



Licensing Act 2003 – Representation Form

Personal Details			
Title:	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other <input type="checkbox"/> (please specify)		
First Name:	JOHN	Surname:	HARVEY
Address:	Walsall Council, Environmental Health, Civic Centre, Darwall Street, Walsall		
Postcode:	WS1 1TP		
Contact Telephone Numbers:	Daytime: 01922 653366 Mobile: 07500854227		

Premises Details <i>(please give as much information as possible)</i>	
Application Ref:	WS/CPC/0061
Name of Premises	King George V
Address of Premises:	King George V, Wallows Lane, Walsall, West Midlands, WS2 9BZ.

Reasons for Representation
Please provide your reasons under the relevant licensing objective below. You are not required to complete all sections. Complete only those that you consider are relevant to your representation.
The Prevention of Crime and Disorder King George V, Wallows Lane, Walsall, West Midlands, WS2 9BZ. breached emergency restrictions imposed under The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 24 December 2020 the club had opened its premises, or part of its premises, for the sale or consumption of food and drink. The cases of infection in both the UK and Walsall remains high and these Regulations are still effective.
The Prevention of Public Nuisance N/A
Public Safety During a national emergency King George V, Wallows Lane, Walsall, West Midlands, WS2 9BZ breached The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 5th December the club had opened its premises, or part of its premises, for the sale or consumption of food and drink. The cases of infection in both the UK and Walsall remains high. This activity/gathering contravened emergency public health measures imposed to reduce the public health risks posed by the spread of COVID-19. It could also have resulted in the transmission of COVID-19 and subsequent illness or death

The Protection of Children from Harm

N/A

In accordance with the provisions of the Licensing Act 2003, the Licensing Authority is required to include all personal details in the Committee report. Should there be exceptional circumstances, which require the protection of your identity, please explain the reasons below:

I JOHN JAMES HARVEY, employed by Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall, WS1 1TP as an Environmental Health Officer. I have been a fully qualified Environmental Health Officer for 7 years. I am an authorised Officer to enforce provisions of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 and The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

Due to the emerging pandemic of coronavirus and growing number of cases throughout the UK, the Secretary of state introduced The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 on the 26th of March 2020.

These regulations were made in response to the serious and imminent threat to public health, which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) in England. These regulations prohibited the sale of food and alcohol for consumption on the premises.

On the 30st March 2020, Environmental Health at Walsall Council received a complaint via West Midlands Police regarding members of the public attempting to gain access to King George V, Wallows Lane, Walsall, West Midlands, WS2 9BZ whilst the UK was on its first coronavirus lockdown. In response to this complaint, on 1st of April 2020, a letter addressed to the responsible person at this premises was sent to inform them of the complaint and to draw their attention to legislation that prohibited them from trading as a pub at this time. The letter also advised that further monitoring could be undertaken by Walsall Council and/ or The Police in order to investigate allegations concerning the premises. A copy of this letter is attached in Appendix II.

The first lockdown was released in a staged approach with key sectors and industries returning at different times. On the 6th of July 2020, an amendment to the regulations allowed the hospitality sector to re-open.

Walsall Councils Environmental Health Department received a further eight complaints ranging from being open when they should not be, to poor social distancing, during the time period 28th April 2020 to 16th September 2020, the majority of which were unsubstantiated. A summary of the complaints received is given in Appendix II

On the 26th of September 2020, the government introduced , The Health Protection (Coronavirus, Restrictions) (Obligations of Hospitality Undertakings) (England) Regulations 2020 This law prevented groups of more than six persons sitting together within a licensed premises. It is also enforced a table only service whereby customers should be seated in a social distant manner at all times when at a licensed premises.

On 14 October 2020, the government introduced a three-tier approach across England, with legal restrictions varying according to government-defined tiers. Walsall was placed into tier two at this time (referred to in government statements as "Local COVID Alert Levels"Tier 2": The Health Protection (Coronavirus, Local COVID-19 Alert Level) (High) (England) Regulations 2020 (SI 2020/1104). The law specified that businesses that sell alcohol must serve all food and drink to customers seated at tables. Customers must order at the table, and must remain seated while eating and drinking.

On the 25th of October, Walsall Council Environmental Health Officers accompanied the Police on a joint visit to the King George V to assess covid compliance and security.

CCTV was viewed showing customers standing together at the bar, which was in breach of the Obligation of Undertaking Regulations. Advice was given to the Designated Premises Supervisor on customer distancing and appropriate Covid- 19 control measures. On the 5th of November, due to high levels of covid infection nationally, the Government introduced a month long national lockdown to prevent the NHS from being overwhelmed by the number of patients requiring hospitalisation. The Health Protection (Coronavirus, Restrictions) (England) (No. 4) Regulations 2020 were put into place. This again prohibited the sale of food and alcohol for consumption on the premises.

On the 2nd of December, when the national lockdown measures were removed, Walsall was placed into Tier 3 of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. This law prohibited the sale and supply of food for consumption on premises.

On the 29th of December 2020, West Midlands Police informed Walsall Council that Police Officers had observed a lock in that had taken place within the grounds of King George V, Wallows Lane, Walsall, West Midlands, WS2 9BZ. A witness statement provided by PC0876 Symon Bytheway indicated that alcohol had been served and consumed at the premises, which contravenes The All Tier Regulations. Subsequently, on the 31st of December 2020, a Prohibition Notice was served under the provisions of Regulation 9(2) of the All Tier Regulations on both the Designated Premises Supervisor, Mr Raman Singh, and the Premises Licence Holder, Admiral Taverns Ltd. A copy of the prohibition notices and accompanying letters is given in Appendix II

I have attached to this representation form a Walsall Council Public Health COVID-19 Summary to support my representation, concerning risk posed to public safety, in relation to the breach of the Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020 Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) by King George V, Wallows Lane, Walsall, West Midlands, WS2 9BZ. (See Appendix 1)

Declaration

I confirm that the information I have provided is true and correct.

Signed: John Harvey

Dated: 09/02/2021