

Witness Statement

(CJ Act 1967, s.9 MC Act 1980, 5A MC Rules 1981, r.70)

Statement of:	Mark Halton
Age:	Over 18
Date of Birth:	30/09/66
Occupation:	Licensing Consultant
Address:	59 Prince Rupert Drive Aylesbury Bucks HP19 9RA

This statement (consisting of 6 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything that I know to be false or do not believe to be true.

Independent Observations Report

Mark Halton - MJH Licensing Consultants Ltd

**APPLICATION -Game Nation 450/454 High Road London
N17 9JD.**

Introduction

I have been instructed to conduct impartial observations on the site Game Nation 450/454 High Road London N17 9JD and its surrounding area.

I am aware that an application to vary the planning hours is to be applied for by City Gaming Ltd.

I have seen the Planning Inspectorate appeal decision, the Adult Gaming Centre Premises Licence with conditions and the consent order with new hours and conditions agreed.

Within my report I have considered the Licensing objectives under the Gambling Act 2005.

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- Ensuring that gambling is conducted in a fair and open way.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

I have further viewed Haringey's Statement of Gambling Policy.

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I conducted my observations on

Friday 12th May 2023	11pm to 4am.
Saturday 13th May 2023	11pm to 4am.
Monday 15th May 2023	11pm to 2am.

I observed the effect a proposed increase in hours could have on the local area concentrating on criminality, anti-social behaviour, youths, children, and vulnerable persons. I also in general looked at the immediate area and how the venue and those close by operate.

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Professional Experience and Qualifications – Mark Halton

I have retired from the Metropolitan Police Service, completing 30 years of exemplary service.

During my service I was involved with a variety of licensed premises under both the Licensing Act 1964 and from 2005 under the Licensing Act 2003. I worked within Westminster for a significant period of my time with the police, which has some of the highest footfall in England and the most licensed premises of any local authority area.

I also worked in the London Borough of Richmond which is much more residential in nature. I have also been involved with planning for significant sporting events from a police licensing and crime reduction perspective.

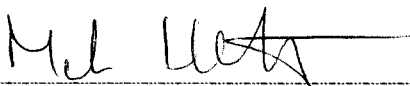
I was also seconded to the Home Office to advise on licensing matters and as head of the licensing that contained the most licensed premises. I was and continue to be involved in training for the police, local authorities, and operators in relation to licensing legislation, best practice, and crime reduction matters.

My experience includes field-based work and therefore I believe that I am well qualified to conduct the observations which I undertook and make comments and draw reliable conclusions.

My brief resume is set out below:

- 1985-1987 Westminster Response team police officer
- 1987-1997 Central Clubs & Vice Unit CO14 posting within as follows.
- 1987-88 Street Offences Squad dealing with street prostitution, brothels, massage parlours, illegal gaming/casino and both licensed and unlicensed venues for the sale of alcohol.
- 1988-90 Obscene Publications Unit.
- 1990- 93 Field Intelligence officer Westminster CO14 Clubs & Vice. Covert policing, surveillance.

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- 1993-97 Westminster Clubs & Vice Licensing Unit.

- 1997-01 Westminster Borough Licensing Co-Coordinator.

- 2002-06 Westminster Police Licensing Team.

- 2007-10 Camden Borough Police Response Team.

- 2010-12 The Police Licensing Advisor Home Office.

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- 2013-15 Richmond Borough Police Licensing Team.

I was in charge of the day to day running of the team which involved consideration of applications received, dealing with enforcement issues, and liaising with the local authority. Supervised and organised the police licensing approach for the Rugby World Cup 2015, not only in relation to licensing applications made in connection with it but promoting best practice and overseeing the operation of licensed premises during this sporting event.

During my time with the police, I achieved the rank of acting Inspector but had a wide experience during my time of not only operational matters but devising strategies, policies, and training as well as managing teams. I was often involved in multi-agency approaches to reducing the impact of licensed premises through the most appropriate means.

Since retirement I have conducted risk reduction and crime scene preservation training for well-known national chains. I have provided training for AGC venues on drug and alcohol recognition, conflict management and age verification. Conducted investigations into incidents arising at licensed venues and provided expert witness testimony. I have further been commissioned to implement operational procedures at licensed premises within London and nationally and impact studies for applications.

I am a Home Office qualified Crime Reduction Officer, Crime Prevention Design Advisor and CCTV systems approved officer. An expert in crime reduction design measures and getting venues experiencing such problems back on track.

*The Home Office Intensive Support Visit (ISV) programme.

I oversaw a team including solicitors, police officers, local authority officers and civil servants. I attended, supervised, and assisted in policing all these 3-day events at 53 different town and city centre locations from Hartlepool to Plymouth. The ISV consisted of training local police and local authorities on licensing legislation and powers, problem solving and partnership working. It further included visiting one night without local officers and a further night with local officers within the various night-time economies. (Where problems are likely to be concentrated). I believe this has given me a knowledgeable viewpoint and expertise on not just the police force area I came from but a view and expertise on town and city centres nationally.

Having spent a year and a half on the road investigating many night-time economies I have a knowledge I believe not many expert witnesses possess.

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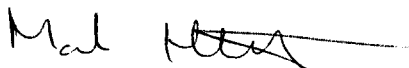
Observations

Game Nation 450/454 High Road London N17 9JD.

Friday 12th May & Saturday 13th May 11pm to 4am and Monday 15th May 11pm to 2am.

1. On all visits, the weather was warm and dry. During the observations the areas were well lit with street lighting. I had clear and unobstructed views throughout the night.
2. I observed the general local environment including footfall, criminality, anti-social behaviour, begging, and vulnerable and persons at risk.
3. The High Road runs north to south and is in its entirety 2.3 miles in length. I observed this street and the immediate streets running off it for a half mile radius from the applicant venue at 450/454 High Road.
4. The venue is located on a two-way road (this part of the High Road) with vehicles travelling North and South. There is a large width footpath in front of the venue. From my observations between 11pm and 12.30am this road was busy with private cars, mini cabs, and buses. From 12.30am till 4am vehicle traffic became much less busy. After 1am there are hardly any pedestrians. At 12.30am pedestrians and vehicles reduced dramatically except for the bus service. I saw no obstruction to the footway at all due to the large width footway.
5. Next door to the venue is Superdrug chemist which was closed at time of observations, I believe it is open until 7pm. Directly across the road is Ozdiller Supermarket (open 24 hours), Dermark Supermarket (open 24 hours), Dixy chicken restaurant and takeaway shop (closed 11pm Friday, 4am Saturday and Monday) an estate agent, a KFC chicken restaurant and takeaway (closed midnight), Chinese takeaways the latest closing was 12.30am, McDonalds on the same side of the street as applicant (closed midnight), there are 2 pizza shops

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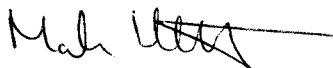
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nearby, one closed at 12.30am the other 1.30am and Admiral another adult gaming centre (AGC) open 24 hours.

6. Outside Admiral I saw no crowds outside and no obstruction. It was not busy compared to previous venues I have completed observations on. At 11.55pm on Friday there were approx. 16 customers inside the age range between 25 and 60. Later between 2am and 4am there were approx. 6 customers at any one time. These numbers were approximately replicated throughout the observations. No incidents. No noise is audible.
7. As previously stated, the area includes restaurants, cafes, mini markets, retail shops and fast-food restaurants in the main. Game Nation and Admiral are probably the quietest venues for entertainment in the High Road.
8. There is a lot of residential property running off the street itself with flats above some of the shop premises on the High Road itself.
9. There was steady pedestrian traffic at the start of my observation which eased off to virtually nothing in the early hours of the morning.
10. As stated, there is an existing Adult Gaming Centre (AGC) venue in the High Road almost directly across the road from the applicant venue. Admiral 475 High Road N17 6QA. It is open 24 hours 7 days a week. It was open throughout my observations. I noticed it had from what I saw 2 members of staff throughout observations. A member of staff was seated near the entrance door monitoring persons entering at all times. The door was controlled by a maglock, customers had to ring a bell for entry.
11. On Friday 12th May I entered Game Nation at 11.50pm. Immediately upon entry I was greeted by an extremely smart SIA registered doorman (Badge clearly visible) who informed me they were closing. I asked the doorman what time they closed, and he informed me a couple of minutes ago. The venue was being vacated and all customers were leaving. All customers leaving were reasonably smart in

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appearance; the age range was between 20yrs and 60yrs of age. I saw two members of staff. Clean venue, no signs of drunkenness or drugs, custom leaving were well behaved. No Issues. I felt very comfortable. I entered without having to ring the bell clearly visible to allow persons access via a maglock, as I walked in when the door opened for person that was leaving. In the entrance area and clearly visible from the street I saw the spotter screen for staff use when deciding who to let into the venue.

12. I observed that there are four betting shops nearby.

Ladbrokes 480 High Road	107 yards from applicant venue.
Ladbrokes 529 High Road	0.2 miles from applicant venue.
Paddy Power 486 High Road	119 yards from applicant venue.
William Hill 440 High Road	38 yards from applicant venue.

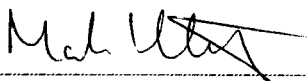
13. Throughout my observations, the betting shop venues were closed. All close at 10pm. There are no groups or gangs loitering outside any of these venues.

14. I saw the same group of male youths at any time numbering 6 or 7 standing outside and to the side of Dermak Supermarket 485 High Road on all my nights observations nights from 11pm to approx. 3am. They did not enter Game Nation or Admiral. They were talking with each other all the time. I saw no drinking, drug taking or dealing by any of them. This was the only time during my observation I saw a group congregate outside or near the AGC venues. The bookmakers are closed by 10pm. Considering Saturday was a warm night; the venues were not particularly busy and had no groups standing outside. I saw singular customers on occasion outside smoking.

15. During the hours stated I saw no crimes or anti-social behaviour. I saw no drug usage. The only gang I saw was that mentioned in paragraph 14.

16. There are a lot of empty beer bottles and cans littering the street on the southern end of the High Road near the junction with Monument Way, but this cannot be

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attributed to the AGC venues currently operating, there is no alcohol allowed inside either. This part of the street is 0.2 miles away from the venue.

17. I saw no persons begging and two homeless persons in Chesnut Road and St. Loys Road.
18. During my observations around the area, I see uniformed officers patrolling in vehicles. Almost every venue open to the public has Security including the applicants.
19. I visited both AGC premises throughout the nights, Admiral open 24hrs and the applicant's venue open till midnight. The most customers I saw in Game Nation was at 11.05pm on Saturday night there were 8 persons inside. All are smart in appearance age range 25 to 60 yrs. No issues. This number did not include me, security or the 2 staff on duty.
20. There are 5 pubs in the immediate area. The Bluecoats pub 614 High Road closes at midnight on Friday and Saturday and 11pm on Monday, it only opens at 4pm. Elbow Room 503 High Road closes at midnight Friday and Saturday and 11pm on Monday. The High Cross 350 High Road closes at 11.30pm Friday and Saturday and 11pm on Monday. The Beehive Stoneleigh Road behind the applicant's venue closes at 1am on Friday and Saturday and 11pm on Monday. The Victoria Scotland Green closes at 10.30pm on Friday and Saturday and 10pm on Monday, this also only opens at 4pm. None were busy. I saw no people congregating outside occasional customers standing outside smoking. The busiest was probably the Elbow Room that had approx. 20 customers at 11pm. Upon closing I paid attention to custom from the pubs through the 3 nights. There is no mass exodus, customers leave in dribs and drabs, no issues re drunkenness. Most left on foot, I saw 2 persons leave in minicab. No customers entered Game Nation or Admiral from the pubs.
21. I saw no children during the observation.

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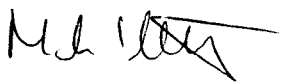
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22. During my entire visit to the area, I personally saw no evidence of any crime and disorder, anti-social behaviour, street drinking, begging for money, no groups of youths or unaccompanied children. The only time I saw any gathering was the group I mention in paragraph 14 above, from 11pm and they had left by 3am Friday and Saturday.
23. I felt safe throughout my observations. I saw nothing intimidating. No gangs (except para 14), no youths or children were hanging around the AGC's I looked at.
24. Game Nation and Admiral were extremely clean, well illuminated and staff were very smart in company uniform.
25. The busiest venue I saw was Admiral at midnight on Friday night. There were sixteen customers inside, who were a mixed age group between 25 and 60. Male and Female.
26. Admiral is open 24 hours a day, 7 days a week. Game Nation opens till midnight. The entrances to both were locked and were only opened from inside by a member of staff pressing a maglock button. This was different to other AGC venues I have visited operated by other companies where I had just walked in with no door control.
27. Within Game Nation I noticed CCTV cameras. They are clearly visible. I also saw the spotter screen in the foyer showing person outside awaiting to enter after being vetted by staff. The image was very clear. Signage is also displayed re. CCTV.
28. The staff I witnessed are very personable, polite, circulate and interact with customers who in the main appeared to be regulars and locals.

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29. At 11.50pm on Friday closing I saw 4 people leaving. At 11.05pm on Saturday there were 8 customers. At 11pm on Monday there were 2. I saw no issues. The numbers in Admiral were on a par with these up until my observation closed at 4am. No issues with this venue either.

30. No alcohol is sold. I saw no alcohol in either venue and no drugs.

31. There is evidence of street drinking as I have previously mentioned but none of this can be attributed to the venue and is further away from the venue.

32. The lighting is at a high level without impacting on the outside of the venue area. Machines are positioned to ensure clean lines of sight within.

33. I saw no children in the venue. It is Adult only.

34. There is gambling addiction literature in the form of signage and leaflets throughout the venue.

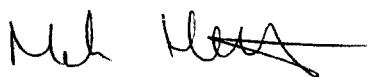
35. I found Game Nation to be clean, safe, friendly and alcohol free. This was replicated at Admiral.

36. There is no noise at all audible from outside the venue (same at Admiral).

37. The conditions I could check upon were fully complied with these being.

- 2 staff on duty at all times.
- SIA registered security on duty.
- Spotter screen clearly visible.
- Notices for CCTV, Challenge 25, Gamcare.
- Maglock being operated.
- Buzzer on the door.
- Toilets locked.
- Flat surfaces removed.
- No homeless or street drinking outside.
- No ATM that I saw.

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Summary

During the visits to Game Nation 450 High Road N17 9JD and its streets leading off I saw no evidence of crime and disorder or anti-social behaviour, only one what I would describe as a gang of youths and no unaccompanied children. I saw no persons begging for money during my observation. I witnessed no street drinking and no one enter the AGC venues from a public house.

I saw 2 homeless people in streets leading off the High Road itself during my observations.

The applicant venue Game Nation was clean, extremely smart inside, well illuminated, well operated with polite courteous staff. It had a clean smart frontage. There, I saw no evidence of crime and disorder or anti-social behaviour, no street drinking, no youths, no litter, or drugs. The limited issues I witnessed in the wider area were not related to the premises. The frontage is probably the cleanest part of the High Road.

Staff and security seem professional, polite, and attentive. The venue is well run and clearly the systems in place help to ensure that the Gambling licensing objectives are adhered to. It does not attract children, youths, or vulnerable people.

Most of the customers I saw at the AGC venues I visited were clearly over 25. In my view, young persons or children would not be attracted to them. The insides are not like a seaside amusement arcade. Game Nation is a quiet, low key lounge style environment. The most customers I saw at any one time 8 usually a lot less. I would easily comment that there is more noise from music and from customers in any of the surrounding venues, not just pubs, but takeaways, restaurants.

I have witnessed first-hand the surrounding area and High Road. From the beer bottle and can refuse and the group of youths loitering, I believe that the area does have its problems. In saying this I have personally not seen street drinking, crime, or anti-social behaviour in the area. I have though witnessed the good practice put in place by the applicant's staff and security. After seeing how the venue operates, I can say that there will be no negative impact on the Gambling Act licensing objectives.

The applicant has well-run premises. Signage re challenge 25, CCTV and Gamcare is visible throughout.

I have seen the conditions, which will I believe be extremely effective in addressing any concerns with regards to the licensing objectives. The conditions I was able check on with regards to compliance, were all adhered to as listed above.

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I have seen the conditions upon the Adult Gaming Centre Premises Licence and the Consent Order. They are strong conditions that would again go a long way in reducing any risk and would in my opinion address any perceived negative effect on the licensing objectives under the Gambling Act.

I saw no evidence of harm or encouragement to vulnerable persons by the gambling establishments.

From what I have seen, the hours applied for would not attract children or youths and it is my belief that drunken persons, or persons at risk would be prevented from entering or remaining.

Of interest is the fact that the police have not made any objection in their role as a responsible authority. I have not seen any evidence that the licensing objectives under the Gambling Act would be harmed by the AGC which is the subject of this application.

There is evidence in the way the applicant runs its venues to show how they not only comply with the licensing objectives but install strong operating and due diligence procedures in the venues and in the staff employed.

I do not believe that the premises or its clientele will cause problems if the planning hours sought are granted.

All matters relevant in the report on which my expert evidence is given has been included in this report. I believe the facts I state in this report are honest and true and that the opinions I have expressed are correct to the best of my judgement. The fee for this report is not conditional on the outcome of any future case, application or finding.

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1. Frontage. Approx. midnight.



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2. View opposite applicant venue. Admiral visible. Approx. 11.45pm.



Signed:

Neil Hilly

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3. Entry buzzer.



Signed:

Neil Harty

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4. Spotter Screen.



Signed: Neil [Signature]

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