

Responsible Authority:	Haringey Public Health team, London Borough of Haringey
Date:	11/03/2023
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We as a representative of the Director of Public Health act as the responsible authority under the Licensing Act 2003 and would like to make a representation in support of the review regarding the premises license at: TOPS NEWSAGENTS (MAXXI FOOD & WINE), 42 TOPSFIELD PARADE, TOTTENHAM LANE, HORNSEY, LONDON N8 8PT.

The representation is made under the following licensing objectives:

- THE PREVENTION OF CRIME AND DISORDER
- THE PROTECTION FROM CHILDREN FROM HARM

Local Context of the Premises

The premise is located on a busy main road, Tottenham Lane.

It is surrounded by 3 sixth form/colleges, 3 secondary school and 7 primary schools, located within 0.5 mile of the premises (10 minutes walk).

Rokesly Junior School (0.148 miles)
Rokesly Infant School (0.176 miles)
St Peter-in-Chains Catholic Infant School (0.367 miles)
St Gildas' Catholic Junior School (0.378 miles)
Weston Park Primary School (0.414 miles)
Coleridge Primary School (0.439 miles)
St Mary's CE Primary School (0.532 miles)

Hornsey School for Girls (0.320 miles)
Greig City Academy (0.449 miles)
Highgate Wood Secondary School (0.461 miles)

Hornsey Sixth Form College (0.320 miles)
Greig City Academy Sixth Form (0.449 miles)
Highgate Wood Secondary School Sixth Form (0.461 miles)

The premises is located within an area vulnerable to high crime rates. At the time of the visit, it has been found that 110 crimes were recorded in January 2023 within half a mile of N8 8PT including 22 anti-social behaviour incidents and 1 drug crime incident (police.gov.uk).

The Public Health team has specific concerns about the applicant’s ability to uphold the licensing objective (Protecting Children from Harm). We have been informed that small nitrous oxide cannisters and large stocks of large nitrous oxide cannisters were found at the premises on 11th January 2023. The new psychoactive substance, nitrous oxide is a serious public health concern.

Haringey Drug Needs Assessment (HDNA) 2022/23

Haringey Drug Needs Assessment was developed to understand drug taking and supply in Haringey. A few key points from the HDNA is included in this review in relation to this licenced premise.

Drug-related ambulance call outs

Despite falling rates of admissions with primary diagnoses pertaining to drug use, the proportion of all ambulance calls related to drugs has increased in Haringey between 2017 and 2021 from 0.79 per 1000 to 1.49 per 1000, with a peak in 2019 at 1.89 (Fig 1). The 2019 figure might be more representative, as years 2020-21 were affected by the pandemic, with new pressures added on the ambulance service to attend to those suffering from Covid-19, which may have diluted the volume of drug-related calls.

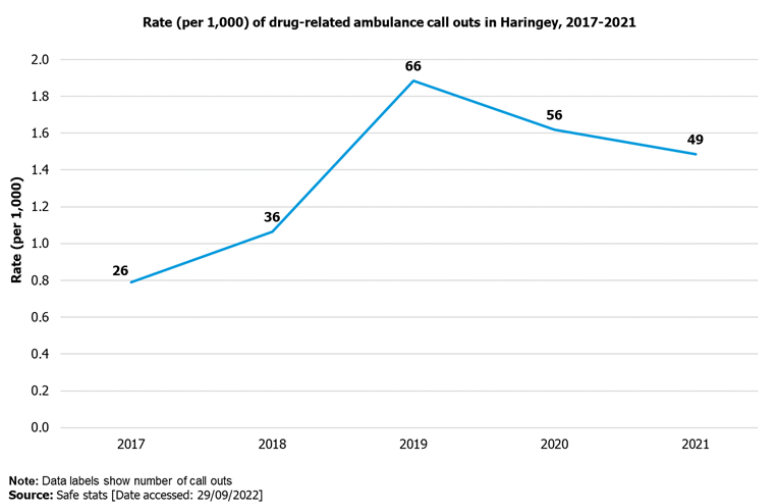


Figure 1. Haringey rate of drug-related ambulance call outs, 2017-21

Users of new psychoactive substances (NPS) in the Haringey treatment service (5 in total) are generally under-represented, despite the fact that they are rapidly gaining in popularity, especially in certain vulnerable groups such as the rough sleepers and prison population. There were estimated 152,000 users of NPS nationally in 2017.

What is Nitrous Oxide and why is it harmful? What are the psychoactive effects.

When it's inhaled, it acts as a psychoactive drug with sedative, psychedelic, analgesic, and dissociative effects. Some mental effects include having an altered state of reality and a sense of euphoria. Some physical effects include vomiting, high blood pressure, nausea and numbness of the muscles.

Common side effects include headache, sickness and paranoia. It can make you feel dizzy or hallucinate, which might make you act carelessly or dangerously. People often mix it with other drugs or alcohol, which can be dangerous as accidents are more likely to happen. Repeated and heavy use of nitrous oxide can cause vitamin B12 deficiency, which can lead to nerve damage.

Statistics

According to the Office for National Statistics, nitrous oxide (also known as laughing gas) has become one of the most commonly abused substances in England and Wales, particularly among young people. In the year ending March 2020, 2.4% of adults aged 16 to 59 years and 8.7% of adults aged 16 to 24 years reported using nitrous oxide in the past year. This makes it the second most abused drug for those aged 16 to 24 (after cannabis) and third most abused drug among those aged 16 to 59 years (after cannabis and cocaine).

In 2019/20, England and Wales Crime Survey reported that 8.7% of 16- to 24-year-olds had taken it, up from 6.1% in 2012/2013. It is very much a young person's drug: two in three users are under 24. Through the usage of nitrous oxide, there were 56 deaths reported between 2001-2020 in England and Wales.

What does the law say and the applicant has committed an offence?

Under the Psychoactive Substances Act 2016 it is an offence to supply nitrous oxide if a person knows, or is reckless as to whether, it will be used for its psychoactive effects.

The failure to promote the licensing objective undermines our efforts and goes against our holistic whole systems approach to protecting children from substance harms.

Haringey Addiction and Recovery Treatment Services

The Insight Platform/Insightful Families Service – supports Children and Young People, who may be at risk or use substances; or parents use substances; and families, friends and carers for those who use substances. The service provides 1:1 health and wellbeing support for children at risk of trying or using alcohol or drugs.

The Grove – A drug service providing pharmacological, psychological, and complimentary treatment and recovery support for Haringey residents. The service includes specialist rough sleeper and criminal justice teams.

Medication for Erectile Dysfunction

We are equally concerned that two types of medication used for erectile dysfunction were also found on the premises on both visits by the Trading Standards Officer. Both products were visible to the public and found under the counter. Both 11 Kamagra Gel sachets and 102 Sildenafil Citrate tablets were seized. Sildenafil Citrate is the generic name for the well-known branded 'Viagra', Sildenafil Citrate would be cheaper to purchase and is available on prescription or for purchase after a consultation with a pharmacist – Only qualified health professionals such as doctors or pharmacists are qualified to ask the right questions to a resident to ensure it is right and safe for them to use based on their medical history, potential medical investigations and previous use and any previous side effects.

The www.nhs.uk recommends accessing Sildenafil Citrate medication whether in-person or online the supplier should be a doctor registered with the General Medical Council (GMC), Care Quality Commission and pharmacist registered the General Pharmaceutical Council. Therefore, Tops Newsagent does not meet the criteria to sell Sildenafil Citrate. Pharmacists are also responsible for the quality of the medication and the knowledge and security of the supply chain of the medication they distribute to patients or customers to ensure its safety to be used. Once again, Tops Newsagents fails to be able to do this. Therefore, we are unable to ascertain the safety of this product, even if the product 'at face value' is legally sold in the UK.

Our concerns are raised further by the availability of Kamagra Gel that was found on the premises also. Kamagra has not been approved for use in the UK by the Medicines and Healthcare Products Regulatory Agency, therefore, it is not legal for use as a medicine in the United Kingdom. It cannot be prescribed by a doctor or sold by a pharmacist because it does not have approval or is it regulated in the UK or Europe. The Public Health team's concern is that a member of the public who may not be aware that illegal medication may not have safe ingredients, or be manufactured within the high quality environments required or that the supply chain to illegal drugs is often controlled by criminal elements.

In addition to this, side effects of the medication include : alopecia; anaemia; anxiety; cough; diarrhoea; dizziness; fluid retention; gastrointestinal discomfort; gastrointestinal disorders; headaches; increased risk of infection; insomnia; nasal complaints; nausea; night sweats; pain; skin reactions; tremor; vasodilation and vision disorders

Uncommon side effects include: Arrhythmias; chest pain; drowsiness; dry eye; dry mouth; eye discomfort; eye disorders; eye inflammation; fatigue; feeling hot; gynaecomastia; haemorrhage; hypertension; hypotension; myalgia; numbness; palpitations; sinus congestion; tinnitus; vertigo and vomiting

Rare side effects include: Acute coronary syndrome; arteriosclerotic retinopathy; cerebrovascular insufficiency; glaucoma; haemospermia; hearing impairment; irritability; optic neuropathy (discontinue if sudden visual impairment occurs); oral hypoaesthesia; priapism; retinal occlusion; scleral discolouration; seizure; severe cutaneous adverse reactions (SCARs); sudden cardiac death; syncope; throat tightness.

Not only that, clearly there are members of the public that would not be prescribed to use these type of erectile dysfunction products even legally because of certain underlying health conditions, www.nhs.uk

Who may not be able take Sildenafil – people who:

- Have ever had an allergic reaction
- Are taking other medication such as nitrates for chest pain (angina)
- Have a serious heart or liver problem
- Have recently had a stroke, heart attack or a heart condition – a check with the doctor is needed
- A have low blood pressure
- Have an inherited eye disease, such as retinitis pigmentosa
- Have sickle cell anaemia, leukaemia or multiple myeloma (cancer of the bone marrow)
- Have a deformity of the penis or peyronie’s disease (curved penis)
- Have a stomach ulcer
- Have a bleeding problem like haemophilia

While serious health harms remains possible and loss of life is rare in the legally prescribed medication, it is only rare, in light of safeguards as to knowing the medication is regulated with a safe supply chain and an interaction with a professional such a doctor or pharmacist. The risk of serious health harm, injury and loss of life is therefore higher, with these medications as all of these safeguards, regulations and registrations have not been applied and therefore, Haringey Public Health team is not convinced with the owner’s response and that they risked the health and lives of our residents.

Illegal Vape Products

While we recognise the benefits of vape as a tool to help our residents to give up smoking. It is illegal to sell Vapes to under 18’s. We clearly see from the evidence provided by the Trading Standards team that the Licensee has little regard for the safety of our residents. A large number of illegal vape products of 1,500-3,500 puffs was found on their premises in Tottenham Lane. The legal level of puffs to be sold in England is up to a maximum of 600 puffs (2ml). Illegal vape may also contain banned substances which are harmful to health such as vitamins, colourings, caffeine and taurine as well as cancer causing, gene mutating and toxic properties.¹ We just do not know what is in an illegal vape, these could enhance the known side effects such a cough, sore mouth and dry mouth, but could increase inflammation in the airways, cause respiratory and heart problems. Once again, the health and wellbeing risks to our residents does not seem to have been taken into account.

Recommendations

Due to the premises situated within a busy area and several schools located nearby, we have concerns over the safeguarding of children. There should not be access to Nitrous Oxide to young people, this is in direct contradiction to the licensing objective protecting children and young people

¹ [E-cigarette use or vaping: reporting suspected adverse reactions, including lung injury - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/e-cigarette-use-or-vaping-reporting-suspected-adverse-reactions-including-lung-injury) accessed online 16/03/2023

from harm. The sales of nitrous oxide for its use on psychoactive effect constitutes illegal activity which may have exacerbated drug-related issues in the area. Both children and adults could be adversely affected by the use of illegal and unsafe vape products.

Due to failure of upholding the licensing objective of prevention of crime and disorder Haringey's Public Health Team is not confident in the licensee's ability to promote licensing objectives going forward as a result of the presence of nitrous oxide, illegal erectile dysfunction medication, illegal and unsafe vape products at the premises and therefore, we strongly recommend that the committee considers revokes their license.