

From: Paulette Myers <Paulette.Myers@walsall.gov.uk>

Sent: 06 January 2021 16:54

To: Licensing <Licensing@walsall.gov.uk>

Cc: Sayful Alom <Sayful.Alom@walsall.gov.uk>; David Elrington <David.Elrington@walsall.gov.uk>

Subject: FW: PH response-Licence Review application

Dear all,

As a responsible authority I am submitting a representation in respect of the premises licence review application.

Many thanks for your support with this.

Regards,

Paulette

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Premises: European Off Licence and Convenience Store, 278 Wolverhampton Road, Walsall, WS2 8RQ

Licence Review

I have considered the application for a review of the licence for the premises named above and I am making the following observations on behalf of the Director of Public Health as a Responsible Authority.

The grounds for the Public Health Department of Walsall Council's involvement in this application for a review of the licence for the above named premises, is that the licensing objectives of public safety and protection of children from harm have been seriously undermined.

Walsall Trading Standards has received numerous complaints about illegal tobacco being sold from the premises and a large quantity of illegal tobacco products has been found in the store on several occasions during visits by Trading Standards Officers and a tobacco detector dog. Counterfeit and incorrectly labelled cigarettes has also been bought from the store during a covert test purchase operation in the last year (European Off Licence and Convenience Store)

The relevance of this to the health of the public is outlined below.

- 1) **Impact on Young People:** there are a number of well documented impacts on health from tobacco use, particularly in young people and the uptake by young people. Some of these are:

- Child and adolescent smoking causes serious risks to respiratory health both in the short and long term¹.
- An increased risk of developing lung cancer or heart disease².
- The younger the age of uptake of smoking, the greater the harm is likely to be because early uptake is associated with subsequent heavier smoking, higher levels of dependency³.
- There is good evidence that two-thirds of smokers take up smoking before the age of 18⁴.
- The ease with which young people can obtain cigarettes significantly influences uptake of smoking⁵.
- Counterfeit/illegal tobacco can pose a greater danger to health, particularly to children and young people as they are often targeted by those who sell illegal cigarettes, selling products at 'pocket money prices' making it easier for children to obtain cigarettes and take up the habit⁶.
- Counterfeit tobacco products often have no quality controls and can be made in very unhygienic conditions⁷.
- The licence holder has been found to be selling illicit cigarettes and at cheap prices on several occasions.

2) Smoking related harm

- Nationally reported data show that the population in Walsall has consistently significantly high deaths caused by smoking than either the West Midlands region or England.



¹ ASH (2019) [Young People and Smoking](#)

² BMA Board of Science (2007) [Breaking the cycle of children's exposure to tobacco smoke](#). British Medical

³ Royal College of Physicians (2010) [Passive smoking and children](#)

⁴ Royal College of Physicians (2010) [Passive smoking and children](#)

⁵ Robinson S & Bugler C (2008) [Smoking and drinking among adults](#)

⁶ All Party Parliamentary Group on Smoking and Health (2013) [Inquiry into the illicit trade in tobacco products](#)

⁷ Sir Cyril Chantler (2014) [Standardised packaging of tobacco: Report of the independent review](#)

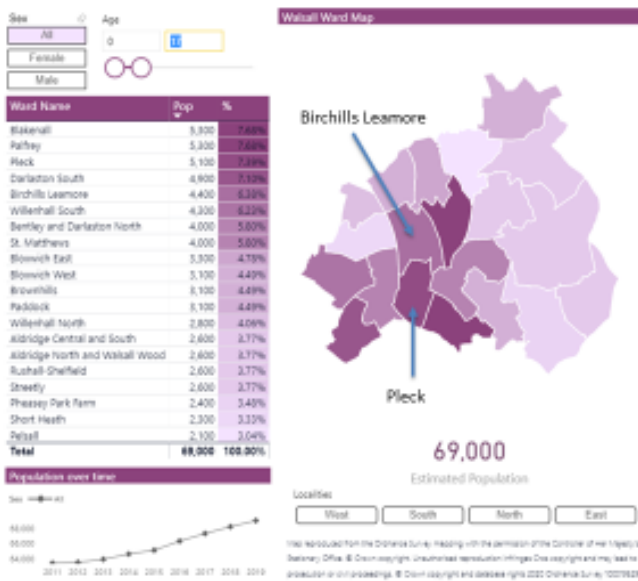
3) **Smoking Prevalence:** The following data⁸ demonstrates increased smoking prevalence within Walsall;

- Overall smoking prevalence in Walsall adults is 19.7% (aged 15+), which is significantly higher than England (16.7%).
- Maternity services record smoking status at the time of delivery is a concern for Walsall, with 16% of mothers smoking through pregnancy and up to the time of the baby’s birth. This is significantly higher than England’s rate of 10.4% in 2019/20. The national target for this indicator is currently 6%. The selling of illicit tobacco reduces the likelihood of smokers stopping smoking due to retailers selling these products at a much lower cost than legal branded cigarettes.

Local Information

The European Off Licence & Convenience store is located in the Birchills Leamore electoral ward which is in the top quartile of wards in Walsall for the number of under 18 year olds (6.4%).

Ward population for under 18’s (based on 2019 mid year estimated from ONS)



In 2019, from a total borough population of 285,500, there were 69,000 under 18’s (almost a quarter)

The 2 wards subject to licence renewal are Birchills Leamore & Pleck and contain 6.4% and 7.4% respectively of the under 18 population. Both wards are in the top quartile of wards for the number of under 18’s.

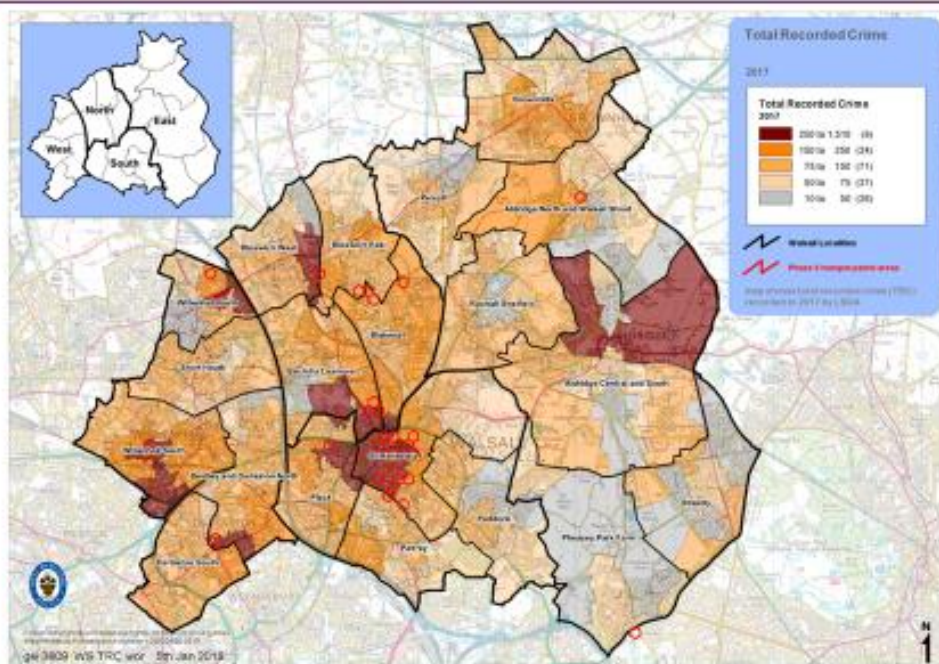
Source: <https://www.walsallintelligence.org.uk/home/demographics/population/>



Crime figures highlight Pleck as an electoral ward with high rates of crime.

⁸ Public Health England (2020) [Local Tobacco Control Profiles](#)

Total recorded crime in 2017



Source: West Midlands Police Intelligence

Summary

There is evidence of repeated sales of illicit tobacco products at these premises. This has the potential for harm to the health of customers, to facilitate smoking by children and to bring more crime into the area. As a consequence, I would ask that the Committee considers revocation of the premises licence.

Dr Paulette Myers
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