar (Shisha Bar)
7-8 Park End Street
Oxford
OX1 1HH

[REDACTED]
R [REDACTED]
Head of Community Protection
Services

03 September 2019

Dear [REDACTED]

Children & Young Persons Act 1933

Children and Families Act 2014

Children and Young Persons (Protection from Tobacco) Act 1991

Protection from Tobacco (Display of Warning Statements) Regulations 1992

Tobacco Advertising and Promotion Act 2002

Tobacco Advertising and Promotion (Display of Prices) (England) Regs 2010

Tobacco and Related Products Regulations 2016

Standardised Packaging of Tobacco Products Regulations 2015

Tobacco Products Duty Act 1979

As you are aware, on 22nd August 2019, officers from Oxfordshire County Council Trading Standards, HM Revenue & Customs and Oxford City Council Environmental Health visited your premises to check compliance across a range of legislation.

The purpose of this letter is, where non-compliance or partial non-compliance was detected with any Trading Standards legislative requirement, to outline each requirement and to arrange a meeting where this can be explained in more detail.

Age-restrictions

Children & Young Persons Act 1933

Children and Families Act 2014

You can only sell shisha tobacco to adults and this includes herbal shisha. It is an offence to sell shisha tobacco to anyone under the age of 18. It is also an offence for an adult customer to purchase shisha tobacco for anyone under 18.

Given that shisha is normally shared, you must check the ages of the entire group and anyone who subsequently join them. It may be sensible to only allow over 18s into the premises.

You should introduce a system of precautions to reduce the likelihood that shisha tobacco is sold to children and then you should monitor that system to ensure it is being followed and is effective.

A system of precautions and diligence could reasonably be expected to include:

- Staff training
- Records of training
- Age verification policy
- Challenge 25 signage
- Acceptable proof of age policy
- Refusal log

Display of Warning Signage

Children and Young Persons (Protection from Tobacco) Act 1991

Protection from Tobacco (Display of Warning Statements) Regulations 1992

A notice displaying the wording "It is illegal to sell tobacco products to anyone under the age of 18" must be exhibited in a prominent position, readily visible at the point of sale.

The dimensions of the notice are not less than 297 mm by 420 mm with no character less than 36 mm high.

It is an offence not to display the notice in accordance with the above requirements. Oxfordshire County Council Trading Standards will provide you with one free notice upon request.

Advertising, Marketing, Promotion & Discounts

Tobacco Advertising and Promotion Act 2002

A person who in the course of a business publishes a tobacco advertisement, or causes one to be published, is guilty of an offence.

A tobacco advertisement is one whose purpose is to promote a tobacco product, or whose effect is to do so, and 'tobacco product' means a product consisting wholly or partly of tobacco and intended to be smoked, snuffed, sucked or chewed.

"Advertisement" is not defined in the above legislation and so will be given its ordinary meaning. In Planning law, advertisement is defined as including "any word, letter, model, sign, placard, board, notice, awning, blind, device or representation".

As such, it is an offence for an advertisement to have the effect of promoting shisha tobacco products. This can include free offers, student discounts, price reductions or the supply of coupons. Posters and shisha pipes in windows, banners on the side of premises, A-boards or any other sign which carries a shisha pipe, brand or logo are all prohibited. This equally applies to your business website and social media.

Display of Price Lists

Tobacco Advertising and Promotion (Display of Prices) (England) Regs 2010

There are strict controls on how any tobacco price list can be displayed. They must not be included on a general menu with prices of other products. Please see separate guidance notice (enclosed).

Shisha & Waterpipe Labelling

The Standardised Packaging of Tobacco Products Regulations 2015

The Tobacco and Related Products Regulations 2016

You can only sell shisha tobacco that has been officially notified to the Government. This also applies to herbal shisha. The official list of notified shisha tobacco products notified can be found here:

<https://www.gov.uk/government/publications/notification-of-tobacco-or-herbal-products-for-smoking>

At the moment, there are only 3 shisha tobacco manufacturers and one importer on this list. It is likely that any other brand of shisha tobacco not on this list is illegal and liable to seizure.

It is an offence to supply sell shisha tobacco or herbal shisha products which do not carry health warnings nor have the appropriate packaging details. For shisha tobacco products this must contain a "combined health warning" which contains a text warning and a graphic health warning. It also must be in English, fully visible, indelible, irremovably printed, printed on the pack and surrounded by a black border. The combined health warning must cover 65% of the surface area of the front and back of the product. It must also be accompanied by a general health warning and information message with the phrase "*Get help to stop smoking at www.nhs.uk/quit*" and one of the following text warnings:

1. Smoking causes 9 out of 10 lung cancers
2. Smoking causes mouth and throat cancer
3. Smoking damages your lungs
4. Smoking causes heart attacks
5. Smoking causes strokes and disability
6. Smoking clogs your arteries
7. Smoking increases the risk of blindness
8. Smoking damages your teeth and gums
9. Smoking can kill your unborn child
10. Your smoke harms your children, family and friends
11. Smokers' children are more likely to start smoking
12. Quit smoking stay alive for those close to you
13. Smoking reduces fertility
14. Smoking increases the risk of impotence

For herbal shisha products, health warnings must comply with the "modified health warning" requirement where the front and back area of each product must be 30% covered by a warning with the phrase "Smoking this product damages your health" and back surface area of each product must be 30%

Below is a summary of the health warning and packaging requirements for shisha tobacco and herbal shisha products:

Requirement	Shisha Tobacco	Herbal Shisha
No discounts, 2-for-1 offers, reductions or similar	Yes	No
No information about nicotine, tar or carbon monoxide	Yes	Yes
No indications that less harmful /lifestyle or environmental benefits / vitalising, healing natural or organic properties	Yes	Yes
No mentions or depictions of taste, smell or any flavour or additive or the absence thereof	Yes	No
Smoking cessation information	Yes	No
Text warning	Yes	No
General health warning (i.e. Smoking Kills – Quit Now)	Yes	No
Information message (i.e. Tobacco smoke contains over 70 substances known to cause cancer)	Yes	No
Graphic health warning	Yes	No
Modified health warning	No	Yes

Health warnings also need to be displayed on the shisha waterpipes themselves. As there may be practical difficulties in labelling the pipes, Oxfordshire County Council may be prepared to accept alternative labelling on laminated cards hung onto the pipes that will comply with the spirit of the law, if not the letter of the law.

However, you must check with this Authority that any proposal is acceptable. You should be aware that any shisha packs or pipes that do not carry health warnings may be seized. You may also be prosecuted and, if found guilty, you could face a maximum sentence of an unlimited fine and/or 2 years imprisonment.

Wholesale Price of Shisha Products

The current tobacco product duty rate for shisha tobacco is £125.20 per kilogram. Shisha tobacco is also liable for VAT. As such, there is a tax burden of £150.24 per kilogram of shisha tobacco before any profit margin is added.

This means that the price per kilogram you purchase shisha tobacco from your supplier should reflect this and you should be highly suspicious of anyone able to offer a price below the tax requirement as it is likely the product has been smuggled into the UK without duty being paid.

Other Requirements

Health Act 2006

Health & Safety at Work etc Act 1974

There are other legal requirements that apply to your premises that are not enforced by Oxfordshire County Council. For example, it is illegal to allow anyone to smoke shisha tobacco within a substantially enclosed area.

These other requirements are enforced by Oxford City Council Environmental Health. The City Council will explain these requirements in more detail.

7. Enforcement

During the course of the inspection a number of non-compliances were detected which would amount to alleged criminal offences. The County Council can investigate these with a view to formal enforcement action which could include prosecution at the criminal courts.

On this occasion the County Council does not intend to take any enforcement action but will work with you so that you understand the law. However, your premises will be visited again in the future to assess compliance. If further breaches of the above legislation are detected, it is unlikely that the County Council will take a lenient approach again.

Next Steps

It is now necessary for you to attend a meeting with representatives from both the County Council Trading Standards and City Council Environmental Health so that both Authorities can be assured that you understand the law and what action you need to now take to comply with it. This meeting will also provide you the opportunity to ask any questions that you might have.

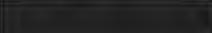
Please contact me within the next 7 days via the telephone number below so that we can agree a mutually convenient time, date and location for the meeting.

I look forward to hearing from you.

Yours sincerely



Enforcement Officer

Direct line: 

Email: 

www.oxfordshire.gov.uk/tradingstandards

In offering this advice Oxfordshire County Council wish to make clear:

- Legislation may change over time and the advice given is based on the information available at the time of writing.
- Only the courts can interpret statutory legislation with any authority.
- This advice is not intended to be a definitive guide to, nor substitute for, the relevant law.
- Independent legal advice should be sought where appropriate.

Displaying prices of tobacco products

From 6 April 2015 all price lists and labels for tobacco products, must be in the formats set out in the Tobacco Advertising and Promotion (Display of Prices) (England) Regulations 2010 (as amended). It will be an offence to label tobacco products or display their prices in any other way.

The aim is to ensure that price lists and labels cannot be exploited as forms of tobacco promotion. The intention is that there should be no public display of tobacco branding on price lists and labels, whether through the use of wording, colours, or any other feature that may be associated with an individual brand.

The requirements of the legislation are, therefore, very detailed and specific, to make sure that the price lists and labels only provide unbranded information.

Only three types of tobacco price display will be permitted from 6 April 2015:

- a) **Poster style lists** (up to A3 in size), which can be permanently on show. The law sets out that these must not exceed 1,250 square centimetres; A3 sized paper falls within the legal size limit.
- b) **A list including pictures of products**, which must not be left on permanent show but which can be shown to any customer aged 18 or over who asks for information about tobacco products sold.
- c) **Price labels**, which can be placed on shelving, storage units or tobacco jars. One price label is permitted for each product either on the covered shelf where the product is stored or on the front of the storage unit.

General requirements for all tobacco price list and labels

All types of price list or label must use black Helvetica plain font, in the same size throughout the text (see below for examples of Helvetica in the relevant font sizes). In many cases, Helvetica is available on computers when manually typed into the font options box. Access to computers is available at many public libraries and often at no cost, although the printing of documents may incur a small cost.

All letters must be in lower case, except for first letters of words where appropriate. No underlining, italics, bold type or any other distinguishing emphasis is allowed. The background must be white. No other colours for the either the wording or the background are allowed.

The only information that can be given about tobacco products is:

- the brand name of the product
- the price of the product
- if pre-packed, the number of units in the packet, or if sold by weight, the net weight of the product

Poster Style List

A poster style price list must comply with the general requirements set out in above and cannot include any other information about the individual tobacco products themselves or the prices of any other, non-tobacco, products.

In addition it:

- must be entitled "Tobacco products price list"
- may include any of these sub-headings "cigarettes", "hand rolling tobacco", "cigars", "pipe tobacco" or "other tobacco". No other headings can be used
- must not exceed 1,250 square centimetres, which roughly equates to an A3 size poster
- must use wording with characters which are no higher than 7 millimetres, which roughly equates to 30 point font
- must be limited to one list for each separate area where tobacco products are both located and can be paid for. More than one copy will only be allowed if there are two separate areas within a premises that contain both a tobacco gantry and a till.

The Picture Price List

A picture price list must comply with the general requirements set out above. It is not restricted by size but it:

- must not be on general or permanent display to customers. It can only be shown if a customer aged 18 or over asks for information about tobacco products for sale in the place where this request takes place. All reasonable steps must be taken to ensure that the individual making the request is aged 18 or over before the list is shown to them
- can only be displayed for as long as is necessary for the customer requesting the information to obtain the information they need
- must use wording with characters which are no higher than 4mm, which roughly equates to a 14 point font
- may contain colour pictures of the actual tobacco product as packaged for sale, as long as each picture does not exceed 50 square centimetres in size
- must not contain pictures of individual cigarettes or other any other unpackaged tobacco products
- must be limited in number to one copy for each separate area where tobacco products are located and sold, unless there is more than one till in an area where a gantry is found, in which case one copy for each till is allowed

Price Labels (on tobacco storage units or tobacco jars)

Price labels must comply with the general requirements set out above.

In addition they:

- must not be larger than nine square centimetres

- must use wording with characters which are no higher than 4mm, which roughly equates to a 14 point font
- must be limited in number to one display for each separate location in a storage unit where a particular tobacco product is kept

This is an example of Helvetica text in 30 point font (characters not exceeding 7mm high) which is the maximum size of wording on a “poster” style tobacco price list

This is an example of Helvetica text in 14 point font (characters not exceeding 4mm high) which is the maximum size of wording on a tobacco price label on a storage unit or in a picture list

ACKNOWLEDGEMENT FORM

I hereby acknowledge that I attended a meeting with officers from Oxfordshire County Council Trading Standards and Oxford City Council Environmental Health to discuss the relevant legislative controls as they relate to shisha tobacco.

Business: THIRST BAR. (SPIRIT BAR LTD)

Address: 7-8 PARK END STREET

OXFORD OX1 1HH

Name: _____

Signed: _____

Date: 25/10/19

W.M.

ACKNOWLEDGEMENT FORM

I hereby acknowledge that I attended a meeting with officers from Oxfordshire County Council Trading Standards and Oxford City Council Environmental Health to discuss the relevant legislative controls as they relate to shisha tobacco.

Business: THICK BAR (SHISHA BAR)

Address: 7-8 PARK END STREET

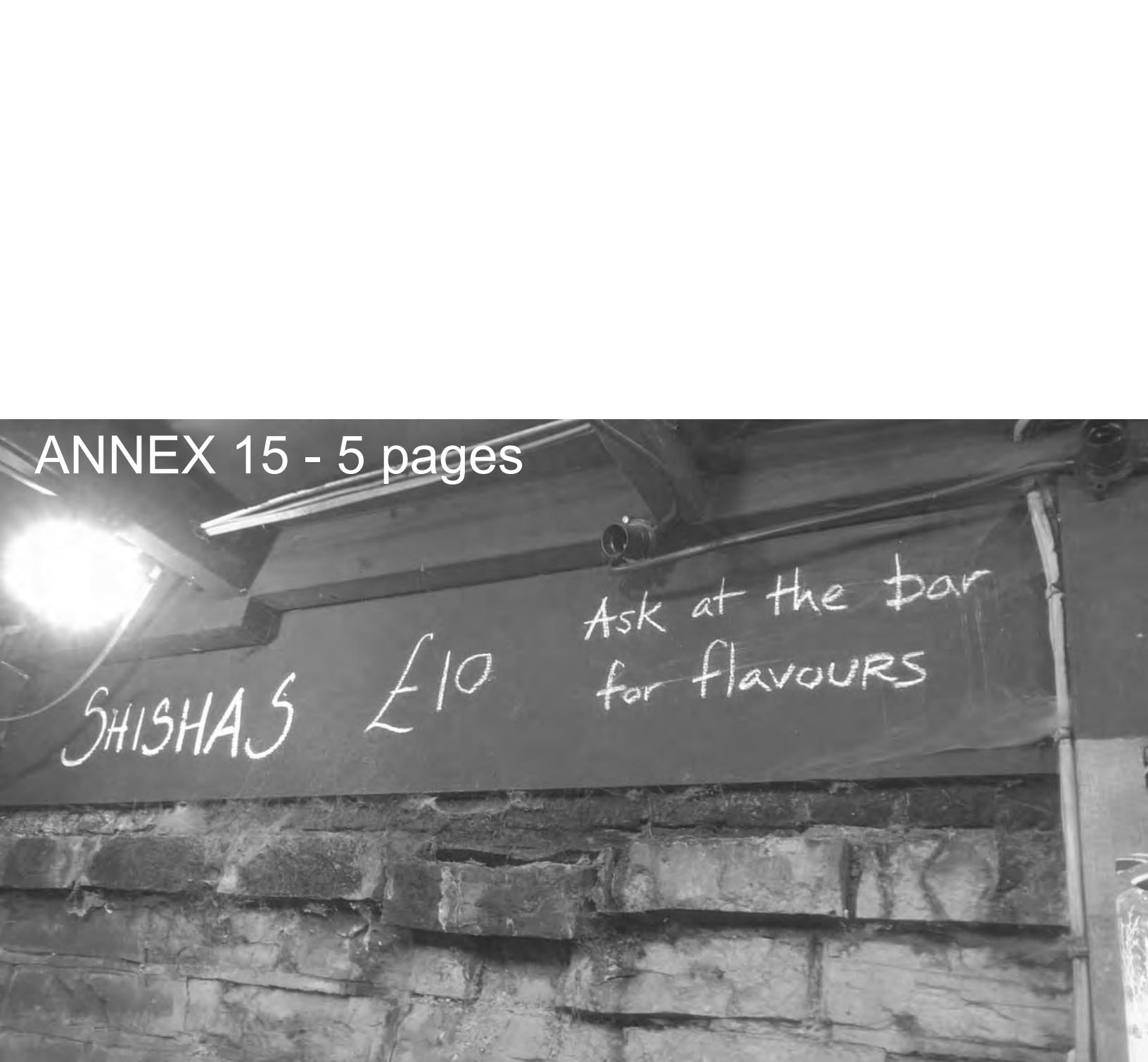
OXFORD OX1 1HH.

Name: _____

Signed: _____

Date: 25/10/19.

ANNEX 15 - 5 pages



SHISHAS £10

Ask at the bar
for flavours







berry

berry

5 Fruits

each

bleg

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OXFORDSHIRE COUNTY COUNCIL
TRADING STANDARDS SERVICE

STATEMENT OF WITNESS

(Criminal Procedure Rules, r.16.2; Criminal Justice Act 1967, s.9; Magistrates Courts Act 1980, s. 5B)

STATEMENT OF [REDACTED]

Age of witness
(if over 18 enter "over 18")

Over 18

Occupation of witness

Enforcement Officer

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the [REDACTED]

[REDACTED] by Oxfordshire County Council's Trading Standards Service in which capacity I am an authorised officer for the purposes of the Tobacco and Related Products Regulations 2016 and the Standardised Packaging of Tobacco Products Regulations 2015.

On Thursday 13th February 2020 I was part of a joint Trading Standards, HMRC and Oxford City Council team that visited Thirst Bar, 7-8 Park End Street, Oxford to inspect the shisha tobacco products on sale there. This team was led by [REDACTED].

I entered Thirst Bar at 8:30pm and went through the main bar to the courtyard at the rear. In the courtyard to the rear of the premises there is a seating area with patio heaters and a bar which incorporates the preparation area for shisha pipes which are sold from there. I produce as exhibit **SM/TB/1** a photograph showing part of the bar, the shisha pipes and an assortment of tubs containing various flavours of shisha tobacco. When I entered the courtyard a single shisha

pipe of the same type as the ones shown in the above photograph was in use at a table close to the bar area. I did not notice any notice, sticker or other form of marking on this pipe that gave any form of health warning.

I then went behind the counter to inspect the bar area and took two further photos of the shisha tobacco tubs in the preparation area. I produce these photographs as exhibit **SM/TB/2**. Underneath the counter which the shisha pipes were stood on top of there was a cupboard which contained a quantity of charcoal for use in the water pipes, disposable hoses & mouthpieces and an unopened plastic tub of Al Fakher "gum" flavoured shisha tobacco. I took a photo of the contents of this cupboard and produce a copy of this photo as exhibit **SM/TB/3** – the shisha tobacco is only partly visible being in the blue plastic bag in the middle of the photo.

As neither the shisha tobacco in the plastic tubs on top of the counter nor in the cupboard below it appeared to be in UK compliant packaging I collected it together and placed it on the front of the bar so that officer [REDACTED] and our accompanying HMRC officers could inspect it. I took a photo of the tubs on the counter and I produce a copy of this photograph as exhibit **SM/TB/4**.

I then continued to inspect the bar area and found a black plastic crate behind some Calor gas bottles that were stored in the corner underneath the front counter of the bar. So that I could get a better look at the contents I took the crate out from under the counter and placed it on the draining board next to the sink located beneath the front of the main part of the bar. The black plastic crate contained a number of foil packages of Al-Fakher shisha molasses in a variety of flavours. Some of these foil packets were open whilst others were still sealed.

I took a [REDACTED] photo of the crate and the contents

Signed..... [REDACTED]

STATEMENT OF WITNESS

Continuation sheet P3

as exhibit **SM/TB/5**. As I could see that these molasses were in non-UK packaging I brought them to the attention of officer [REDACTED].

I then assisted officer [REDACTED] and the HMRC officers with bagging up the shisha tobacco which had been seized before leaving the premises at 10:12pm.

[REDACTED]

Signed.....



Oxfordshire County Council Trading Standards Service	
Exhibit:	SM/TB/1
Dated:	9/ [REDACTED]
[REDACTED]	[REDACTED]

Oxfordshire County Council
Trading Standards Service

Exhibit: SM/TB/2

Dated: [REDACTED]







Oxfordshire County Council Trading Standards Service	
Exhibit:	SM/TB/4
Dated:	9 th March 2020
Signed:	





Oxfordshire County Council Trading Standards Service	
Exhibit:	SM/TB/5
Dated:	9 th March 2020
Signed:	[Redacted]

Reviews arising in connection with crime

11.24 A number of reviews may arise in connection with crime that is not directly connected with licensable activities. For example, reviews may arise because of drugs problems at the premises, money laundering by criminal gangs, the sale of contraband or stolen goods, the sale of firearms, or the sexual exploitation of children. Licensing authorities do not have the power to judge the criminality or otherwise of any issue. This is a matter for the courts. The licensing authority's role when determining such a review is not therefore to establish the guilt or innocence of any individual but to ensure the promotion of the crime prevention objective.

11.25 Reviews are part of the regulatory process introduced by the 2003 Act and they are not part of criminal law and procedure. There is, therefore, no reason why representations giving rise to a review of a premises licence need be delayed pending the outcome of any criminal proceedings. Some reviews will arise after the conviction in the criminal courts of certain individuals, but not all. In any case, it is for the licensing authority to determine whether the problems associated with the alleged crimes are taking place on the premises and affecting the promotion of the licensing objectives. Where a review follows a conviction, it would also not be for the licensing authority to attempt to go beyond any finding by the courts, which should be treated as a matter of undisputed evidence before them.

11.26 Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps should be taken in connection with the premises licence, for the promotion of the crime prevention objective. It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

11.27 There is certain criminal activity that may arise in connection with licensed premises which should be treated particularly seriously. These are the use of the licensed premises:

- for the sale and distribution of drugs controlled under the Misuse of Drugs Act 1971 and the laundering of the proceeds of drugs crime;
- for the sale and distribution of illegal firearms;
- for the evasion of copyright in respect of pirated or unlicensed films and music, which does considerable damage to the industries affected;
- for the illegal purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people;
- for prostitution or the sale of unlawful pornography;
- by organised groups of paedophiles to groom children;
- as the base for the organisation of criminal activity, particularly by gangs;

- for the organisation of racist activity or the promotion of racist attacks;
- for employing a person who is disqualified from that work by reason of their immigration status in the UK;
- for unlawful gambling; and
- for the sale or storage of smuggled tobacco and alcohol.

11.28 It is envisaged that licensing authorities, the police, the Home Office (Immigration Enforcement) and other law enforcement agencies, which are responsible authorities, will use the review procedures effectively to deter such activities and crime. Where reviews arise and the licensing authority determines that the crime prevention objective is being undermined through the premises being used to further crimes, it is expected that revocation of the licence – even in the first instance – should be seriously considered.

Review of a premises licence following closure order or illegal working compliance order

11.29 Licensing authorities are subject to certain timescales, set out in the legislation, for the review of a premises licence following a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014 or an illegal working compliance order under section 38 of and Schedule 6 to the Immigration Act 2016. The relevant time periods run concurrently and are as follows:

- when the licensing authority receives notice that a magistrates' court has made a closure order it has 28 days to determine the licence review – the determination must be made before the expiry of the 28th day after the day on which the notice is received;
- the hearing must be held within ten working days, the first of which is the day after the day the notice from the magistrates' court is received;
- notice of the hearing must be given no later than five working days before the first hearing day (there must be five clear working days between the giving of the notice and the start of the hearing).

Review of a premises licence following persistent sales of alcohol to children

11.29 The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store's age verification procedures). However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances. This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.

**R (BASSETLAW DISTRICT COUNCIL) v WORKSOP
MAGISTRATES' COURT
[2008] EWHC 3530 (Admin)**

Queen's Bench Division

Slade J

7 November 2008

Premises licence – Unauthorised sales to under age persons – Review – Appeal – Licensing objectives – Licensing Act 2003

Following test purchases conducted by trading standards officers of Bassetlaw District Council (the council) at the off-licence premises of Mr and Mrs Jones, when alcohol was sold to two 14-year-old girls on four occasions, the council instituted a review of the premises licence. The licensing committee suspended the licence for 1 month. Mr and Mrs Jones appealed to the magistrates' court where the district judge allowed the appeal and instead imposed what were said by him to be additional conditions on the licence. He stated that it was not the function of the licensing authority to punish licensees for an infringement of licensing law and that the authority's powers were restricted to guidance or remedial action. The council sought judicial review of that decision for the purposes only of clarification as to the correctness in law of the decision.

Held – granting judicial review –

(1) The district judge had considered solely the provisions of the Guidance which were not specific to reviews arising in connection with crime. A proper reading and application of the Guidance, which governs the approach which the licensing authority must take in discharging its duties, requires where the circumstances render it applicable, the consideration of the paragraphs relating to reviews in connection with crime. Where criminal activity is applicable wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances deterrence is an appropriate objective and one contemplated in the Guidance issued by the Secretary of State.

(2) The Guidance contains specific provisions as to the approach to be adopted where criminal activity connected with the licensed premises is concerned. Plainly an appellate body must operate similar principles to those applicable to the licensing authority. The district judge failed to give reasons for a departure from the applicable guidance.

Statutory provisions considered

Licensing Act 2003, ss 4(2), (3), 51, 52(3), (4), 146(1), 182

Cases referred to in judgment

Stepney Borough Council v Joffe; Stepney Borough Council v Diamond; Stepney Borough Council v White [1949] 1 KB 599, [1949] 1 All ER 256, QBD

James Quirke for the claimant

The defendant did not appear and was not represented

Cur adv vult

SLADE J:

[1] Bassetlaw District Council applies for judicial review of the judgment and decision of a district judge allowing an appeal from decisions made on a

licensing authority's review of a licence held by Mr and Mrs Jones. The licensing committee of the district council had reviewed the premises licence of the premises where Mr and Mrs Jones operated, in the light of offences which had taken place on 10 March 2007 namely the unlawful sale of alcohol on the premises to two 14-year-old girls. The girls were sent to the premises for test purchases in accordance with arrangements made by the trading standards office. The sales took place over a relatively short period of time. Each girl made a separate purchase or purchases, was served by one of two different young cashiers. Having regard to these matters, on review the licensing authority suspended the licence for the premises for 1 month. There was an appeal to the district judge. The district judge overturned the decision of the licensing authority and instead imposed what were said by him to be, 'additional conditions on the licence'.

[2] Mr Quirke appears for the licensing authority. The district judge has served two statements in connection with this hearing, but otherwise takes no further part in it. The interested parties, Mr and Mrs Jones, were served with the notice of application but have not served an acknowledgement of service. I am also told that the licensing authority are not going to seek to overturn the determination of the district judge as to penalty. They seek, however, declarations as to the correctness in law of the decision and the judgment of the district judge.

[3] The grounds for judicial review may be analysed as falling under five headings. As will become apparent later on in this judgment, two of those matters can, in my judgment, be taken together.

[4] First, it is said that the district judge erred in holding that, in accordance with the Guidance issued by the Secretary of State, it is not the function of the licensing authority to punish licensees for an infringement of licensing law and provisions on its licence. Further, it is said that the district judge was in error in holding that, on a proper construction of the licensing provisions and guidance applicable, the licensing authority powers were restricted to guidance or remedial action which was the approach of the district judge. It is said that the steps which the licensing authority and the district judge on appeal may take include a range of powers which must be deployed according to the particular circumstances of the case.

[5] Secondly, it is said that the orders made by the district judge which were in substitution for the suspension of the licence imposed by the licensing authority were, in effect, not additions to the conditions of the licence which applied up to that point. Save in one respect they were merely a reiteration of steps which were already being taken or were already in fact conditions of the licence.

[6] Thirdly, it is said that the district judge erred in his approach to his own decision-making on appeal. It is said that he adopted a too generous approach to his powers on appeal in that he appears at 2, para 5 of his judgment to direct himself that he could take a decision standing in the shoes of the licensing authority having regard to the particular circumstances and considering whether the licensing authority's decision was justified. It is said that the district judge failed to give proper regard to the Guidance issued under s 182 of the Licensing Act 2003 in that he did not state that he was

departing from such guidance in certain respects. Since, it is said, that he departed from such guidance, he erred in failing to state why he was departing from such guidance.

[7] Fourthly, it is said that the district judge failed properly to apply and have regard to para 5.115 of the Guidance given under s 182 of the Licensing Act 2003. This sets out and categorises as criminal certain activities which may arise in connection with licensed premises and which the Secretary of State considers should be treated particularly seriously. Included in the use of licensed premises for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and prosperity for crime of young people. It is said that the district judge failed to pay proper regard to that. Where there has been a compliant of an incident which is categorised rightly as criminal activity in connection with licensed premises, it is said that the district judge failed to take into account para 5.113 of the guidance. This provides that the licensing authority's duty, in circumstances such as these, is:

‘... to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.’

[8] Finally, it is said that the district judge failed in his approach to pay proper regard to the guidance of Lord Goddard in the case of *Stepney Borough Council v Joffe*; *Stepney Borough Council v Diamond*; *Stepney Borough Council v White* [1949] 1 KB 599 which the judge himself referred to at 2 of his judgment, para 5. In *Joffe* it was said that although on an appeal, such as this, there is a right to a re-hearing. The appellate court should pay regard to the fact that the duly constituted and elected local authority have come to an opinion on the matter. The appellate body ought not lightly to reverse their opinion.

[9] *Discussion*

[10] I will briefly outline some of the relevant statutory provisions and guidance. Pursuant to the Licensing Act 2003, s 4, the licensing authority must carry out its function under the Act with a view to promoting the licensing objectives. Subsection (2) provides that:

‘The licensing objectives are—

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.’

[11] Importantly, s 4(3) provides:

‘In carrying out its licensing functions, a licensing authority must also have regard to—

...

(b) any guidance issued by the Secretary of State under section 1.282.'

[12] Section 52 of the Licensing Act 2003 applies where an application for a review of licence under s 51 has been made. Section 52(3) provides:

'The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection 4, if any, as it considers necessary for the promotion of the licensing objectives.'

[13] Those objects are set out in s 4.

[14] Section 52(4) provides that the steps are:

(a) to modify the conditions of the licence ...
(d) to suspend the licence for the period not exceeding three months.
(e) to revoke the licence.

For this purpose the conditions of the licence are modified. If any of them is altered or omitted or any new condition is added.'

[15] It is to be noted that s 146(1) of the Licensing Act 2003 provides:

'A person commits an offence if he sells alcohol to an individual aged under 18.'

[16] Pursuant to s 182 of the Licensing Act 2003 guidance is issued. I have already outlined the requirement for the licensing authority in carrying out its functions to do so in accordance with the Guidance and to have regard to it. The background and the approach which should be taken to that guidance is set out in para 2.3 of the Guidance itself which was applicable at the relevant date. The Guidance was revised with effect from June 2007. Reference is made in para 2.3 to s 4 of the Licensing Act 2003 which provides that:

'In carrying out its functions, a licensing authority must have regard to guidance issued by the Secretary of State under section 182. The requirement is therefore binding on all licensing authorities to that extent.'

[17] It is recognised that the Guidance cannot anticipate every possible scenario or set of circumstances that may arise. So long as the Guidance has been properly and carefully understood and considered, licensing authorities may depart from it, if they have reason to do so. When doing so, licensing authorities will need to give full reasons for their decisions. Departure from the Guidance could give rise to an appeal or judicial review and the reasons given will then be a key consideration for the courts when considering the lawfulness and merits of any decision taken.

[18] I will set out here the passages in the Guidance material to this application. Paragraph 5.99 provides:

'Proceedings set out in the 2003 Act for reviewing premises licences represent a key protection for the community where problems

associated with crime and disorder, public safety, public nuisance or the protection of children from harm are occurring. It is the existence of these procedures which should, in general, allow licensing authorities to apply a light touch bureaucracy to the grant and variation of premises licence by providing a review mechanism when concerns relating to the licensing objectives arise later in respect of individual premises.'

[19] The provisions relating to the power of the licensing authorities in conducting a review are set out in para 5.107 and following. Paragraph 5.107 provides:

'The 2003 Act provides a range of powers for the licensing authority on determining and review that it may exercise where it considers them necessary for the promotion of the licensing objectives.'

[20] At para 5.109, there are set out the steps which may be taken by the licensing authority where it considers that actions under its statutory powers are necessary. Those include modification of the condition of the premises licence, suspension of the licence and revocation of the licence; the suspension, being for a period not exceeding 3 months.

[21] Paragraph 5.110 provides that:

'In deciding which of the powers to invoke the licensing authority should so far as possibly seek to establish the cause or causes of the concerns which the representations identify. The remedial action taken should generally be directed at these causes and should always be no more than a necessary and proportionate response.'

[22] Paragraph 5.111 refers to the need for any detrimental financial impact of a licensing authority's decision, in particular of suspension of a licence, to be considered.

[23] A separate section in the Guidance deals with reviews arising in connection with crime. In my judgment these provisions are particularly material to this case. Paragraph 5.112 states:

'A number of reviews may arise in connection with crime that is not directly connected with licensable activities.'

[24] It is agreed by Mr Quirke that the sale of alcohol on the premises to under age drinkers is connected with licensable activities. Indeed, in para 5.115 such activity is expressly referred to in the following terms:

'There is certain criminal activity that may arise in connection with licensed premises which the Secretary of State considers should be treated particularly seriously. These are the use of the licensed premises [and there are enumerated a number of crimes ... which include] for the purchase and consumption of alcohol by minors which impacts on the health, educational attainment, employment prospects and propensity for crime of young people.'

[25] Of importance to the consideration of the case before me is also para 5.113 which provides:

‘Where the licensing authority is conducting a review on the grounds that the premises have been used for criminal purposes, its role is solely to determine what steps are necessary to be taken in connection with the premises licence for the promotion of the crime prevention objective.’

[26] The paragraph continues:

‘The licensing authority’s duty is to take steps with a view to the promotion of the licensing objectives in the interests of the wider community and not those of the individual holder of the premises licence.’

[27] At para 5.114, there is a reference to the fact that it is not the role of the licensing authority to determine guilt or innocence, but it is stated that:

‘At the conclusion of the review, it will be for the licensing authority to determine, on the basis of the application for the review and any relevant representations made, what action needs to be taken for the promotion of the licensing act objectives in respect of the licence in question regardless of any subsequent judgment in the courts about the behaviour of individuals.’

[28] I now turn to a consideration of the various heads of challenge which Mr Quirke, on behalf of the licensing authority, makes to the judgment and determination of the district judge in this case. In the course of the discussion I may refer not just to the district judge’s judgment but also, albeit maybe briefly, to a statement filed by him in these proceedings. Taking grounds 1 and 4 of challenge together, the main issue raised by those grounds is that the district judge misdirected himself in considering that the function of the authority and his function as the appellate body was not punitive but in effect was remedial. It is submitted that the approach of the district judge was to confine his consideration to remedy of the cause of the breach of the licence provisions and of the law.

[29] At paras 4 and 5 of the judgment in the section headed, ‘Discussions’, at 10 the district judge said that:

‘The function of the local authority, and now this court, must be first to establish why the four sales of the alcohol to girls A and B occurred on 10 March 2007. Secondly, to take such steps, if any, under section 52 of the Act as are necessary to ensure that no further sales occur thereby promoting the two licensing objectives principally engaged by this case: namely, the prevention of crime and disorder, and the protection of children from harm. The step or steps taken must be the minimum intervention necessary to achieve those aims. What is necessary is a question of value and judgment which will involve the local authority or the court taking account of all the circumstances of the case.’

[30] In my judgment, the language of para 5 indicates clearly that the district judge was considering solely the provisions of the Guidance which were not specific to reviews arising in connection with crime. In my judgment, a proper reading and application of the guidance which governs the approach that a licensing authority must take in discharging its duties requires, where the circumstances render it applicable, the consideration of the paragraphs relating to reviews in connection with crime. While it may be said that in reviews which do not engage a requirement to consider the paragraphs giving guidance on the approach where there is activity in connection with crime related to licensed premises, the general provisions which apply to all reviews may result in the approach outlined in para 5 being the appropriate one to follow. Indeed, para 5.110, which applies generally to the exercise by a licensing authority of its powers on review, does state a requirement, so far as possible, on the authority to establish the cause or causes of the concerns and that remedial action taken should be directed generally to these causes and should always be no more than a necessary and proportionate response. That observation, in my judgment, is directed to the overall approach to the exercise by the licensing authority of its powers on a review. When considering reviews arising in connection with crime, decisions of the licensing authority would have to be reasonable in all the circumstances and that would necessarily engage a requirement to consider necessity and proportionality.

[31] However, in my judgment the district judge failed to have regard to the requirement on a licensing authority conducting a review on the grounds that the premises had been used for criminal purposes to take steps with view to the promotion of licensing objectives in the interests of the wider community. That is a requirement set out in para 5.113. For reasons given earlier, and in particular by reason of the fact that para 5.115 clearly specifies criminal activity which may arise in connection with the use of the licensed premises for the purchase and consumption of alcohol by minors, that provision is engaged in this case.

[32] Accordingly, in my judgment, the district judge misdirected himself by confining his consideration of the case to the test which would be appropriate where no criminal activity was concerned. Where criminal activity is applicable, as here, wider considerations come into play and the furtherance of the licensing objective engaged includes the prevention of crime. In those circumstances, deterrence, in my judgment, is an appropriate objective and one contemplated by the guidance issued by the Secretary of State.

[33] The district judge held that the provisions are not to be used and cannot be used for punishment. That may strictly speaking be correct. However, in my judgment deterrence is an appropriate consideration when the paragraphs specifically directed to dealing with reviews where there has been activity in connection with crime are applicable. Therefore, when the district judge confined himself, as in my judgment he did, to the considerations of remedying, and adopted only the language of para 5.110 in his considerations, he erred in law. In my judgment, that error is sufficient to undermine the basis of his decision. On those two grounds alone, grounds 1 and 4 as I have outlined, I allow this application for judicial review.

[34] However, I continue to consider under the various headings the other grounds raised. The orders made by the district judge are challenged. He added to the existing conditions of the licence six matters as to which I am told that five were already present but not properly implemented. The sixth new provision was acceptable identification to establish the age of a purchaser shall be a driving licence with photographs, passport or proof of age scheme card recognised by or acceptable by the licensing authority. I am told these provisions were already in place, but not properly implemented. No doubt those are perfectly sensible and appropriate provisions to be included on a licence. However it is said that the action taken on appeal being confined in effect to reiterating existing practice with a minimal addition was entirely inappropriate to meet the situation where there have been sales of alcohol to 14-year-old girls. In effect this is a perversity challenge to the decision of the district judge. Even if the approach of the district judge had been correct, which in my judgment it was not, it may well be that the order he made was perversely minimal to meet the circumstances and gravity of the case.

[35] Under the third general head of challenge, it is said that the district judge failed to pay proper regard to the decision of the licensing authority. Whereas he directed himself in accordance with the dictum of Lord Goddard in *Joffe* which he set out at 2, para 5 of his judgment, nonetheless, it is said that he failed to pay regard to the initial decision of the licensing authority when coming to his decision. Since in my judgment the district judge erred in other respects I determine this judicial review challenge on other grounds.

[36] It is finally said that the district judge erred in that he departed from the Guidance issued under s 182 of the Licensing Act 2003 but failed, as he was obliged to do, to state that he was so departing and failed to give reasons for so departing. The departure, it is said, is constituted by the failure to give recognition and carry into effect the provisions of paras 5.113, 5.115 and 5.116.

[37] Earlier in this judgment I set out the basis upon which licensing authorities must pay regard and be governed by guidance issued. Plainly an appellate body must operate similar principles to those applicable to the licensing authority. The guidance contains specific provisions as to the approach to be adopted where criminal activity connected with licensed premises is concerned. He failed to give reasons for a departure from applicable guidance. The district judge in reaching his decision simply referred to the circumstances of the case and the fact that what is necessary is a question of the valuation and judgment which will involve the local authority or the court taking into account all the circumstances of the case, that is at 10 of his judgment, para 5. The district judge in my judgment failed to identify why and in what respects he was departing from the guidance. I find that the district judge erred in failing to give reasons for departing from the applicable guidance.

[38] Accordingly, for the reasons set out in this judgment I allow this application for judicial review and find that the district judge erred in law in his approach to determining the appeal of the licensees in this case.

No need for a declaration that the district judge erred in law in his approach to the appeal. No order for costs.

Solicitors: *Local authority solicitor*

KERRY BARKER
Barrister

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Reducing the harm of shisha and the need for better regulation

This local government policy paper sets out the various health and community issues caused by shisha smoking, including case studies from councils across England. It proposes steps that central government can take to strengthen and reform national legislation through introducing a shisha licensing regime.

19 Mar 2024
LGA
10.75

Foreword

Shisha smoking is a legal activity enjoyed by people in the UK, and involves smoking a heated, specially prepared tobacco through a pipe. Its popularity has increased in recent years, and it is now seen as a mainstream activity, albeit it is more closely linked with Middle Eastern, North African, and South Asian communities.

The UK shisha industry is considerable and diverse, with many facets covering a wide range of services such as shisha delivery, click-and-collect shisha, electronic shisha and shisha for smoking in a wide

variety of settings – cafes, restaurants, licensable entertainment venues and family orientated venues. The sole purpose of the industry is to provide smoking services and materials for its customers.

There is no available national strategy, policy or guidance for businesses or regulators alike on this increasing shisha economy. Councils are concerned about the health impacts shisha smoking can have. They are also finding that such businesses can have a significant impact on local communities and have been known to breach existing legislation and contribute to anti-social behaviour in local areas.

Shisha smoking is a complex issue about which our learning continues, but the mounting evidence for greater regulation and guidance can no longer be ignored. Current legislation does not provide councils with the tools they require to regulate shisha premises, and challenges associated with badly run premises can negatively impact local communities. There is also evidence of the disproportionate harm these venues can have on minority and deprived communities who already suffer from health inequalities. Action is now needed to address this.

This paper sets out the various health and community issues caused by shisha smoking, including case studies from councils across England. It proposes steps that central government can take to strengthen and reform national legislation through introducing a shisha licensing regime either through the Local Government Miscellaneous Provisions Act 1982 or the Licensing Act 2003.

Although tobacco generally is not licensed, there are not smoking lounges for other types of tobacco, and we believe it is reasonable to licence shisha because it is a venue specifically designed for consumption of a high risk product which can impact on health which merits close oversight. It does not seem right that a venue requires a licence to serve a hot drink after 11pm but does not require one for smoking shisha. Moreover, licensing shisha would send a stronger health message in itself.

Local authorities have been attempting to manage and regulate shisha premises within existing powers, but these are not sufficient. A cohesive, national approach to shisha smoking would save on

resources for local and central government, make businesses aware of their responsibilities, as well as helping our communities to make better informed choices about smoking shisha.

This paper has been supported by councils up and down the country, and we are particularly grateful to Birmingham City Council, Ealing London Borough Council, Newham London Borough Council, Brent London Borough Council and Luton Borough Council who have inputted into this paper alongside the LGA and firmly support calls for better regulation of shisha premises.

Cllr Heather Kidd, Chair, LGA Safer and Stronger Communities Board

Cllr David Fothergill, Chair, LGA Community Wellbeing Board

Executive summary

This local government policy paper is solely concentrating on those aspects of the shisha industry that cause adverse health, safety and environmental impacts on local communities. These are impacts which councils and partners are unable to resolve through current legislative or other means available to them.

Why is shisha smoking a problem?

First and foremost, shisha smoking is harmful to health but the risks associated with shisha are not widely known or publicised. Whilst there is limited research on the impact of shisha smoking, emerging evidence suggests (<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4953111/>) it has a range of adverse health impacts, including heart and circulatory diseases, cancers, nicotine addiction, carbon monoxide poisoning, bacterial infections and high blood pressure. Despite this, shisha is seen as a 'safe' alternative to cigarette smoking and continually falls outside of tobacco control harm reduction strategies and campaigns. This means there is a lack of trusted health information available for shisha smokers.

In addition to the health impacts of the activity itself, councils report that, in some instances, shisha bars negatively affect the local community, for example noise nuisance from amplified music or late-night disturbance. Regulatory officers report frequent breaches of planning regulations, as well as fire risk and anti-social behaviour, leading to enforcement issues for councils, fire authorities and police services. There are also concerns about illicit tobacco (non-duty paid) being found at shisha premises.

What are councils doing?

Councils have statutory duties to safeguard communities from harms. With responsibility for public health having transferred to councils on 1 April 2013, councils have greater scope to take account of health in our service provision and decision making.

However, there is no sole legislative provision or specific regulator which covers shisha activities. Councils enforce good management of shisha bars as best they can through the range of different legislative provisions, for instance environmental health and fire safety inspections, enforcement action on shisha premises in breach of smoke free regulations or planning permission, and serving community protection notices for anti-social behaviour. These measures often require a multi-agency approach which relies on resources being available from each regulatory authority to react and coordinate a response. This can mean that such preventative work is limited. Moreover, clarity of ownership and management of a business is not often forthcoming, which frustrates procedures to remedy issues.

Why is the current regulatory framework insufficient?

There are several pieces of legislation relevant to shisha smoking, but these currently fail to provide councils with the necessary tools to deal with shisha premises. These issues are detailed later in the report, but cover applications of the Health Act, Tobacco and Related Products Regulations, Health and Safety at Work, and Trading Standards. Shisha falls through the gaps in each of these areas, either because penalties

and prosecutions are not acting as enough of a deterrent, or because regulations which apply to cigarettes and hand-rolling tobacco are not equally applied to shisha, despite the parallel risks of shisha smoking.

There are particularly concerning loopholes, for example, around the lack of application of flavoured tobacco legislation to shisha, which makes it seem more appealing and less dangerous. Labelling regulations, including health warnings which are now mandatory on cigarette packaging, are also aimed at retail rather than shisha served in cafes, where pipes, mouthpieces and menus do not warn consumers of shisha's serious health impacts.

What is needed from central government?

We have two asks of government. Firstly, we believe that shisha should be brought within the scope of the UK Tobacco Control Strategy. This would be a crucial addition to the strategy owing to the serious health consequences and community impacts of shisha detailed in this paper. It is welcome that '[The Khan Review: Making smoking obsolete](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1081366/khan-review-making-smoking-obsolete.pdf)' (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1081366/khan-review-making-smoking-obsolete.pdf) makes some reference to shisha. However, a greater focus on the harms caused by shisha in the UK Tobacco Control Strategy would demonstrate government's commitment to protecting public health and promoting responsible management of shisha premises. Moreover, there has been welcome action taken by Government recently to deliver a smokefree 2030, including legislating to raise the age of sale one year every year from 2027 onwards, doubling the funding for local authority Stop Smoking Services from 2024, increasing funding for awareness raising campaigns and for enforcement on illicit tobacco and e-cigarettes. The lack of specific provisions on shisha are a notable omission, and it is important that Government considers shisha within this work, as well as commissions additional research on the health risks of shisha. This will also help to ensure that the health impacts of shisha are more widely understood by society.

Secondly, we believe that the Government should introduce a licensing regime to better regulate shisha premises. This could be achieved by amending the Local Government (Miscellaneous Provisions) Act 1982 or the Licensing Act 2003. This would give councils the powers to grant or refuse licences for new shisha premises, to add conditions to licences to improve safety or mitigate potential community impacts (such as noise nuisance), and the power to revoke or suspend licences in the event of non-compliance.

Although tobacco generally is not licensed, we believe it is reasonable to licence shisha premises because it is a venue specifically designed for consumption of a risky product which merits close oversight.

Health impacts of shisha

What is shisha?

Smoking shisha (or hookah) involves burning wood, coal or charcoal to heat tobacco (or flavoured tobacco, 'maassel'). This produces smoke, which bubbles through a bowl of water or other liquid, into a tube or pipe, and is inhaled through a mouthpiece.

How prevalent is shisha smoking?

Shisha smoking is a popular activity in Middle Eastern, North African and South Asian communities. It is **increasingly common in England** (<https://www.bhf.org.uk/informationsupport/risk-factors/smoking/shisha>), especially in young people from all ethnic minority backgrounds.

Shisha is offered commercially at a number of 'shisha premises' across the country, often smoked in dedicated shisha lounges or bars, or in restaurants after a meal. These premises are increasingly visible, with smoking often taking place outside premises on the street, sometimes late into the night. We recognise that some communities go to shisha premises because they are social spaces, often free from the presence of alcohol. Whilst we are deeply concerned about the health impacts of smoking, we do not want to ban these premises, but rather see them better regulated.

Case study three: Illicit shisha in Oxfordshire

In August 2019 Oxfordshire County Council Trading Standards undertook a project with partners in Environmental Health, Licensing and HMRC to visit shisha bars and cafes in Oxford. During the project, eight visits were conducted, and seven premises were found to be selling shisha; all were non-compliant in some form. One premises closed and one decided to stop selling shisha. However, in February 2020, revisits were conducted to all five premises which continued to operate. Once again, all premises were in some form of non-compliance and three in serious non-compliance (specifically, selling illicit shisha and allowing smoking in enclosed areas).

ANNEX 20 - 2 pages



Licensing Act 2003

2003 CHAPTER 17

An Act to make provision about the regulation of the sale and supply of alcohol, the provision of entertainment and the provision of late night refreshment, about offences relating to alcohol and for connected purposes.

[10th July 2003]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Modifications etc. (not altering text)

- C1 Act modified (coming into force in accordance with art. 1(2) of the amending S.I.) by S.I. 2007/1118, art. 6
- C2 Act modified (28.11.2008) by S.I. 2008/2867, reg. 12(1)(a)(ii)
- C3 Act modified (26.11.2018) by The Local Government (Boundary Changes) Regulations 2018 (S.I. 2018/1128), reg. 18(2)(a)(7) (with reg. 1(2)(3))

PART 1

LICENSABLE ACTIVITIES

1 Licensable activities and qualifying club activities

- (1) For the purposes of this Act the following are licensable activities—
 - (a) the sale by retail of alcohol,
 - (b) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club,
 - (c) the provision of regulated entertainment, and
 - (d) the provision of late night refreshment.

Status: This version of this Act contains provisions that are prospective.

Changes to legislation: Licensing Act 2003 is up to date with all changes known to be in force on or before 14 November 2025. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Smuggled goods

144 Keeping of smuggled goods

- (1) A person to whom subsection (2) applies commits an offence if he knowingly keeps or allows to be kept, on any relevant premises, any goods which have been imported without payment of duty or which have otherwise been unlawfully imported.
- (2) This subsection applies—
 - (a) to any person who works at the premises in a capacity, whether paid or unpaid, which gives him authority to prevent the keeping of the goods on the premises,
 - (b) in the case of licensed premises, to—
 - (i) the holder of a premises licence in respect of the premises, and
 - (ii) the designated premises supervisor (if any) under such a licence,
 - (c) in the case of premises in respect of which a club premises certificate has effect, to any member or officer of the club which holds the certificate who is present on the premises at any time when the goods are kept on the premises in a capacity which enables him to prevent them being so kept, and
 - (d) in the case of premises which may be used for a permitted temporary activity by virtue of Part 5, to the premises user in relation to the temporary event notice in question.
- (3) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (4) The court by which a person is convicted of an offence under this section may order the goods in question, and any container for them, to be forfeited and either destroyed or dealt with in such other manner as the court may order.

Bringing goods into the UK for personal use

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(/bringing-goods-into-uk-personal-use/when-to-declare-goods)
- Declare goods and pay tax and duty to UK customs
(/bringing-goods-into-uk-personal-use/declaring-goods)

Arriving in Great Britain

If you're travelling to Great Britain (England, Wales or Scotland) from outside the UK, you can bring in a certain amount of goods without paying tax or duty. This is known as your personal allowance.

When you're bringing in goods you must:

- transport them yourself
- use them yourself or give them away as a gift

If you go over your personal allowance

You must:

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- declare your goods online before you travel or at the border when you arrive (</bringing-goods-into-uk-personal-use/when-to-declare-goods>)
- pay tax and duty (</tax-on-shopping>) on all the goods in that category



Your goods could be seized if you do not declare them.

You cannot combine your personal allowance with anyone else's.

Alcohol allowance

How much you can bring depends on the type of alcohol. You can bring in both:

- beer - 42 litres
- wine (still) - 18 litres

You can also bring in either:

- spirits and other liquors over 22% alcohol - 4 litres
- alcoholic drinks up to 22% alcohol (not including beer or still wine) - 9 litres

Alcoholic drinks up to 22% alcohol include:

- sparkling wine
- fortified wine (for example port, sherry)
- cider

You can split this last allowance. For example, you could bring 2 litres of spirits and 4.5 litres of fortified wine (both half of your allowance).

Example

If you bring in 19 litres of wine, you must pay tax and duty on all of it because you have gone over your 18 litre allowance for wine

Tobacco allowance

You can bring in one of the following:

- 200 cigarettes

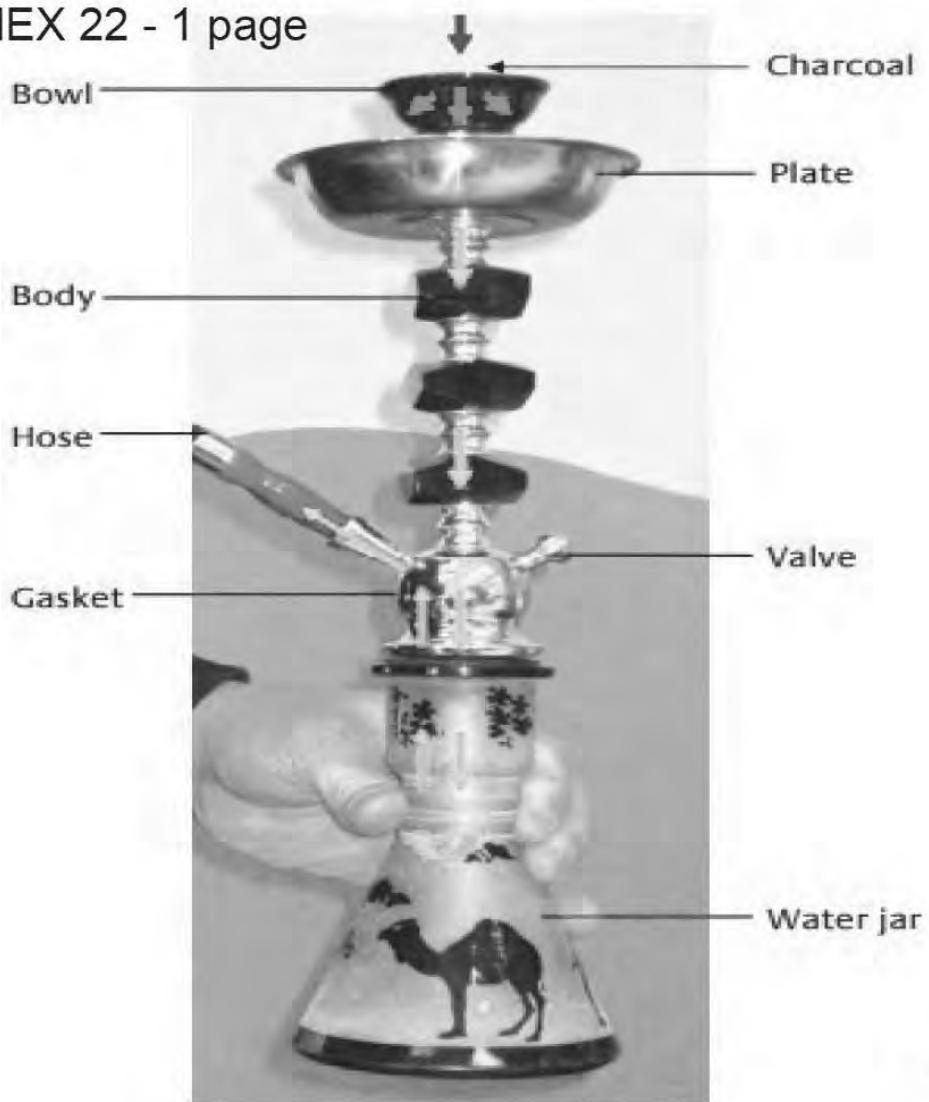
- 100 cigarillos
- 50 cigars
- 250g tobacco
- 200 sticks of tobacco for electronic heated tobacco devices

You can split this allowance - so you could bring in 100 cigarettes and 25 cigars (both half of your allowance).

Example

If you bring in 200 cigarettes and 50 cigars, you must pay tax and duty on both the cigarettes and the cigars because you have gone over your allowance in the tobacco category

ES
ANNEX 22 - 1 page



OXFORDSHIRE
COUNTY COUNCIL

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**The Licensing Act 2003
(Premises licences and club premises certificates) Regulations 2005
Regulation 33, 34 and Schedule 12
Part A**

**Premises Licence
Oxford City Council**

Premises Licence Number

25/04374/PREM

Part 1 – Premises Details

Postal address of premises, or if none, ordnance survey map reference or description, including Post Town, Post Code:

Thirst
7 - 8 Park End Street
Oxford
OX1 1HH

Telephone number: 01865 242044

Where the licence is time limited the dates:

Not applicable

Licensable activities authorised by the licence:

Supply of Alcohol
Live Music
Late Night Refreshment
Recorded Music

Times the licence authorises the carrying out of licensable activities:

Live and recorded music, sale of alcohol:

Monday to Saturday:	11:00 hours to 03:00 hours the following day
Sunday:	12:00 noon to 03:00 hours the following day
<i>Provided indoors only</i>	

Late night refreshment:

Sunday to Saturday:	23:00 hours to 03:00 hours the following day
---------------------	--

Supply of Alcohol:

Monday to Saturday:

Sunday:

New Year's Eve:

11:00 hours to 03:00 hours the following day

12:00 noon to 03:00 hours the following day

From the beginning of normal licensed hours on New Year's Eve until the beginning of normal licensed hours on New Year's Day

Non-standard Timings

An additional hour for all licensable activities for the start of British Summer time

The opening hours of the premises:

The premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity

Where the licence authorises supplies of alcohol whether these are on and/or off supplies:

On and off sales

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Spirit Bar Limited
7 - 8 Park End Street
Oxford
OX1 1HH

Daytime Phone Number: 01865 242044

Email address: info@thirstbar.com

Registered number of holder, for example company number, charity number (where applicable):

718207640

Name, address and telephone number of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Alistair Lockwood Thompson

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Personal licence number:	05/09973/LIPERS
Licensing Authority:	City of Westminster

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the Premises Licence;
 - (a) at a time when there is no Designated Premises Supervisor in respect of the Premises Licence,
or
 - (b) at a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. The responsible person must ensure that—
 - a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - i) beer or cider: $\frac{1}{2}$ pint;
 - ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - iii) still wine in a glass: 125 ml;
 - b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.
4. Where this licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions: a) premises where the premises licence authorises plays or films b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001.
5. 1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

- c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
- e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

6. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

7.

- 1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- 2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- 3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:
 - a) a holographic mark; or
 - b) an ultraviolet feature.

8.

- 1) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2) For the purposes of the condition set out in paragraph 1:
 - a) duty is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - b) permitted price is the price found by applying the formula: $P=D+(D\times V)$ where:
 - i) P is the permitted price,
 - ii) D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - c) relevant person means, in relation to premises in respect of which there is in force a premises licence:
 - i) the holder of the premises licence,
 - ii) the designated premises supervisor (if any) in respect of such a licence, or
 - iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - e) valued added tax means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. 1) Sub-paragraph 2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (the first day) would be different from the permitted price on the next day (the second day) as a result of a change to the rate of duty or value added tax.

2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the Operating Schedule

9. The maximum number of persons (including staff and entertainers) allowed at the premises shall not exceed 200.
10. Noise emanating from the premises as a result of regulated entertainment shall not exceed 45dB(A) at the front of the premises and 40dB(A) at the rear as measured 1 metre from any residential building.
11. The noise limiter shall be set so as to maintain a maximum level of 83dB(A) in the main bar area and 81 dB(A) in the rear dance area at all times when entertainment takes place.
12. Noise emanating from the premises as a result of regulated entertainment shall be inaudible in adjacent or adjoining properties.
13. All external doors (except when persons are entering and leaving premises) and windows at the premises shall remain closed at all times when regulated entertainment takes place.
14. All exit doors shall be available and easily openable without the use of a key, card, code or similar means.

Note: Doors that are not in regular use should be opened in order to ensure they function satisfactorily before the admission of the public on every occasion.

15. No music or speech shall be relayed via external speakers other than for events with the prior approval of the Licensing Authority.
16. All staff on duty within the premises shall wear clothing such as to make them easily identifiable to patrons, other members of staff and officers of responsible authorities who are visiting the premises
17. The Premises Licence Holder shall ensure that all staff employed at the premises whose duties include the sale or supply of alcohol shall undertake and complete a relevant programme of training prior to them being authorised to sell or supply alcohol. Such training shall consist of providing staff with an understanding of:
 - The need to ensure the responsible sale and supply of alcohol
 - The need to refuse the sale and supply of alcohol to persons who are intoxicated or underage
 - The need to seek credible age verification from persons seeking to be sold or supplied alcohol who may appear under the age of 30 years old

Where subsequent issues related to the training is brought to the premises licence holder's attention by either the Licensing Authority and/or responsible authorities named in the Licensing Act, the premises licence holder will make amendments as directed by that authority

Records of the training programme shall be maintained and made available to Thames Valley Police or the Licensing Authority upon request.

The Premises Licence holder shall provide a "refresher" training session to all relevant staff members as and when deemed necessary on a case-by-case evaluation, but as a minimum requirement the refresher training session shall be provided to all staff on at least one occasion every six months.

18. The Premises Licence holder (or such person as they nominate) shall provide 14 days prior written notification to the Force Licensing Officer of Thames Valley Police and to the Licensing Authority of:
 - Any extension of hours permitted under the Premises Licence
 - Any one-off event that includes entertainment or a promotion that is not consistent with regular trade

Such written notifications will include but not be limited to the following details:

- The name of the person in charge/authorising the sale of alcohol for the duration of the event.
- The name of any promoters
- The name of the any act, DJ's or other such performers involved
- The nature of the event.
- The date, the commencement and conclusion time of the event.
- Security provisions (including numbers and working hours of SIA staff)
- Expected numbers attending

19. A Premises Daily Register shall be held at the premises. This Register shall be maintained for a rolling minimum period of 12 months, and shall record:

- The name of the person responsible for the premises on each given day.
- The name of the person authorising the sale of alcohol each day.
- All calls made to the premises where there is a complaint made by a resident or neighbour of noise, nuisance or anti-social behaviour by persons attending or leaving the premises. This shall record the details of the caller, the time and date of the call and the time and date of the incident about which the call is made and any actions taken to deal with the call.
- Any refusals on grounds of age and/or intoxication (to include date, time, member of staff involved, reason for refusal as well as a brief physical description of the person refused)
- Any incident of crime, disorder, or antisocial behaviour in or within the immediate vicinity of the premises (whether it required the police or not) (to include date, time, details of any member of staff involved, the situation, the outcome as well as a brief physical description of the members of public involved)
- Any safeguarding/vulnerability occurrence in or within the immediate vicinity of the premises (to include date, time, details of any member of staff involved, the situation, the outcome as well as a brief physical description of the members of public involved)
- Any items seized by security staff employed at the premises.
- The name, SIA number, start and finish time of anyone employed in a security role for that day
- Any use of force by SIA registered staff in the effective management of the premises or in ejecting persons from the premises (to include date, time, member of staff involved, reason for force as well as a brief physical description of the person refused)
- Weekly checks of the CCTV, to ensure it is fully operational and any faults are dealt with including the time of the check and the person that carried it out.
- Any calls to or visits by Thames Valley Police in relation to any crime and disorder or like related matter.

The Designated Premises Supervisor, or in their absence duly appointed member of staff, shall check the Premises Daily Register on a weekly basis ensuring that it is completed and up-to-date, sign the Premises Daily Register each time that it is checked, and make the Premises Daily Register available for inspection by any Authorised Officer of the Licensing Authority or Thames Valley Police throughout the trading hours of the premises.

20. The premises shall implement written policies. Such documents shall include, but not be limited to, the following:

- CCTV
- Conditions of Entry
- Safeguarding & Vulnerable Person
- Noise
- Crowd/Customer Management of the Immediate External Vicinity & Dispersal at Close
- Queue Management
- Responsible Service of Alcohol
- Remote Ordering and delivery of alcohol
- Security Measures
- Crime Reduction (I.E Theft, violence against women and girls, etc)
- Underage Sales & False Identification
- Zero Tolerance Drugs

From these written policies and operating procedures, the premises licence holder shall implement written staff training ensuring that all staff employed at the premises (including third party agents such as SIA door supervisors) receive full training on those policies that are relevant to their specific role. Staff shall sign and date training records to confirm they have had, fully understand the training, and that they shall carry out their duties in accordance with them. These training records shall be retained and made available to the Licensing Authority and/or responsible authority named under the licensing act upon request.

Where subsequent issues or concerns related to one or more of the policy(s) are brought to the premises licence holder's attention by the licensing authority and/or one of the responsible authorities named under the licensing act, the premises licence holder shall work with the relevant authority to agree a suitable and proportionate amendment

Hard copies of the most up to date policy/procedures will be kept on the premises. They shall be readily accessible to staff for their own reference whilst working and shall be made available to any of the authorities upon request to check for compliance.

21. A CCTV system shall be installed and maintained. The CCTV system shall incorporate the following basic requirements:

- Be switched on and fully operational when the licensable activities are being carried out.
- Record for a minimum rolling period of 31 days
- Have a camera covering any entrance which will provide a facial shot of identification quality.
- Have cameras covering any pertinent public areas (internally and externally) and alterations shall be made to address any subsequent concerns made by the police regarding coverage.
- Have a means of copying any footage to another medium as evidence if requested by the Police no later than 24 hours after that request
- Have a member of staff working at all times whilst the licence is in operation that is able to operate the system and in particular be able to provide copies of any footage requested by The Police.
- A system shall be in place to maintain the quality of the recorded image and a complete audit trail maintained. The system shall comply with other essential legislation, and all signs as required will be clearly displayed

22. Subject to the agreement of the relevant committee the Premises Licence holder shall participate in the designated local Pubwatch / City Centre Late Night Business Partnership scheme and ensure that a representative of the licensed premises attend all of the arranged meetings, or such a person has made all reasonable endeavours to attend the arranged meetings.

23. Subject to the agreement of the relevant service provider/ radio link committee. The Premises Licence holder shall operate the "Radio-Link" system of communication during the hours the premises is open to the public and shall ensure that it is maintained and monitored.

24. All members of staff at the premises shall seek "credible photographic proof of age evidence" from any person who appears to be under the age of 30 years and who is seeking to purchase or consume alcohol on the premises. Such credible evidence, which shall include a photograph of the customer, will include a passport, photographic driving licence, or Proof of Age card carrying a "PASS" logo.

25. No person shall be admitted to the premises less than one hour before cessation of the last licensable activity.

26. The premises shall be cleared of customers and closed 30 minutes after the conclusion of the last licensed activity.

27. Any "smoking area" provided by the Premises Licence holder to customer shall be monitored by staff or Security Staff employed at the premises. This shall include ensuring that customers do not block the pavement or road for other members of the public.

28. Prominent, clear notices shall be displayed at all exit points to advise customers to respect the needs of

the local community and of acceptable behaviour in public spaces.

29. During the hours of the premises licence when the venue has SIA Security Personnel on duty, all will be deployed with digitally recording Body Worn Video (BWV). The body worn video devices shall be capable of recording video (images) and sound. The BWV will be used to record any incidents which occur inside or outside of the premises involving customers, prospective customers or any staff member that impact on any of the four licensing objectives. Records shall be stored for a minimum rolling period of 31 days and will be produced to the police or Licensing Authority in a readily playable format upon request. The premises licence holder will ensure that all staff whose role include the use of the body worn video will be fully trained on the use of the system. Where there is a fault with the system, the DPS shall log an entry in the premises daily register, along with what remedial work is ongoing to fix the matter. The premises shall notify the licensing authority and the police licensing unit if the system will not be working for longer for 7 days.
30. As part of the written 'security measures' policy condition, the premises licence holder shall carry out and implement a written risk assessment regarding the need (if at all) for SIA licenced door supervisors. This shall be for day-to-day standard operation as well as for any special one off events over and above that of normal trade. The risk assessment shall be made readily available to the police upon request and where subsequent issues or concerns related to the security risk assessment are brought to the premises licence holder's attention by the police, the premises licence holder shall make amendments as directed.

Where the premises employs SIA door staff there shall be no fewer than 2 on duty to avoid issues and risks associated with lone working.

All SIA security employed at the premises shall wear at all times whilst on duty high visibility fluorescent yellow coats/tabards to clearly identify them as working that role.

31. No person shall be allowed to leave the premises whilst in the possession of any drinking vessel or open bottle, whether empty or containing any beverage.
32. As part of the written 'Conditions of Entry' policy condition, the premises licence holder shall ensure that knife wands/ knife arches are readily available at the entrance for SIA security to use on customers wishing to enter the premise. The frequency of the use of the knife wands/knife arch shall be by way of written risk assessment carried out by the premises licence holder for both normal trade as well as for one off special event not consistent with regular trade or under any permission to extend the hours as contained in the licence.

Where subsequent issues are brought to the premises licence holder's attention by the Police regarding the effectiveness and/or frequency of their use, the premises licence holder shall make amendments to the condition of entry policy to address those concerns.

Annex 3 – Conditions attached after a hearing by the licensing authority

Not applicable

Annex 4 – Plans

See attached plan



Thames Valley Police Licensing Unit

Email: licensing@thamesvalley.police.uk

www.thamesvalley.police.uk

20/12/2026

F.A.O: The Licensing Authority- Oxford City Council

Reference: Review of Thirst Bar, Park End Street, Oxford

Subject: Supporting Representations of Thames Valley Police

The criminality involved in illegal tobacco is far-reaching (well beyond the confines of Thirst and Oxford) and multifaceted, often funding other criminal (sometimes far more serious) enterprises. Added to this is the health risk posed to the public by products that fall short of UK quality requirements and are often doctored/cut with other substances. Further glamourizing of such products in advertising means there is the risk to children, especially in such a desirable location as a late night bar that is often the lure of underage children. This is why such weight is afforded to this matter by central Government under the Licensing Act 2003 when Licensing Authorities are asked to consider such matters.

Having read the review and the evidence bundle brought by Trading Standards, Thames Valley Police are concerned not only at the fact that this activity may well have potentially added to such criminality, but has been exacerbated by significant systemic failures by the business thereby calling into question the suitability of the licence as it currently stands.

What has emerged as the evidence bundle progresses is a seeming lack of understanding regarding legislation, poor communication between the licence holder, their managers, their staff and third party agents operating within their business and an anecdotal lack of will to redress matters. Exacerbating this and of significant concern is the level of obstruction by staff at the venue that Trading Standards officers have been met with on occasion, even when there is a statutory power.

Further to this is the hands off approach by the licence holder to activities being run within the premises.

Taking a fee for this service to operate but not to seemingly oversee how it is being run even though it is de facto reliant on and under the auspices of the alcohol licence, certainly given that there have been posts on Thirst social media advertising the service, falls far short of the licence holder's duty.

This seemingly '*three card trick*' of who said what in interview or during inspections, and who is responsible, is at best farcical, and is certainly frustrating to the authorities in trying to investigate and resolve the matter.

Trading Standards have clearly put significant time and work towards informing and educating the premises and yet issues have persisted.

The police are of the view that the prevention of crime and disorder and the protection of children from harm objectives have been undermined.

Given the repeated work by Trading Standards already, we believe that a review is now (sadly) necessary.

Both the police and Trading Standards wish to see a flourishing and diverse night time economy, albeit one that is tempered with these businesses being safe and responsibly operated.

It is no small matter when an authority brings a review or objects to an application. There is always a back drop of significant time and effort put into trying to educate and support a premise to avoid such steps. This though does need to be reciprocated by the premises in question with a willingness to learn and enact change.

Based on the evidence provided by Trading Standards we agree that in order to redress the short fallings at Thirst, that a revocation would be disproportionate given it would mean the venue would have to cease to trade and this would impact on the local economy.

We agree that there needs to be clear operating processes in place and the best way to achieve this is to compel the licence holder to comply through the addition of conditions to be attached to the licence.

This will clearly outline the expected practices that have not been in place to date and will ensure that if the venue persists as it has, that criminal proceedings may be pursued and/or a further review of the licence for breaches of conditions.

We are of the view that the conditions put forward by Trading Standards will achieve this.

We hope that the premises finally appreciates the concerns of Trading Standards and agrees that the proposed conditions are appropriate to resolving the matter at hand rather than contesting them.

Thames Valley Police fully support this review by Trading Standards.

----- End of Report -----

From: [REDACTED]
To: [licensing](#)
Subject: Review of premises licence 14/00499/MVPREM
Date: 08 December 2025 09:50:27
Attachments: [image001.png](#)

Dear Licensing, in response to the consultation on the above review:

The supply of illegal tobacco products, and other breaches of the licensing conditions are serious issues which make the Oxfordshire Tobacco Control Alliance aim of a smoke free Oxfordshire more difficult. Illegal tobacco products make smoking more attractive because they are usually sold at a much lower price. This is especially true for younger people who may not have started smoking tobacco. The health impacts of smoking tobacco are well known, and there is a further risk because these illegal products are unregulated and therefore the contents can be unknown. Our strategic partnership work in Oxfordshire to encourage and provide support for people who want to stop using tobacco products are seriously undermined by the illegal tobacco trade, promotion of the products and the failure to display statutory warning notices.

Due to the repeated offences, we would encourage the licensing team to withdraw the licence from this business.

Kind regards,

[REDACTED]
[REDACTED]
Programme Lead – Smoking/Tobacco - Public Health; Oxfordshire County Council, County Hall, New Road, Oxford OX1 1ND; [REDACTED]

smokefree
Oxon

SmokeFree Oxon is the new smoking cessation support service in Oxfordshire, provided by Solutions4Health.



SmokeFreeOxon.co.uk



0800 772 3673



Text 'QUITOXON' to 66777



SmokeFreeOxon.s4h@nhs.net

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Mitigation Statement on Behalf of the Premises Licence Holder

Introduction

This statement is submitted on behalf of the Premises Licence Holder (“the Operator”) in relation to the breaches identified concerning the use of shisha pipes on the licensed premises. The Operator fully acknowledges the seriousness of the matters raised and wishes to express sincere regret for the circumstances that led to these breaches.

Background and Context

The Operator has managed the premises responsibly and without incident for a significant period prior to this matter. The involvement of a third-party shisha provider arose from a genuine misunderstanding of the legal requirements and restrictions associated with indoor smoking and health regulations. At no time did the Operator knowingly or deliberately seek to circumvent licensing conditions or public health legislation.

The Operator did not appreciate that permitting the third-party provider to operate on the premises constituted a breach of multiple statutory provisions. This was an innocent error, arising from a lack of specific knowledge rather than any intention to disregard the law.

Acceptance of Responsibility and Remorse

The Operator accepts full responsibility for what occurred and does not seek to minimise the breaches. He recognises that, as the licence holder, ultimate responsibility rests with him regardless of third-party involvement. He deeply regrets the oversight and understands the importance of strict compliance with all licensing, health, and smoking legislation.

Immediate Remedial Action

As soon as the issues were brought to his attention, the Operator took prompt and decisive action, including:

- Immediate cessation of all shisha-related activity on the premises
- Termination of any arrangement with the third-party shisha provider
- Full cooperation with enforcement officers and licensing authorities
- Review of licence conditions and relevant legislation to ensure understanding
- Complete replacement of on-site management team

No further breaches have occurred since these actions were taken.

Steps Taken to Prevent Reoccurrence

To ensure that such an incident cannot happen again, the Operator has implemented the following measures:

- Undertaking professional advice and training on licensing and health law compliance
- Implementing written policies to ensure all activities on the premises are fully licensed and lawful
- Committing to ongoing liaison with licensing authorities where any uncertainty arises
- A voluntary period of closure communicated to the trading standards team to confirm the premises will remain closed for 2 weeks from 5th January 2026

These steps demonstrate the Operator's commitment to learning from this incident and maintaining the highest standards going forward.

Character and Licensing History

The Operator has no history of previous enforcement action or licensing breaches. This incident is entirely out of character and represents an isolated lapse rather than a pattern of non-compliance. He has always sought to operate the premises in a responsible manner that promotes public safety and the licensing objectives.

Conclusion

The Operator respectfully asks the Authority to consider this matter in light of the genuine and innocent nature of the mistake, the immediate corrective action taken, the absence of previous breaches, and the strong steps now in place to ensure full compliance, together with the voluntary period of closure and obvious loss of revenue for that period. He remains fully committed to operating the premises lawfully, responsibly, and in accordance with all regulatory requirements.



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