



## Licensing Act 2003 – Representation Form

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

Premises Details <i>(please give as much information as possible)</i>	
<b>Application Ref:</b>	WS/CPC/0061
<b>Name of Premises</b>	Walsall Wood Football Club
<b>Address of Premises:</b>	Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP.

Reasons for Representation
<p>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.</p>
<p><b>The Prevention of Crime and Disorder</b></p> <p>Walsall Wood Community Football Club 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 5th 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 are still rapidly increasing and these Regulations are still effective.</p>
<p><b>The Prevention of Public Nuisance</b></p>
<p><b>Public Safety</b></p> <p>During a national emergency Walsall Wood Community Football Club 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 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 are still rapidly increasing and these Regulations are still effective. 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.</p>

## The Protection of Children from Harm

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 am Paul Dominic Rooney employed by Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall, WS1 1TP as a Team Leader in Environmental Health. I have been a fully qualified Environmental Health Officer for over 30 years. I am 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.

I have attached to this representation form a statement which details matters and associated actions concerning 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) (See Appendix 1)

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 Walsall Wood Community Football Club. (See Appendix 2)

### Declaration

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

**Signed:** Paul Rooney

**Dated:** 14th January 2021

## Sayful Alom

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**From:** Paul Rooney  
**Sent:** 15 January 2021 09:19  
**To:** Licensing  
**Subject:** FW: Appendix 1 WS/CPC/0061 - Walsall Wood Community Football Club/Licensing Act 2003 Representations Email 2  
**Attachments:** PDR\_1\_EH\_warning\_Letter\_PR\_WWCFC\_14\_04\_20.pdf; Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll; RE: Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll; PDR\_3\_PN\_11\_12\_20.pdf; PDR\_4\_Letter\_JH\_11\_12\_20.pdf; PDR\_5\_Letter\_IJS\_11\_12\_20.pdf; WWCFC\_Statement\_PR\_06\_01\_21.doc

I have attached all documents for Appendix 1. It includes witness statement and exhibits.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooneyp@walsall.gov.uk](mailto:rooneyp@walsall.gov.uk)

Disclaimer: IF THIS EMAIL IS MARKED PRIVATE OR CONFIDENTIAL - PLEASE RESPECT THAT AND DO NOT FORWARD IT TO ANYONE ELSE WITHOUT THE EXPRESS PERMISSION OF THE AUTHOR. The information in this message should be regarded as confidential and is intended for the addressee only unless explicitly stated. If you have received this message in error it must be deleted and the sender notified. The views expressed in this message are personal and not necessarily those of Walsall MBC unless explicitly stated. E-mails sent or received from Walsall MBC may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purposes of essential maintenance or support of the e-mail system. You should also be aware that any email may be subject of a request under Data Protection, Freedom of Information or Environmental Information legislation and therefore could be disclosed to third parties.

E-mail Security: Communication by internet email is not secure as messages can be intercepted and read by someone else. Therefore we strongly advise you not to email any information, which if disclosed to unrelated third parties would be likely to cause you distress. If you have an enquiry of this nature please provide a postal address to allow us to communicate with you in a more secure way. If you want us to respond by email you must realise that there can be no guarantee of privacy.



**Walsall Council**

## **Environmental Health**

Mr Justin Hodgin



Your Ref:

Our Ref: WK/202005403

Date: 3<sup>rd</sup> April 2020

Please ask for: P. Rooney

Direct Line:

E-mail: [Environmentalhealth@walsall.gov.uk](mailto:Environmentalhealth@walsall.gov.uk)

Dear Mr Hodgin,

**Public Health (Control of Disease) Act 1984  
The Health Protection (Coronavirus, Restrictions) (England) Regulations  
2020**

**Walsall Wood Community Football Club, Oak Park Football Ground,  
Lichfield Road, Walsall Wood, Walsall, WS9 9NP.**

I am writing further to my visit to the above premises on 12<sup>th</sup> April 2020.

This visit was in response to a notification from the Police that they had attended your premises on Saturday 11<sup>th</sup> April 2020 and had noticed a light was on inside the club house and voices could be heard. It also appeared that you were operating your club house, or part thereof in a manner that contravenes the above Regulations.

It is considered that the business known as Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, is included in Part 1 of Schedule of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. All businesses, or parts thereof, listed in this schedule are legally required to close under current Government emergency restrictions until further notice.

I must ask that you take immediate steps to ensure that your business operations at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall are conducted in such a manner as to comply with all the requirements set out in the above mentioned regulations

Should you fail to comply with this request consideration will be given to serving a Prohibition Notice on the business. The penalty for a breach of such Notice is an unlimited fine at Court. As a further measure, and if needed, businesses that fail to comply could also be subject to a Licence Review the outcome of which could be the variation or loss of this premises' licence.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current Regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close/further-businesses-and-premises-to-close-guidance>

My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader – Environmental Health**



# Walsall Council

## The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

### PROHIBITION NOTICE

**Date:** 11<sup>th</sup> December 2020

**Notice Reference:** WK/202018145

#### Part A

**To:** Walsall Wood Community Football Club,

**At:** : Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Of:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Trading as:** Walsall Wood Community Football Club

This Prohibition Notice is served under Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 ("the Regulations") and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Paul Dominic Rooney, designated as a relevant person for the purposes of the Regulations by Walsall Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

#### Part B. Contravention of the Restrictions

**Regulation Contravened:** Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) to the Regulations.

**Particulars of Offence:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP on the 5<sup>th</sup> December 2020 carried on a business/provided a service other than as permitted by the exceptions listed, namely in that it opened its premises, or part of its premises, known as Walsall Wood Community Football Club Limited, Oak Park Football Ground, Lichfield Road, Walsall Wood, WS9 9NP, for the sale and consumption of food and drink on the premises and being in contravention of Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

### **Part C. Action Required**

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

- 1 Close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and
- 2 Cease providing food or drink for consumption on the premises

### **Part D. Consequences of non-compliance with this Notice, and with the Regulations**

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

In the event of continued contravention of the Prohibition Notice, or of any requirements under Regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with Regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

### **Part E. Challenging this Prohibition Notice**

If you consider that the Notice should not have been issued, you can make representations to Walsall Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice.

Your challenge will be processed in accordance with Walsall Councils Complaint Procedure: <https://go.walsall.gov.uk/tellus>

**Contact:** Walsall Council, Civic Centre, Darwall Street, WS1 1TP. (Tel. 01922 653366)

**This Notice remains in force even if you have raised a challenge.**

**Should the Local Authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.**

**Signed:**



**Date:** 11<sup>th</sup> December 2020

**Name:** PAUL DOMINIC ROONEY

**Name and Address of Local Authority:** Walsall Council, Darwall Street, Walsall, WS1 1TP

Telephone: 01922 653366

Email: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

**If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice**



# Walsall Council

## Environmental Health

Walsall Wood Community Football Club  
Oak Park Football Ground  
Lichfield Road,  
Walsall Wood  
Walsall,  
West Midlands  
WS9 9NP

Your Ref:  
Our Ref: WK/202018145  
Date: 11<sup>th</sup> December 2020  
Please ask for:  
Direct Line: 01922 653366  
E-mail: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

Dear Sir,

### **Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

**Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP**

A Prohibition Notice is enclosed in respect of the above premises, or part thereof, which was observed to be open for the sale and consumption of food and drink, in contravention of the above named Regulations.

The enclosed Notice specifically prohibits Walsall Wood Community Football Club from opening its premises, or part of its premises for the sale and consumption of food and drink and providing food or drink for consumption on the premises.

**Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable upon summary conviction in a Magistrates' Court or by a Fixed Penalty Notice issued in accordance with Regulation 11 and 12 of the Regulations**

You should also be aware of the provisions of Regulation 10 of the above Regulations which states that a person commits an offence if, without reasonable excuse, the person fails to comply with a prohibition notice. An

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel. 01922 653366

offence under this regulation is punishable on summary conviction by a fine. If an offence under this regulation committed by a body corporate is proved:

- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted, proceeded against and punished accordingly.

An "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close>

I appreciate your cooperation and assistance with this matter. My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader - Environmental Health Officer**



# Walsall Council

## The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

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**Notice Reference:** WK/202018145

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I, Paul Dominic Rooney, designated as a relevant person for the purposes of the Regulations by Walsall Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

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### **Part D. Consequences of non-compliance with this Notice, and with the Regulations**

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In the event of continued contravention of the Prohibition Notice, or of any requirements under Regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with Regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

### **Part E. Challenging this Prohibition Notice**

If you consider that the Notice should not have been issued, you can make representations to Walsall Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice.

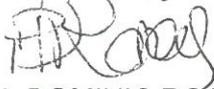
Your challenge will be processed in accordance with Walsall Councils Complaint Procedure: <https://go.walsall.gov.uk/tellus>

**Contact:** Walsall Council, Civic Centre, Darwall Street, WS1 1TP. (Tel. 01922 653366)

**This Notice remains in force even if you have raised a challenge.**

**Should the Local Authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.**

**Signed:**



**Date:** 11<sup>th</sup> December 2020

**Name:** PAUL DOMINIC ROONEY

**Name and Address of Local Authority:** Walsall Council, Darwall Street, Walsall, WS1 1TP

Telephone: 01922 653366

Email: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

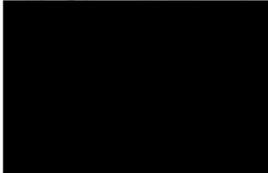
**If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice**



Walsall Council

## Environmental Health

Justin Hodgkin,



Your Ref:

Our Ref: WK/202018145

Date: 11<sup>th</sup> December 2020

Please ask for:

Direct Line: 01922 653366

E-mail: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

Dear Sir,

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**Walsall Wood Community Football Club, Oak Park Football Ground,  
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**Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable upon summary conviction in a Magistrates' Court or by a Fixed Penalty Notice issued in accordance with Regulation 11 and 12 of the Regulations**

You should also be aware of the provisions of Regulation 10 of the above Regulations which states that a person commits an offence if, without reasonable excuse, the person fails to comply with a prohibition notice. An

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel. 01922 653366

offence under this regulation is punishable on summary conviction by a fine. If an offence under this regulation committed by a body corporate is proved:

- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted, proceeded against and punished accordingly.

An "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

You will also find enclosed for your reference a copy of a letter you received and your email response to the letter regarding a reported breach of The Health Protection (Coronavirus Restrictions) (England) Regulations 2020 on 11<sup>th</sup> April 2020.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

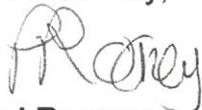
This monitoring will take place for the duration of the current regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close>

I appreciate your cooperation and assistance with this matter. My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**

**Team Leader - Environmental Health Officer**

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

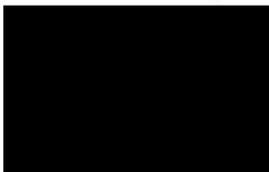
Tel. 01922 653366



# Walsall Council

## Environmental Health

Mr Justin Hodgin



Your Ref:

Our Ref: WK/202005403

Date: 3<sup>rd</sup> April 2020

Please ask for: P. Rooney

Direct Line:

E-mail: [Environmentalhealth@walsall.gov.uk](mailto:Environmentalhealth@walsall.gov.uk)

Dear Mr Hodgin,

**Public Health (Control of Disease) Act 1984  
The Health Protection (Coronavirus, Restrictions) (England) Regulations  
2020**

**Walsall Wood Community Football Club, Oak Park Football Ground,  
Lichfield Road, Walsall Wood, Walsall, WS9 9NP.**

I am writing further to my visit to the above premises on 12<sup>th</sup> April 2020.

This visit was in response to a notification from the Police that they had attended your premises on Saturday 11<sup>th</sup> April 2020 and had noticed a light was on inside the club house and voices could be heard. It also appeared that you were operating your club house, or part thereof in a manner that contravenes the above Regulations.

It is considered that the business known as Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, is included in Part 1 of Schedule of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. All businesses, or parts thereof, listed in this schedule are legally required to close under current Government emergency restrictions until further notice.

I must ask that you take immediate steps to ensure that your business operations at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall are conducted in such a manner as to comply with all the requirements set out in the above mentioned regulations

---

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel: 01922 653366 Email; [environmentalhealth@walsall.gov.uk](mailto:environmentalhealth@walsall.gov.uk)  @EHWalsall

Should you fail to comply with this request consideration will be given to serving a Prohibition Notice on the business. The penalty for a breach of such Notice is an unlimited fine at Court. As a further measure, and if needed, businesses that fail to comply could also be subject to a Licence Review the outcome of which could be the variation or loss of this premises' licence.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

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My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader – Environmental Health**

## Paul Rooney

---

**From:** Justin Hodgkin [REDACTED]  
**Sent:** 20 April 2020 10:53  
**To:** Paul Rooney  
**Subject:** RE: Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

**CAUTION: This email originated from outside of the council. If you have any doubts do not click links or open attachments. You should never be asked to enter your username and password into an external link.**

Dear Mr. Rooney,

Further to your communication attached, I would like the following to be on record.

- 1) On the evening of 12<sup>th</sup> April, the police attended my personal home and spoke to me face-to-face, proving I couldn't be operating the clubhouse of Walsall Wood Community FC and would like this removing from any record.
- 2) The police on this evening also attended the clubhouse before my home at Walsall Wood Community FC and found or saw no evidence of the clubhouse being operated.
- 3) I completely refute the that clubhouse was being operated against any regulations that are enforced and there is no proof to state differently.
- 4) All keys are now with myself and any assistance to either yourselves or the police, I will happily oblige.

Kind regards,

Justin Hodgkin  
Chairman  
Walsall Wood Community FC

**From:** Paul Rooney [mailto:Paul.Rooney@walsall.gov.uk]  
**Sent:** 14 April 2020 15:08  
**To:** Justin Hodgkin | [REDACTED]  
**Subject:** Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

Dear Mr Hodgkin,

Please see the attached letter for your urgent attention concerning non-compliance with the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooney@walsall.gov.uk](mailto:rooney@walsall.gov.uk)

Disclaimer: IF THIS EMAIL IS MARKED PRIVATE OR CONFIDENTIAL - PLEASE RESPECT THAT AND DO NOT FORWARD IT TO ANYONE ELSE WITHOUT THE EXPRESS PERMISSION OF THE AUTHOR. The information in this message should be regarded as confidential and is intended for the addressee only unless explicitly stated. If you have received this message in error it must be deleted and the sender notified. The views expressed in this message are personal and not necessarily those of Walsall MBC unless explicitly stated. E-mails sent or received from Walsall MBC may be intercepted and read by the Council. Interception will only occur to ensure compliance with Council policies or procedures or regulatory obligations, to prevent or deter crime, or for the purposes of essential maintenance or

support of the e-mail system. You should also be aware that any email may be subject of a request under Data Protection, Freedom of Information or Environmental Information legislation and therefore could be disclosed to third parties.

E-mail Security: Communication by internet email is not secure as messages can be intercepted and read by someone else. Therefore we strongly advise you not to email any information, which if disclosed to unrelated third parties would be likely to cause you distress. If you have an enquiry of this nature please provide a postal address to allow us to communicate with you in a more secure way. If you want us to respond by email you must realise that there can be no guarantee of privacy.



# Walsall Council

## Environmental Health

Ian James Sylvester  
Walsall Wood Community Football Club  
Oak Park Football Ground  
Lichfield Road,  
Walsall Wood  
Walsall,  
West Midlands  
WS9 9NP

Your Ref:  
Our Ref: WK/202018145  
Date: 11<sup>th</sup> December 2020  
Please ask for:  
Direct Line: 01922 653366  
E-mail: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

Dear Sir,

**Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020**

**Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP**

A copy of a Prohibition Notice is enclosed in respect of the above premises, or part thereof, which was observed to be open for the sale and consumption of food and drink, in contravention of the above named Regulations.

The enclosed Notice specifically prohibits Walsall Wood Community Football Club from opening its premises, or part of its premises for the sale and consumption of food and drink and providing food or drink for consumption on the premises.

**Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable upon summary conviction in a Magistrates' Court or by a Fixed Penalty Notice issued in accordance with Regulation 11 and 12 of the Regulations**

You should also be aware of the provisions of Regulation 10 of the above Regulations which states that a person commits an offence if, without reasonable excuse, the person fails to comply with a prohibition notice. An

Environmental Health, Civic Centre, Darwall Street, Walsall WS1 1TP

Tel. 01922 653366

offence under this regulation is punishable on summary conviction by a fine. If an offence under this regulation committed by a body corporate is proved:

- (a) to have been committed with the consent or connivance of an officer of the body corporate, or
- (b) to be attributable to any neglect on the part of such an officer, the officer (as well as the body corporate) is guilty of the offence and liable to be prosecuted, proceeded against and punished accordingly.

An "officer", in relation to a body corporate, means a director, manager, secretary or other similar officer of the body corporate.

Due to the serious nature of the allegation, unannounced physical or social media monitoring will be carried out by local authority staff or West Midlands Police to ensure that the requirements of the legislation are being properly met and observed.

This monitoring will take place for the duration of the current regulations or for 3 months whichever ends sooner.

I appreciate that this is a very difficult and uncertain time for everyone and I would signpost you to the latest Government guidance on current restrictions in relation to emergency measures in place and advice for businesses, employers and employees can be found at:

<https://www.gov.uk/government/publications/further-businesses-and-premises-to-close>

I appreciate your cooperation and assistance with this matter. My contact details are at the head of this letter should you wish to speak to me.

Yours faithfully,



**Paul Rooney**  
**Team Leader - Environmental Health Officer**



# Walsall Council

## The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 (SI. 2020 No. 1374)

### PROHIBITION NOTICE

**Date:** 11<sup>th</sup> December 2020

**Notice Reference:** WK/202018145

#### Part A

**To:** Walsall Wood Community Football Club,

**At:** : Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Of:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP

**Trading as:** Walsall Wood Community Football Club

This Prohibition Notice is served under Regulation 9(2) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 ("the Regulations") and has immediate effect.

The Regulations impose certain restrictions to protect against the risks to public health arising from coronavirus. Failure to comply with the requirements of the Regulations, without reasonable excuse, is a criminal offence.

I, Paul Dominic Rooney, designated as a relevant person for the purposes of the Regulations by Walsall Council, have reasonable grounds for believing that you are contravening a requirement in the Regulations as set out in Part B below and that it is necessary and proportionate to issue this Prohibition Notice to prevent continued contravention of that requirement.

#### Part B. Contravention of the Restrictions

**Regulation Contravened:** Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) to the Regulations.

**Particulars of Offence:** Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP on the 5<sup>th</sup> December 2020 carried on a business/provided a service other than as permitted by the exceptions listed, namely in that it opened its premises, or part of its premises, known as Walsall Wood Community Football Club Limited, Oak Park Football Ground, Lichfield Road, Walsall Wood, WS9 9NP, for the sale and consumption of food and drink on the premises and being in contravention of Regulation 8 and Part 2 of Schedule 3, paragraph 9(1) of The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020.

### **Part C. Action Required**

This Prohibition Notice requires that you immediately cease the activities identified in Part B giving rise to contravention of the Regulations. The measures specified below must be taken to prevent continued contravention of the Regulations:

- 1 Close the premises, or part(s) of the premises, in which food or drink are provided for consumption on the premises; and
- 2 Cease providing food or drink for consumption on the premises

### **Part D. Consequences of non-compliance with this Notice, and with the Regulations**

Failure to comply with this Prohibition Notice, without reasonable excuse, is an offence under Regulation 10 of the Regulations, punishable by a fine on summary conviction in a Magistrates' Court.

In the event of continued contravention of the Prohibition Notice, or of any requirements under Regulation 10 of the Regulations (Offences and penalties), a fixed penalty notice may be issued in accordance with Regulation 11 and 12 of the Regulations, or you may be prosecuted under regulations 10 and 13 of the Regulations.

### **Part E. Challenging this Prohibition Notice**

If you consider that the Notice should not have been issued, you can make representations to Walsall Council in writing outlining your reasons for challenging the Notice, within 21 days of the date on this Notice.

Your challenge will be processed in accordance with Walsall Councils Complaint Procedure: <https://go.walsall.gov.uk/tellus>

**Contact:** Walsall Council, Civic Centre, Darwall Street, WS1 1TP. (Tel. 01922 653366)

**This Notice remains in force even if you have raised a challenge.**

**Should the Local Authority's review of your challenge determine that the Notice should not have been issued, you will be notified in writing.**

**Signed:**



**Date:** 11<sup>th</sup> December 2020

**Name:** PAUL DOMINIC ROONEY

**Name and Address of Local Authority:** Walsall Council, Darwall Street, Walsall, WS1 1TP

Telephone: 01922 653366

Email: [covid19reporting@walsall.gov.uk](mailto:covid19reporting@walsall.gov.uk)

**If you are not sure of your rights or the implications of this Notice, you may want to seek independent legal advice**

## Sayful Alom

---

**From:** Justin Hodgkin | [REDACTED]  
**Sent:** 20 April 2020 10:53  
**To:** Paul Rooney  
**Subject:** RE: Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

**CAUTION: This email originated from outside of the council. If you have any doubts do not click links or open attachments. You should never be asked to enter your username and password into an external link.**

Dear Mr. Rooney,

Further to your communication attached, I would like the following to be on record.

- 1) On the evening of 12<sup>th</sup> April, the police attended my personal home and spoke to me face-to-face, proving I couldn't be operating the clubhouse of Walsall Wood Community FC and would like this removing from any record.
- 2) The police on this evening also attended the clubhouse before my home at Walsall Wood Community FC and found or saw no evidence of the clubhouse being operated.
- 3) I completely refute the that clubhouse was being operated against any regulations that are enforced and there is no proof to state differently.
- 4) All keys are now with myself and any assistance to either yourselves or the police, I will happily oblige.

Kind regards,

Justin Hodgkin  
Chairman  
Walsall Wood Community FC

---

**From:** Paul Rooney [mailto:Paul.Rooney@walsall.gov.uk]  
**Sent:** 14 April 2020 15:08  
**To:** Justin Hodgkin | [REDACTED]  
**Subject:** Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll

Dear Mr Hodgkin,

Please see the attached letter for your urgent attention concerning non-compliance with the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooneyp@walsall.gov.uk](mailto:rooneyp@walsall.gov.uk)

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## Sayful Alom

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**From:** Paul Rooney  
**Sent:** 14 April 2020 15:08  
**To:** [REDACTED]  
**Subject:** Walsall Wood Community Football Club, Lichfield Road, Walsall Wood, Walsll  
**Attachments:** EH\_warning\_Letter\_PR\_WWCFC\_14\_04\_20.pdf

Dear Mr Hodgkin,

Please see the attached letter for your urgent attention concerning non-compliance with the Health Protection (Coronavirus, Restrictions)(England) Regulations 2020.

Regards

Paul Rooney  
Team Leader - Environmental Health  
Telephone: 01922 653024  
Email: [rooneyp@walsall.gov.uk](mailto:rooneyp@walsall.gov.uk)

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E-mail Security: Communication by internet email is not secure as messages can be intercepted and read by someone else. Therefore we strongly advise you not to email any information, which if disclosed to unrelated third parties would be likely to cause you distress. If you have an enquiry of this nature please provide a postal address to allow us to communicate with you in a more secure way. If you want us to respond by email you must realise that there can be no guarantee of privacy.

## Statement of Witness

(Criminal Procedure Rules 2005 r 27.2;  
Criminal Justice Act 1967, s.9, Magistrates Courts Act 1980, s.5B)

STATEMENT OF Paul Dominic Rooney

AGE OF WITNESS OVER 18  
(if over 18 enter "over 18")

OCCUPATION OF WITNESS Team Leader – Environmental Health

**This statement consists of 3 pages each signed by me. It is true to the best of my knowledge and belief. 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 7<sup>th</sup> day of January 2021



*(Signed)*

I am employed by Walsall Metropolitan Borough Council, Civic Centre, Darwall Street, Walsall, WS1 1TP as a Team Leader in Environmental Health. I have been a fully qualified Environmental Health Officer for over 30 years. I am 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. This statement is in relation to the Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP. Acting on information received, concerning an allegation that the club had breached Regulation 4 of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020, which required the closure of any premises, or part of the premises, in which food or drink are sold for consumption on those premises, and the cessation of the sale of food or drink for consumption on its premises during the emergency I visited the club on 11<sup>th</sup> April 2020 at

SIGNATURE .....



## Statement of Witness

(Criminal Procedure Rules 2005 r 27.2;  
Criminal Justice Act 1967, s.9, Magistrates Courts Act 1980, s.5(B))

Continuation sheet no. 1:

approximately 10:30 am. I was accompanied by Andrew Woodward and Sonia Iram (Environmental Health Officers). Prior to my visit I had established from Council records that Walsall Wood Community Football Club's Club Premises Certificate (reference WS/CPC/0061) was still subject to a suspension, made under the provisions of Section 92A(1) of the Licensing Act 2003, for a failure to pay the annual fee, which came into effect on 14<sup>th</sup> January 2020. At these premises I met PC Whittaker 20739 and Justin Hodgkin known to me as the Club Chairman. During this visit there was a discussion about the allegations. However, from these discussions it was not possible to confirm whether these Regulations had been breached. I noted during my visit that there was a distinct and "fresh" smell of beer in the bar area of the club house suggesting to me that drink could have been recently consumed on the premises. PC Whittaker made arrangements with Justin Hodgkin to view CCTV footage so that he could make further investigations. On 14<sup>th</sup> April 2020 I sent an email with an attached letter to Justin Hodgkin regarding this matter. I now produce a copy of this email and the attached letter as Exhibit PDR/1. It should be noted that due to an error the letter was incorrectly dated 3<sup>rd</sup> April 2020 instead of its effective date which was 14<sup>th</sup> April 2020. This letter outlined the allegations, advised the Club of its legal obligations under and warned of further possible enforcement actions in respect of breaches of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020. Further possible enforcement actions mentioned in the letter included the service of a Prohibition Notice and a Licence Review. The letter also informed Justin Hodgkin that compliance monitoring would be undertaken by Officers of the Council or the Police. On 20<sup>th</sup> April 2020 I received an email from Justin Hodgkin which confirmed receipt of my email, refuting the allegations and informing me that all keys to the club were with him. I now produce a copy of this email as Exhibit PDR/2. On 11<sup>th</sup> December 2020, at approximately 13:50 hours, acting on evidence received from the Police I served a Prohibition Notice Walsall Wood Community Football Club, under the provisions of Regulation 9(2) of The Health Protection



SIGNATURE .....

## Statement of Witness

(Criminal Procedure Rules 2005 r 27.2;  
Criminal Justice Act 1967, s.9, Magistrates Courts Act 1980, s.5(B))

Continuation sheet no. 2:

(Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020. The Prohibition Notice was in respect of a contravention of Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of these Regulations where on the 5<sup>th</sup> December the club had opened its premises, or part of its premises, for the sale or consumption of food and drink. I produce a copy of this Prohibition Notice as Exhibit PDR/3. I served the Prohibition Notice by delivering it by hand to Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, West Midlands, WS9 9NP (the Club's Registered Office) and handing it directly to Justin Hodgkin who was in attendance at the premises. I was accompanied by Philip Kelly (Environmental Health Officer). The Prohibition Notice required Walsall Wood Community Football Club to immediately cease the activities giving rise to the contravention. In addition to serving the Prohibition Notices I hand delivered letters to Justin Hodgkin and Ian James Sylvester who are both Directors of Walsall Wood Community Football Club. The letters informed them of the service of and the penalties for failing to comply with the Prohibition Notice. The letters also warned that under Regulation 10 of the Regulations if an offence is proved to have been committed with the consent, connivance or neglect of a Director of a body corporate that Director is guilty and liable for prosecution. I handed directly to Justin Hodgkin the letter addressed to him at 46 Church Road, Pelsall, Walsall, WS3 4QW. I now produce a copy of this letter as Exhibit PDR/4. I also gave Justin Hodgkin a letter addressed to Ian James Sylvester at Walsall Wood Community Football Club, Oak Park Football Ground, Lichfield Road, Walsall Wood, Walsall, WS9 9NP. Following his receipt of this letter Justin Hodgkin telephoned Ian James Sylvester who I was then able to speak to advise him of the service of the Prohibition Notice and the hand delivery of his letter. I now produce a copy of this letter as Exhibit PDR/5.



SIGNATURE .....



# Walsall Council

## WALSALL COUNCIL PUBLIC HEALTH COVID-19 SUMMARY

At present we are experiencing a global Covid-19 pandemic and a national emergency with many deaths recorded and continuing to occur. With the advent of the new variant of the COVID-19 the cases of infection in the UK are increasing at an unprecedented and alarming rate. Illegal and irresponsible actions/activities such as those encountered when, during a national emergency, Walsall Wood Community Football Club 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 when it opened its premises, or part of its premises, for the sale or consumption of food and drink could have caused the spread of COVID-19.

It is important to note that Walsall was moved into Tier 4 on 31<sup>st</sup> December 2020 as the number of positive cases had continued to rise. There was a 35% increase in Coronavirus cases between 21<sup>st</sup> to 27<sup>th</sup> December 2020, meaning more than 900 people tested positive for the virus and the rate per 100K of the population was 312.

Walsall's cases are increasing. From 3<sup>rd</sup> to 9<sup>th</sup> January 2021 there were 2119 cases of COVID-19.

On 11<sup>th</sup> January 2021 Walsall's rate of COVID-19 per 100k of the population per week was 826 (almost doubled from previous week).

During the periods 23<sup>rd</sup> to 29<sup>th</sup> December 2020 to and 30<sup>th</sup> December 2020 to 5<sup>th</sup> January 2021 Aldridge North and Walsall Wood Ward had rates of Covid-19 per 100K of the population per week of 475.2 (62 cases) and 1057.6 (138 cases) respectively. The Ward's rate for the period 30<sup>th</sup> December 2020 to 5<sup>th</sup> January 2021 was the highest in Walsall.

Between Thursday 5<sup>th</sup> November 2020 and 2<sup>nd</sup> December 2020, prior to the service of the Prohibition Notice, Walsall, along with England was subject to a second lockdown. National restrictions were imposed where everyone was required to stay at home, and only for a limited set of reasons could you leave the home including:

- For education;
- For work, if you cannot work from home;
- For exercise and recreation outdoors, with your household, support bubble or on your own with one person from another household;
- For all medical reasons, appointments and to escape injury or harm;
- To shop for food and essentials;
- And to provide care for vulnerable people, or as a volunteer.

The second lockdown was introduced as there was a significant increase in the number of positive COVID cases. Although the increases were initially among younger age groups, there was increasing numbers of older people with coronavirus in almost all areas of the country, including Walsall.

The number of hospitalisations started to increase, ultimately leading to a higher mortality rate. Without the lockdown and breaking the chain of transmission between person-to-person the numbers of people dying from Coronavirus would be as high as they were at the peak of the first wave of coronavirus back in April 2020.

## **TRANSITION FROM NATIONAL RESTRICTIONS TO ALERT LEVELS (TIERING SYSTEM)**

The national restrictions ended on the 2<sup>nd</sup> December 2020 and Walsall was moved into Tier 3, the highest COVID-19 category at the time. This meant that the strict restrictions would still be in place including restrictions on meeting people outside, hospitality businesses such as pubs, cafes and restaurants only being allowed to offer takeaway or click and collect service and a rule of six outdoors being imposed.

During the national restrictions there was a reduction in, however the virus continued, to spread in the community. The move to Tier 3 demonstrated that the rate of infection in Walsall was still too high and the restrictive measures were required locally to make sure we reduce the spread further.

A Prohibition Notice was served on Walsall Wood Community Football Club on 11<sup>th</sup> December 2020 following a breach of Regulation 8 and Part 2 of Schedule 3. Paragraph 9(1) of The Health Protection (Coronavirus Restrictions) (All Tiers) (England) Regulations 2020. This breach occurred when Tier 3 restrictions were in place in Walsall for the purpose of enabling a number of public health measures to be taken to reduce the public health risks posed by the spread of Covid-19.

### **COVID-19 DATA BETWEEN 29<sup>TH</sup> NOVEMBER 2020 TO 5<sup>TH</sup> DECEMBER 2020**

- The rate per 100K was 225, significantly higher than the national and also regional average during this period
- In total 540 people tested positive for COVID-19 this was a 20% reduction from previous weeks. This was expected due to the national restrictions for the four weeks previous. There was a downward trend in case rates nationally and regionally – albeit in Walsall this was slower compared to other areas and Walsall did not see a sharp reduction like other areas in the country.
- During this week Walsall was ranked as 41<sup>st</sup> in the country for the number of cases, at the time this was the highest placing Walsall had been.
- There was a gradual increase in the number of under 35's testing positive. 41% of all cases at this time were aged between 35 – 64
- The mortality rate in Walsall and the Black Country continued to increase
- The NHS was under significant pressure and Walsall Manor hospital remained extremely busy with pressure on ICU.
- The main transmission route in Walsall was household to household meaning people spending time indoors with people outside of their household or recognised support bubble. This was against Tier 3 restrictions
- The rate for the Ward Aldridge North and Walsall Wood was 191 per 100K of the population. This was still higher than the regional average at that time.



Map of new COVID-19 cases from Pillar 1 and 2 testing by LSOA (Lower Layer Super Output Area) overlaid with new outbreaks/clusters in Walsall Past 14 days (November 22 2020 to December 5 2020)

