



STATEMENT OF CASE
1-3 EUSTON ROAD,
LONDON, NW1 2SA

Appeal against refusal by Camden Council to remove condition 2 (hours of operation) of planning permission PS9704859

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1. INTRODUCTION

- 1.1 Family Leisure Holdings Limited (“the Appellant”) operate Adult Gaming Centres (amusement machine centres) in the UK and is wholly owned by City Gaming Limited. The group of companies owns and currently operates approximately 40 Adult Gaming Centres in England and Wales, of which 35 trade 24/7hours.
- 1.2 The appellant trades an Adult Gaming Centre at the premises 1-3 Euston Road, London NW1 2SA called GameNation.
- 1.3 Adult Gaming Centres are premises providing gaming machines for over 18s. A range of gaming machines are permitted and the number of higher pay out machines (a maximum pay out of £500) is restricted by legislation.
- 1.4 Adult Gaming Centres are a category of premises introduced by the Gambling Act 2005 (“GA05”). Operators wishing to trade Adult Gaming Centres must first obtain an operating licence issued by the Gambling Commission (“the GC”) and then for each particular venue obtain a premises licence issued by the local licensing authority and planning permission issued by the local planning authority.
- 1.5 An Adult Gaming Centre premises licence (**Zip File B Document 6**) was issued by Camden Council and allows the premises under the Adult Gaming Centre premises licence to trade 24/7. In considering any application for an Adult Gaming Centre premises licence, the local licensing authority must apply the GA05, and ensure that the premises will promote the 3 licensing objectives set out in that Act;
- (a) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
 - (b) Ensuring that gambling is conducted in a fair and open way.
 - (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.6 The premises have traded as an Adult Gaming Centre for well in excess of 20 years. The use of this property as an Adult Gaming Centre is not in dispute as the premises have held the appropriate planning permission for use of the ground floor and basement as an amusement arcade since 1998.
- 1.7 The current management team took control of Family Holdings Limited in 2019 and have operated the application site since that date.
- 1.8 On 23rd June 2023, a certificate of lawfulness (**Zip File B Document 5**) was granted by the LPA for these premises permitting use of the existing Adult Gaming Centre with operating hours set by Condition 2 as between 8am and 02:00 7 days a week.
- 1.9 On 20th November 2023 an application to remove condition 2 (hours of operation) was submitted by the Appellant to the LPA in practice seeking a further 6 hours trading a day between the hours of 02:00 and 08:00 as condition 2 required the premises to close during those hours.
- 1.10 On 9th January 2024 the Planning Officer emailed the Appellant indicating that the application would be recommended for refusal “due to adverse effects to the community and safety” (**Zip**

File B Document 8) and on 10th January 2024, a follow up email confirmed that “another reason for refusal would likely be the harm of gambling to vulnerable communities and wanting to avoid exacerbating such harm to these communities in Camden along with their being negligible public benefits of the increased operating hours. **(Zip File B Document 10).**

1.11 The Appellant liaised with the Metropolitan Police who had made a representation and details of this liaison is set out in section 5 of this statement of case which resulted in the Metropolitan Police being content that the measures put in place would “mitigate the issues that can crop up the running of a business of this type”. **(Zip File B Document 13).**

1.12 On 17th April 2024, the Planning Officer indicated that whilst the Met Police Designing Out Crime unit were content, the local police licensing team were not content to support the increased operating hours “*as Camden’s licensing policy does not encourage further intensity of use of existing amusement arcades, noting the harm these bring to the communities*” **(Zip File B Document 14).** Additional police witness statements were subsequently served **(Zip File B Document 15)**

1.13 The LPA refused the application and the notice of refusal and officers report can be found **Zip File B Document 1&2.**

1.14 The Appeal is therefore against the decision to refuse the application to remove condition 2 (hours of operation) by the LPA. Within this statement of case are the following sections:-

- Section 2 sets out the documentation submitted both with the original application and with the appeal, and all documentation is included in the Zip Files.
- Section 3 describes the application sites and planning background
- Section 4 sets out the grounds for refusal
- Section 5 deals with ground 1 for refusal “Crime”
- Section 6 deals with round 2 of the refusal “Health and Equality”
- Section 7 is the Appellant’s case summary/statement of case
- Section 8 is the statement of Stuart Green, Chief Commercial Officer of Family Leisure Holdings.

2. DOCUMENTATION

2.1 The documentation submitted with this Appeal is separated for ease into two separate Zip folders:-

- Zip File A - The original planning application documents; and
- Zip File B - The documents submitted with this appeal

2.2 Using the document numbering below, Zip File A contains the documents submitted with the application and the refusal Decision as follows:-

1. Layout Plan and Location Plan
2. Planning Consent 28 May 1998
3. Planning Consent 18 February 2000
4. Adult Gaming Centre Premises Licence
5. Application letter 30.11.23
6. Officer's report
7. Noise Impact Assessment P23-343-R01v2
8. Photographs 21 6 2023

2.3 Folder B contains the following documents relevant to the consideration of this appeal:-

1. LPA Refusal Decision 06.06.24
2. LPA Officer Report 06.06.24
3. Extract Policies C1,C5,A1,TC2
4. Cleud Submission Letter 16.06.23
5. Certificate of Lawfulness 23.06.23
6. Adult Gaming Centre Licence Gambling Act 2005
7. Validation Email PP12615498v1
8. Planning Officer Refuse Email 1 09.01.24
9. Planning Officer Refuse Email 2 10.01.24
10. Met Police Representation
11. Police Email Following Meeting with Applicant 18.01.24
12. Response to Met Police Representation 16.02.24
13. Met Police content with the mitigation measures e mail 16.4.24
14. Planning Officer e mail that the application would still be refused 17.4.24
15. Additional local police officer statement
16. Statement of Stuart Green Chief Operating Officer City Gaming Limited
17. Appellant list of premises including hours
18. Appellant head count of customers Kilburn shop

3. APPLICATION SITE AND PLANNING BACKGROUND

- 3.1 The premises are situated in a very prominent position on Euston Road, directly opposite Kings Cross Train Station. The vehicular traffic and pedestrian traffic is significant, and the premises are highly visible both from the main road, the railway station.
- 3.2 A considerable number of vehicles and pedestrians will have travelled past these premises in the last 20 years, the front door is situated on Euston Road itself, and the operation of these premises is highly visible.
- 3.3 On 28th May 1998, planning application number PS9704859 was granted by the LPA to permit the use of the ground floor and basement floors of these premises as an amusement arcade for a limited period and with limited hours.
- 3.4 On 18th February 2000, planning application PS9905295 was granted in respect of these premises, thereby removing the limited period of the land use with the effect that the continued land use of this site as an amusement arcade was granted permanently.
- 3.5 On 16th June 2023, an application for a certificate of lawful use was submitted by the Appellant **(Zip File B Document 4)** and there were no objections to this application, which was approved by the LPA on 23rd June 2023 **(Zip File B Document 5)**.
- 3.6 The Schedule to the certificate of lawfulness granted on 23rd June 2023 stipulates that the use of the existing Adult Gaming Centre will be with operating hours between 08:00 and 02:00 7 days a week (Condition 2).
- 3.7 An application was submitted to remove this condition 2 (operating hours) to allow the premises to operate 24/7 in line with the majority of other premises operated by the Appellant, this application was refused on 6th June 2024 and is the subject of this appeal.

4. GROUNDS OF REFUSAL

4.1 The decision notice was issued by the LPA on 6th June 2024 and sets out the following 2 reasons for refusal (**Zip File B Document 1**).

(a) Crime: The proposed increased of operating hours would consequently increase the opportunity for crime and fear of crime and correspondingly exacerbate the existing harm to the street environment and wider Kings Cross area. The proposal does not avoid or adequately mitigate the impacts of crime, nor promote safer streets and spaces, contrary to policies TC2, C1 and C5.

(b) Health and Equality: The proposed increase of operating hours and the increased opportunities for this type of gambling, would cause disproportionate harm to the health and opportunities of persons with protected characteristics, contrary to policies C1, C6 and the objectives of the Equality Act 2010.

4.2 Extracts of the relevant policies can be found in (**Zip File B Document 3**).

4.3 The LPA first indicated that its recommendation would be to refuse the application by email on 9th January 2024 (**Zip File B Document 8**) when the LPA stated “*Having reviewed the application and considered the objections and policy guidance, I will be recommending the application be refused planning permission due to adverse effects to the community and safety*”. At this stage the Appellant had not seen any objections.

4.4 The LPA followed up that email with a further email of 10th January 2024 (**Zip File B Document 9**) when it indicated as a heads up that aside from safety security concerns, another reason for refusal would likely be the harm of gambling to vulnerable communities and wanting to avoid exacerbating such harm to these communities in Camden, along with there being negligible/nil public benefits of the increased opening hours.

4.5 The LPA position was clear from these 2 emails. The issues were safety and security/crime and exacerbating gambling harm.

5. THE “CRIME GROUND”

5.1 On 9th and 10th January 2024 emails from the LPA confirmed that refusal of the application would be due to adverse effects on the community and safety/crime and a representation from the metropolitan police Designing Out Crime Officer (**Zip File B Document 10**) was sent to the Appellant by the LPA.

5.2 The Appellant had not had any contact from the Metropolitan Police or local licensing team, indicating that there were any issues with these premises since it took over these premises and members of staff who have worked for the business operating the premises prior to the appellant confirm that no issues were raised.

5.3 No objections were received to the application for the certificate of lawful use either from the planning department or the Met police and no such issues were ever raised prior to the submission of this application. The Appellant reached out to the metropolitan police having received the representation, so as to work with the Metropolitan Police and ensure that all safety and security matters were dealt with to their satisfaction.

5.4 A TEAMS meeting took place with the Metropolitan Police on 18th January 2024 and this was followed up by an email from the Metropolitan Police setting out a number of matters to be dealt with/ considered by the Appellant (**Zip File B Document 11**).

5.5 On 16th February 2024 the Appellant sent to the Metropolitan police an email responding to the TEAMS meeting and follow up email and attached the following documents:

(a) Detailed response to Metropolitan Police Designing Out Crime Officer January 2024

(b) Supporting appendices A-D.

5.6 Appendix D contained a full list of all policies and procedures in operation at these premises, and all policies and procedures are approved by the UK Gambling Commission which regulates Gambling in the UK.

5.7 The policies and procedures promote the 3 licensing objectives set out in the Gambling Act 2005 (as referred to previously in this Statement of Case at 1.5). Two of those licensing objectives are (a) preventing gambling from being a source of crime and/or disorder and (b) protecting vulnerable people and these are both dealt with in those policies and the appellant’s operating standards. All of these documents can be seen in **Zip File B Document 12**.

5.8 The response by the Appellant to the Metropolitan Police dealt with all matters raised by the Police at the TEAMS meeting and in the follow up e mail including;

- CCTV plan and camera specifications, - Entrance area specifications including frame, glass and magnetic security lock;
- Details of personal safety alarms carried out by the staff;
- Time delay system across all safes
- Business moving to a ticket based operating model known as TITO
- Standard operating policies
- Use of an independent consultant to monitor in house compliance
- Changes to the entrance area
- Additional compliance controls and physical design.

5.9 On 16th April 2024, the Metropolitan Police sent an email to the Appellant and the LPA confirming that *“the documentation and the site visit were very informative. Whereas the site would not pass a secured by design certificate, the measures that you have put in place/are putting in place, should mitigate the issues that can crop up in the running of the business of this type. I believe that the concerns raised are more from a local team and licensing at Camden.”* **(Zip File B Document 13)**.

5.10 At that stage therefore, the Metropolitan Police Designing Out Crime Officer is satisfied that all measures are in place to mitigate risks at the premises.

5.11 Subsequently, one further statement was sent by the LPA to the Appellant from a local police officer, namely the statement of Police Officer 237243. **(Zip File B Document 15)** This statement refers amongst other things to the following:

- The area of Birkenhead Street is known to be a drug hot spot.
- This is not a problem just at this location, but is spread across the whole of Camden.
- The surrounding area around the application site is a drug hot spot.
- There is a heavy presence of drug users in this area and “reports” of individuals dealing drugs.
- There are reports made to the police that the premises operate 24/7.
- A list of reports for the past 12 months attached, indicating drug dealing in the area of Reel Time Amusements. [Note that the Premises now trade at Game Nation which is the main company trading name]

5.12 The premises do not trade 24/7 and only trade until 02:00 which is the reason for the application to remove the condition, and the premises have always operated with CCTV inside

and no suggestion of crime being committed inside the premises has ever been made to the Appellant, and had that been the case, CCTV would be available.

5.13 The statement of police officer 237243 principally refers to the area being an area used by drug users and a hotspot for drug dealing, but also it confirms that this is also not just a problem at this location, but is spread across Camden.

5.14 Stuart Green is the Chief Commercial Officer of City Gaming Limited and upon receipt of the witness statement from police officer 237243 Stuart Green contacted Camden local licensing team to request a meeting so as to find out more information and work with the local police team to deal with any local licensing concerns. A statement of Stuart Green setting out in detail his liaison with the local licensing team can be seen at **Zip File B Document 16**.

5.15 A summary of the liaison between the Appellant and the local licensing team is as follows:

- On 16th September a meeting took place between the Appellant and the following representatives from the Metropolitan Police; PS Naish (Camden Local Licensing Team), James Garrett (Sergeant Local Area Team) and Aran Johnston (DOCO). The meeting was constructive and the Appellant agreed to look at a number of areas. The Appellant was told that the venue was well managed and that the business has very good controls and systems in place to manage risk and meet the licensing objectives, especially around the area of crime.
- The meeting discussed aspects of crime outside of the venues, and the Appellant agreed to help try and reduce or mitigate issues outside the venue including registering the venue as a safe haven, additional signage regarding police monitoring, time and sensor controlled lighting around a risk area on the public highway identified by the by the police and additional external CCTV cameras that would assist the police in dealing with crime.
- The Police were invited to visit regularly and review the high definition CCTV and the Metropolitan Police were also offered direct remote access to the CCTV by the Appellant.
- The Appellant's understanding was that the Metropolitan Police on the back of all this information, would have no objections to the planning application, should the additional elements be implemented. The additional elements included setting up the premises as a safe haven premises for anybody feeling vulnerable in the area of Kings Cross.
- The Police were extremely helpful and clear in the matters that they had concerns about.

5.16 The Appellant dealt with all concerns raised by the local licensing team and provided additional and extra assistance beyond what would be required by fitting 4 bespoke CCTV cameras for the antisocial behaviour team to monitor outside the premises. The improvements

made both inside and outside the premises, not only satisfy crime, security and design concerns, but also benefit significantly the immediate area around the premises by providing additional lighting and additional CCTV.

5.17 Policy C5 is referred to in the LPA decision. Policy C5 deals with safety and security and all the measures set out in this section, in the Appellant's case summary and the statement of Stuart Green promote safety and security at this site. All measures requested by the Metropolitan Police have been implemented.

5.18 The Appellant will continue to liaise with the Police licensing team for Camden and continue to provide all information requested by them and any assistance required in policing the area. The Appellant has dealt with the Designing Out Crime issues raised by the Metropolitan Police and additional crime and security issues raised by the local licensing team.

6. HEALTH AND EQUALITY GROUND

- 6.1 Ground two for refusal of the application was first raised in the second email from the planning officer on 10th January 2024 (**Zip File B Document 9**) in which it was stated that another reason for refusal would be the “likely harm of gambling to vulnerable communities and wanting to avoid exacerbating such harm to these communities”. These grounds are also set out in the second reason for refusal, which refers to the increase opportunities for gambling and disproportionate harm to the health and opportunities of persons with protected characteristics.
- 6.2 Whilst it is accepted that local planning policies must be applied to all applications, this ground for refusal appears to be a general statement that gambling/additional gambling premises will cause harm without any supporting evidence whatsoever. This ground for refusal also fails to note that gambling and operating an Adult Gaming Centre in the UK is a lawful activity, accepted as a recognised town centre activity under the National Planning Policy framework, that the Appellant is approved by the UK Gambling Commission to operate such premises and that the Appellant has been granted an Adult Gaming Centre licence with unrestricted hours by the LPA’s own licensing department.
- 6.3 Extracts of the relevant Camden Planning policies can be found at **Doc 3 ZIP file B**. Policy C1 deals with Health and Wellbeing and notes that Camden has one of the largest inequality gaps between occupational groups and has poor general health, mental ill health and low life expectancy. At no stage does it refer to Gambling per se nor is any evidence provided to link Gambling to Policy C1. The position of the LPA that granting extra hours to an approved Gambling Act premises would impact on Policy C1 is unfounded and incorrect.
- 6.4 The Appellant takes its Social Responsibility position very seriously, as it is required to do so by the Gambling Act 2005 and the supporting information sent to the Met Police on 16th February 2024 (**Zip File B Document 12**) lists all policies and procedures in place at the Appellant’s premise.
- 6.5 There has not been a single complaint or issue raised suggesting that the premises trading until 02:00 caused any harmful impact on the health or wellbeing of residents. Gambling is a regulated industry and the Appellant has considerable experience in operating such venues and will ensure through suitable training and implementation of its policies and procedures that this operation is fully compliant and protect the vulnerable. There is no evidence to the contrary.
- 6.6 The Gambling Act 2005 requires local authority in assessing Adult Gaming Centre Premises Licence applications to only grant those licences if the local authority is satisfied that the application promotes the 3 licensing objectives set out in the Gambling Act 2005;

- Ensuring that gambling is not connected to or a source of crime and disorder;
- Ensuring that gambling fair and open; and
- Protecting the vulnerable and young persons from being harmed or exploited by gambling.

6.7 In granting the Adult Gaming Centre premises licence, and in never raising a single issue with regard to the Adult Gaming Centre premises licence and the promotion of the licensing objectives, the LPA's licensing department must have been, and must remain satisfied that vulnerable and young persons are not and will not be harmed or exploited at these premises.

6.8 There is no evidence, or indeed rationale, that would lead to the conclusion that this application for an extension of hours for a lawful activity with a land use previously approved would be harmful to residents in any way.

6.9 Ground 2 of the refusal is wholly unsupported by any evidence connected to these premises, is contrary to the LPA's licensing department's decision to grant the Adult Gaming Centre premises (and never raise a single issue in the 20 years or more that the premises have been trading) and contrary to the Gambling Commission's approval of the Appellant as a social responsible operator.

7. APPELLANT CASE SUMMARY

- 7.1 This appeal is against the decision of the LPA to refuse to remove condition 2 on the relevant planning permission applying to these premises. Condition 2 restricts the hours of operation to 08:00 to 02:00.
- 7.2 The Appellant is a very experienced operator of Adult Gaming Centres with an experienced management team and policies and procedures in place to promote the licensing objectives, and in particular, to ensure that the premises are not connected with crime and that vulnerable persons are protected.
- 7.3 The Appellant has liaised with the Metropolitan Police over ground 1 of the refusal decision “crime”, and received an email from the Metropolitan Police Designing Out Crime Officer on 16th April 2024 (**Zip File B Document 13**) confirming that all measures in place would mitigate issues connected with running these premises.
- 7.4 The Appellant further liaised with the local licensing team as set out in Section 5 of this statement of case and has implemented additional measures, not only to ensure that the premises themselves operate to the highest standards, but also to ensure that additional provision is made for the area outside of the premises so as to assist the police in dealing with anti-social behaviour and drug dealing.
- 7.5 The statement of Stuart Green, chief commercial officer (**Zip File B Document 16**) sets out additional measures which have been taken, including additional lighting fitted externally, additional colour CCTV to be installed externally to face bus stops, police to have direct access to CCTV video and audio, new signage and the premises to commence an application with Safe Haven.
- 7.6 In ground 1 of its decision notice refusing the application, the LPA refers to the application as not avoiding or mitigating opportunities for crime and not promoting safer streets or spaces. The evidence and position of the metropolitan police clearly shows that this ground for refusal is now not appropriate. The Metropolitan Police Designing Out Crime Officer has confirmed that measures in place mitigate security concerns inside the premises and the significant additional steps taken by the Appellant, having liaised with the local licensing team, clearly promotes safer streets and spaces.
- 7.7 The additional changes to the CCTV were demonstrated to the police on Tuesday 19th

November 2024 and were well received, and recommendations will be made to the British Transport Police based at Kings Cross Station to visit the Appellant's venue if additional CCTV footage is required.

7.8 The second ground for refusal relates to the health and wellbeing of local residents and is dealt with in Section 6 of this statement of case. There is no evidence to support this ground, which appears on the face of it to be a general statement against any Gambling Act 2005 premises or extension of hours for a Gambling Act 2005 premises.

7.9 The premises had the benefit of an Adult Gaming Centre, and the LPA's licensing department must be satisfied that the Appellant promotes the licensing objectives, including protection of the vulnerable, both by initially approving the Adult Gaming Centre licence and subsequently by not raising any issues or concerns about the operation of these premises in terms of vulnerable people. Adult Gaming Centres are a recognised town centre use and the provision of Adult Gaming Centres is a lawful use of the premises under the Gambling Act 2005.

7.10 The Appellant operates 40 premises throughout the UK, of which 35 operate 24/7 and the issues raised in the grounds for refusal have not been brought to the attention of the Appellant at any of the 40 sites, and in particular not at any of the 35 sites operating 24/7. A full list of the Appellant's premises including operational hours is in **Zip File B Document 17**.

7.11 The Appellant undertook headcounts at a similar shop in Kilburn to highlight the number of people who visit Adult Gaming Centres after midnight etc. and the result of these head counts can be seen in **Zip File B Document 18**. Generally only a handful of customers visit at any one time during the hours sought with this appeal, and customers would generally come to the premises, either on their own or occasionally with a friend.

7.12 The Appellant has provided evidence that the premises will not provide increased opportunities for crime, mitigate concerns of Designing Out Crime Officers and positively promote safer streets and spaces with the additional CCTV provided outside the premises and other measures, as set out in the statement of Stuart Green.

7.13 The Appellant has been approved for many years by the UK Gambling Commission which regulates Gambling in the UK. In approving the Appellant the UK Gambling Commission has to be satisfied amongst other things that the Appellant has in place and implements policies and procedures which promote all 3 licensing objectives. One of the licensing objectives is protecting vulnerable persons which includes those with mental health issues.

7.14 In all the circumstances, it is respectfully submitted that the appeal should be allowed.

8. STATEMENT OF STUART GREEN

I, **STUART GREEN**, OF CITY GAMING LIMITED LIMITED, 4 CAVENDISH SQUARE, LONDON, ENGLAND, W1G 0PG **STATE AS FOLLOWS**;

FAMILY BACKGROUND

8.1 I am the Chief Operating Officer of City Gaming Limited who operate premises known as GameNation Adult Gaming Centre, 1-3 Euston Road, NW1 2SA.

8.2 As the Chief Commercial Officer of City Gaming Limited, I bring over 32 years of experience in the gaming industry. My extensive background includes serving as a Board Member for several gambling operating companies, as well as managing large Family Entertainment Centers (FECs) and Amusement Gaming Centers (AGCs) across diverse locations and environments.

8.3 I possess a Personal Management Licence, issued by the Gambling Commission on October 7, 2016, under reference number 46718. This licence empowers me to fulfil a Directors role at City Gaming Limited. Additionally, I lead the Company's Compliance Committee, collaborating closely with the Gambling Commission and esteemed trade organisations to ensure adherence to industry standards and guidelines.

8.4 Family Leisure Holdings Limited operates Adult Gaming Centres (amusement machine centres) and is wholly owned by City Gaming Limited. The group of companies owns and currently operates 40 Adult Gaming Centres in England and Wales, of which 35 trad 24/7hours. A list of our premises and operating hours can be found in **Zip File B Document 17**.

8.5 Adult Gaming Centres are a category of premises introduced by the Gambling Act 2005. Operators wishing to trade Adult Gaming Centres must first obtain an operating licence issued by the Gambling Commission and then for each venue obtain a premises licence issued by the local licensing authority and the appropriate planning permission.

8.6 As the holder of an operating licence issued by the Gambling Commission, we have in place and implement a complete range of policies and procedures, which promote the licensing objectives set out in Section 1 of the Gambling Act 2005, all staff are fully trained to ensure that the policies and procedures are implemented correctly and our policy is to liaise and work in partnership with the police and other responsible authorities at all times.

8.7 I know the site at 1-3 Euston Road very well. It is situated directly opposite Kings Cross Station and the area outside of the shop is extremely busy with vehicular traffic and pedestrian traffic at all times. The premises are visible, both from the main road and the main railway station and

access to the premises is directly from Euston Road.

8.8 On 30th November 2024, an application was submitted to remove condition 2 at the application site so as to allow the premises to trade 24/7 hours. The majority of our sites trade 24/7 and it was felt appropriate for this site to also trade those hours. Adult Gaming Centres can be popular during the hours of 02:00 to 08:00, generally with shift workers or people working during the night who to have a break from work, as not many other places are open for entertainment and relaxation during those hours.

8.9 The number of visitors we would expect between 02:00 and 08:00 would not be significant at any one time. I arranged for head counts of our customers at Kilburn to be carried (**Zip File B Document 18**) so that I could provide evidence of the number of customers who might use the shop during these hours. The results of the head counts were entirely as I expected, and generally at most, there would be a handful of customers in the shop at any one time.

8.10 Adult Gaming Centres are not like other places of entertainment such as pubs or clubs where people might come in groups, queue to get in or hang about outside the premises. Adult Gaming Centres are often used by customers seeking a break from work or simply wishing to get out and enjoy some form of entertainment.

8.11 I became aware that the Metropolitan Police Designing Out Crime Officer had submitted a representation against our application to remove condition 2 (hours of use) and I arranged to have a TEAMS call with the Metropolitan Police on 18th January 2024.

8.12 I had a very positive meeting with Aran Johnston on 18th January 2024 who followed up the meeting by sending an email (**Zip File B Document 11**) which was very helpful in setting out a number of the Met Police issues.

8.13 I worked with my team and on 16th February sent a response to Aran Johnston dealing with the matters which had been raised by him. The full response can be seen at **Zip File B Document 12** and within those documents is my detailed response to him (dated 04.02.2024). Amongst other things, this dealt with the following:

- How we operate from our 21 venues within the London Boroughs
- CCTV
- Personal safety alarms
- Time delay system across all our safes
- Moving towards a ticket based model
- Standard operating policies and procedures

8.14 We had also taken on board comments with regard to the entrance area CCTV and safety alarms and staff guard and information was provided on these points, and additional information was provided on compliance controls and physical design.

8.15 We always aim to design and operate our premises to provide a safe and welcoming environment from our staff and additional improvements were made to the premises following the discussion with the Metropolitan Police.

8.16 We received an email from the Metropolitan Police on 16th April 2024 confirming that the measures in place mitigated concerns for operating our premises.

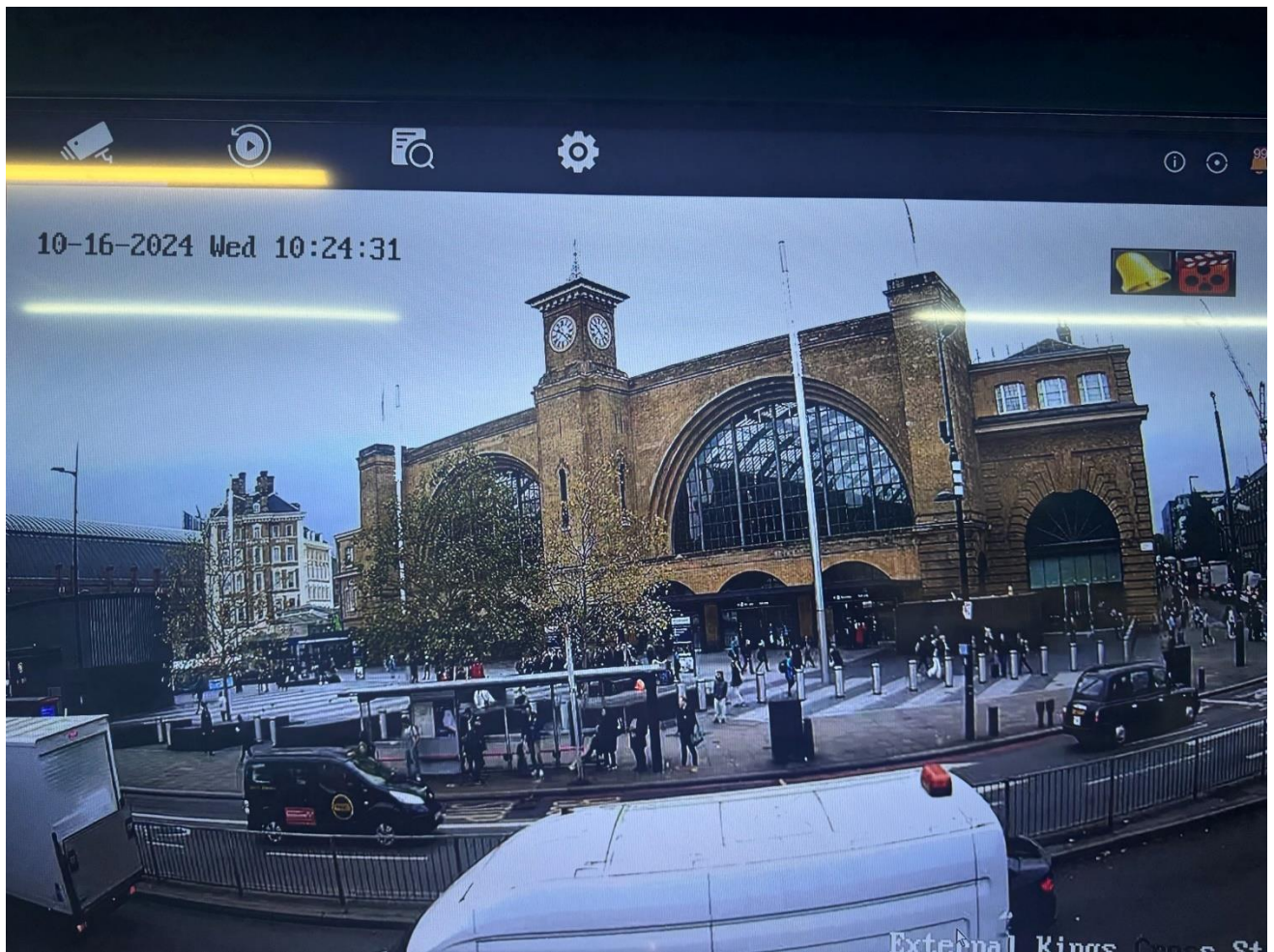
8.17 I then received a further police statement from police officer 237243 (**Zip File B Document 15**) and as a result of this, sought to liaise with the local licensing team at Camden.

8.18 On 16th September I met with 3 representatives of the Metropolitan Police including PS Naish (Camden Licensing team) James Garrett (Local Area team) and Aran Johnston (Designing Out Crime Officer).

8.19 This was a very positive meeting and I agreed to look at a number of areas which the local licensing team had asked me to consider and further to that meeting, I have confirmed to the Metropolitan police that the following actions would be implemented ASAP:

- We would commence an application with Safe Haven - Women's safety group, or alternative organisation "Walk Safe".
- Additional lighting would be fitted externally to the LHS (face towards the Birkenhead Street) design and type to be confirmed
- Additional colour view CCTV would be installed externally to face bus stops.
- A new sign would be put up confirming that the police have direct access to the CCTV video and audio at this location
- A further sign would be put up that anybody under the influence of drugs or alcohol will be banned from the premises with immediate effect
- We would make all CCTV and audio available to the Met Police licensing team - coupled with an open offer to use our facility as a base, even if it is just to drop in for a coffee or to use to view CCTV or covert monitoring of the high street.

8.20 On 16th October 2024 I confirmed to the Metropolitan Police that all actions were complete. There was a slight delay in getting the additional camera installed due to the complexity of the cabling requirements, but it now gave the metropolitan police a clear view of the additional landscape, as seen by the photograph below:



8.21 I have had a follow up meeting with PS Naish on Tuesday 19th November 2024. I summarised everything that we had done, demonstrating the CCTV that we installed, focusing on the position we specifically installed to assist the antisocial behaviour team across the road at the station. I reiterated that our venue could be used for covert monitoring if required.

8.22 The information and additional work was well received, and I think PS Naish will make a recommendation to the British Transport Police who are based at Kings Cross Station to visit our venue if they need additional CCTV footage to support their own.

8.23 All of these additional measures have been implemented at the request of the Metropolitan Police so as to mitigate crime opportunities in the area around our building and inside the premises. The additional measures we have put in place, clearly mitigate the opportunities for crime inside and outside of the premises, and promote safer streets and spaces.

8.24 I will continue to liaise with Designing Out Crime Officer and local licensing team and implement any reasonable requirements, both to ensure that my premises operate free from crime, and that we provide all assistance to the police in policing the outside area around the

premises.

I can confirm that the contents of this statement are accurate and true.

Stuart Green