



Walsall Council

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 The Chief Constable of West Midlands Police

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

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

Walsall Wood Football & Social Club
Oak Park Football Ground
Lichfield Road

Post town **Walsall**

Post code (if known) **WS9 9NP**

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

Walsall Wood Football & Social Club

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

WS/CPC/0061

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

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 yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick yes

**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 Chief Constable of West Midlands Police Walsall Licensing Section West Midlands Police HQ Lloyd House Birmingham B4 6NQ
Telephone number (if any) 101 8896331
E-mail address (optional) H_WALSALL_LICENSING@west-midlands.pnn.police.uk

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

- | | |
|---|---------------------------------|
| | Please tick one or more boxes ✓ |
| 1) the prevention of crime and disorder | X |
| 2) public safety | X |
| 3) the prevention of public nuisance | X |
| 4) the protection of children from harm | X |

Please state the ground(s) for review (please read guidance note 2)

These premises are a small football club that operate under a club premises certificate under the chairmanship of Justin Hodgin. The facilities at the ground include changing facilities and two bar areas. The buildings are self-contained and can be completely secured with external shutters from the inside. This can mean that it is not possible to see inside at all, meaning it would be easy to conduct activity without bringing attention to the premises.

The grounds for this review come from repeated failures of the premises and the management throughout the Covid pandemic. This has been through the premises not following the regulation, which is a criminal offence, but also breaching the extensive guidance designed to help premises operate in a Covid secure manner. This has happened to a level that is placing an increased risk of infection to the staff, customers attending, officers that need to enforce and the wider community.

West Midlands Police can only see that this has been done for the purpose of profit and financial gain for the club at a time when other premises, both locally and nationally, have been abiding by the rules in spite of the financial hardship this has caused them.

The Covid 19 Pandemic has had a global impact with over 1.5 MILLION fatalities. The UK has seen a significant impact with a comparatively high level of deaths per 100,000 of population. It has seen significant hardship with two national lockdowns, tiering systems that impact on different regions designed to restrict social interaction. This has been done to try and defeat the pandemic and allow normality to resume as quickly as possible. Actions that have occurred at this premise only delayed that further to the continued detriment of others.

The infection rate in Walsall has varied throughout 2020 which has resulted in them sitting in different tiers at different times. This will be identified as we go through the time line of events.

WMP have exhausted the engage, explain and encourage elements of the nationwide 4 E approach. It is clear that the management control of the premises is either wilfully ignoring what WMP are saying or at worst negligent as to how the premises operate.

The events which have led to this enforcement action are described below, in reverse chronological order.

For ease, all regulations and guidance will be supplied as supplementary evidence before the hearing.

Saturday 5th December (Tier 3 for Walsall)

Officers attend the location and discover activity taking place inside the premises. Attempts were made to divert officer's attention. Officers contacted the club chairman who was evasive and denied responsibility, he could not locate any key holder and was abusive when officers asked him to facilitate entry to the premises.

Officers from Operation Reliant (A force wide operation to respond to suspected Covid breaches) attended the premises and could clearly hear activities taking place inside. Repeated attempts were made to get people's attention inside of the premises. It was known that they could hear officers as officers were repeatedly told to 'FUCK OFF' Officers could hear music inside. The activity inside continued for some considerable time, even after it was apparent police officers were outside trying to engage with them.

Ultimately, force had to be used to enter the premises and a substantial number of police resources were deployed to the incident. Upon gaining entry, officers noted that people were consuming alcohol, it would appear that some people inside were not from the local area. It also transpired that a member of committee/club secretary was present with their family inside the premises.

The activities which officers witnessed contravened the Tier 3 regulations. The fact that the building was locked by shutters jeopardised the safety of those inside had there been any reason for them to quickly evacuate.

Directions to leave and fixed penalty notices were issued to 19 persons inside the location.

WMP are aware that on the 7th December, the chairman of the club issued a statement saying that no club officials or club staff was on site at the time of this incident. This goes against the evidence that officers gathered on the night which showed there was an official present.

Thursday 7th October (Tier 2)

Reports via social media that fans were in attendance at a football fixture at this location and were not socially distanced.

Saturday 25th April (National Lockdown)

Officers attend to view the CCTV of previous incidents unfortunately officers found no evidence of any recordings on the hard drive for these dates. The playback facility was still available and officers in attendance reviewed this and could see the Chairman and a colleague using the system an hour before officers attended.

Friday 10th April (National Lockdown)

Officers attended the location to reports of activity inside. Officers noted that a light was on inside, they could hear people talking inside and children laughing. The premise was locked and the shutters were down.

Sunday 5th April (National Lockdown)

Call from the public that the premises had been open. Officers attended and the site was secure and locked up.

There has been a continued effort to operate these premises in contravention of the regulations. This is aggravated by the secretive manner in which the premises have operated.

WMP have worked in partnership with Walsall local authority to address the issues but the operators have disregarded guidance and support from both WMP and Walsall local authority.

For all of the reasons documented, WMP do not believe that the premises has in any way promoted any of the four licensing objectives and this is why this review is against all four objectives.

WMP have no confidence in the management of this premises which has shown a disregard to the licensing objectives for the sake or profit and financial gain. If it had been possible, WMP would have sought an expedited review owing to the seriousness of what has happened. WMP are seeking the revocation of the club premises certificate.

Please provide as much information as possible to support the application (please read guidance note 3)

WMP will supply a full evidence bundle for this hearing which will include –

Regulations throughout Covid 19 pandemic

Guidance for safe operation of licensed premises

Statements from local police officers that have engaged with the premises, chairman and other staff

Statements from officers on Operation Reliant who attended on 5th December

Licensing officer statement

Statement of LCT member detailing significance of these issues/resources/demand

Bodycam footage of attending officers

Please tick ✓ yes

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

If yes please state the date of that application

Day Month Year

	1	2	1	0	2	0
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If you have made representations before relating to the premises please state what they were and when you made them

N/A

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 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

[Handwritten Signature] CHIEF SPT PAROUS (ON BEHALF OF THE CHIEF COMMANDER)
17TH DECEMBER 2020
BOROUGH COMMANDER WALSALL NPU

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6) Walsall Police Walsall Partnerships (Licensing) Civic Centre Darwall Street	
Post town Walsall	Post Code WS1 1RG
Telephone number (if any) 101 ext 8896331	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional) H_WALSALL_LICENSING@west-midlands.pnn.police.uk	

Notes for Guidance

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