

Independent Observations Report

MARK HALTON - MJH LICENSING CONSULTANTS LTD

ADMIRAL 9-11 PARK STREET WALSALL WS1 1LY.

Introduction

I have been instructed to conduct impartial external observations on the site situated at 9-11 Park Street Walsall WS1 1LY.

I am aware that a premises licence has been applied for by Luxury Leisure to permit the venue to be used as an Adult Gaming Centre (AGC) under the Gambling Act 2005 (as opposed to any planning permission) for 24 hours, 7 days a week.

The premises was previously a Bingo premises named Luda which was part of the Rank organisation. It is now closed and not trading.

Within my review 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 the Licensing Authority's Gambling Statement of Principles.

I conducted my observations at various times throughout the day and night on the following dates: Thursday 23rd February 2023, Friday 24th February 2023 & Saturday 25th

February 2023. I selected the following timings so I could observe the effect a proposed venue could have on the local area concentrating on criminality, anti-social behavior, youths, children, and other vulnerable persons.

Thurs 23/02/23	5pm – 7pm	8pm – 10pm	12am – 1am
Fri 24/03/23	3pm – 6pm	10pm – 2am	
Sat 25/03/23	11pm – 3am		

OBSERVATIONS

PARK STREET AREA, WALSALL: Thursday 23rd February 2023. 5pm to 7pm, 8pm to 10pm & m/night to 1am.

1. On all the visits, the weather was dry. During the night observations, the areas were well lit with street lighting. I had clear and unobstructed views throughout the day and night.
2. I observed the general local environment including checking footfall, and for signs of criminality, anti-social behavior, begging, and vulnerable and persons at risk.
3. Park Street runs north to south. The area I observed is from the Gallery Square at the top of Park Street to the High Street and the immediate area leading off this half mile section of Park Street in which the applicant's proposed venue lies.
4. Park Street is a pedestrianised street and falls within the St. Mathews ward. On my observation between 5pm and 7pm the street was busy. On my observation from 8pm to 10pm, it was not. The shops are closed including McDonalds (closed 7pm) and The Red Lion pub which was open earlier in the day closed at 6pm. There were few people in the street late. There is no parking in the street itself but there are car parks in the immediate area. I did notice that later at night there were a minimal number of taxis in Park Street.
5. The area includes a barber shop, a pub, cafes, fast-food restaurant, 3 betting shops, retail shops with two shopping arcades. There are two adult gaming centre premises in the area being Playland Amusements on the junction of Bradford Street and Digbeth and Admiral in Bradford Street, both are open 24 hours through the week. They are approx. 40 yards apart. The application venue is approx. 40 yards north at 9-11 Park Street.
6. I could see the area has a diverse community and people were seen visiting the shops and services. There was a big drop in the number of persons in the area between my

first and second/third observations that day. There is residential accommodation both new and old that lead off the streets of Park Street and the Waterfront but I did not see any residential property in Park Street itself, Digbeth or the High Street.

7. The new accommodation is mainly flats around the quay area.
8. I visited the proposed Admiral AGC at 9-11 Park street and noticed that it has displayed its application under the Gambling Act 2005 prominently and centrally on the entrance door.
9. I did not see groups of youths or unattended children throughout the observations that day.
10. I saw no persons begging or sleeping in the street throughout the day's observations.
11. Immediately next to the applicant's premises is a clothing store, a gift shop, a jeweler, and an optician. There are 4 market stalls south of the venue in the middle of Park Street. Across the street is a card shop, a jeweler, and a bank. All operate daytime hours and are closed later in the evening.
12. There are not many restaurants in Park Street, It is made up of retail premises.
13. There is steady pedestrian traffic through the day which eases to almost nothing post 10pm.
14. I am aware that Playland benefits from relatively recently granted 24/7 permissions, including a Gambling Act AGC premises licence. Admiral AGC premi on Bradford street (the operators of which are making the application for 9-10 Park Street) also opens for 24 hours a dat. Both were still open when I finished observations at 1am. I saw no crime & disorder, no anti-social behavior, no street sleeping, no begging, no

groups of youths or unaccompanied children, (indeed no children were seen from 9pm onwards). There are no other betting or gambling establishments within the area.

15. The shop fronts of the bookmakers have been obscured, although the glass doors give a view into the venues. There is a small sign on the door of Playland notifying that persons under 18 are not allowed entry. On the frontage of Admiral are large separate signs stating no persons under 18 allowed, no alcohol allowed inside, a Challenge 25 policy applies and the management refusal right.

16. At 12.35am. There was no noise audible from outside either Playland or Admiral.

17. I entered both venues through my observations before 6pm and then post 10pm. Customers were sitting at machines. All were reasonably smart in appearance; the age range was between 20yrs and 60yrs of age, and both venues had male and female customers. There were two members of staff in each. Both venues were clean, with no signs of drunkenness or drugs, and the customers well behaved. I felt very comfortable and did not see any issues.

18. Upon entry at Admiral I saw displayed the rules of the house, CCTV signage, challenge 25 notice and fire evacuation sign. No alcohol is sold. Further, no alcohol is allowed in the venue and there is a zero tolerance to drugs. Entry is refused for either.

19. The maximum stake for machine games (and on some machines only) is £2.

20. Between 10pm and 1am there was hardly anyone around and Park Street was very quiet. There were no obviously homeless people, nor people begging. No one appeared to be vulnerable, and I saw no anti-social behavior. It was not busy. I walked the length of Park Street eight times and the surrounding streets on numerous occasions and again saw no homeless people, nor any crimes or anti-social behavior.

21. I saw no graffiti in Park Street and no unaccompanied children.

22. The Red Lion pub appeared to be well managed. It was not busy. I saw no security presence at any of the premises.
23. There are no real restaurant venues apart from those I would describe as fast food. Customers seemed to be well behaved. All the venues apart from Playland and Admiral were closed or closing on my later visits.
24. During my entire visit on the 23rd of February, I saw no evidence of any crime and disorder, anti-social behavior, street drinking, begging, no groups of youths or groups of unaccompanied children.
25. I felt very safe throughout my observations. I saw nothing intimidating. No youths were hanging around the AGC or betting shops. The betting shops were closed on my later visits both nights. During the day I saw no gangs gathering outside them apart from persons smoking and then re-entering.

PARK STREET AREA, WALSALL: FRIDAY 24th FEBRUARY 2023 3pm to 6pm & 10pm to 2am.

26. At 3pm the next day 24 February, I returned to observe Park Street. The street was busy with shoppers and attending the market stalls. At 3.25pm I saw 1 person begging for money in Gallery Square. At 3.55pm he was gone.
27. At 3.35pm I entered Admiral AGC in Bradford Street, where there were 3 customers aged between 35 and 50. There were 2 members of staff. It was quiet and I saw no issues.
28. I returned at 10pm and the street was empty apart from a handful of people using the street as a walk through.

29. The Red Lion pub was busy from 10pm and Karaoke could be heard from the street. There was no one standing outside. The pub closed at midnight. McDonalds closed at 7pm.
30. I saw no persons enter from the pub into either AGC which were still open through my observations. Customers walked out the pub at closing time walking home or into waiting taxis.
31. I walked the length of Park Street, Digbeth and Bradford Street, eight times between 10pm and 2am I saw no crime, no anti-social behavior, no nuisance. It was quiet, and there was hardly anyone about.

PARK STREET AREA, WALSALL: SATURDAY 25th FEBRUARY 2023 11pm to 3am.

32. Park Street was extremely quiet. Apart from the 2 AGC venues there was only the Red Lion pub open, and this closed at 1am. As the night before, people walked away in both directions from Park Street; a few entered waiting taxi's and there was no interaction between those persons leaving the pub and either AGC venues.
33. Again, I visited each AGC venue and there was no more than 5 persons in each at any time. The customers were well behaved and aged between 20 and 60. I saw no issues, no gangs, no children, no crime & disorder, no anti-social behavior, no persons congregating and heard no noise. Park Street is probably the quietest street I have carried out observations upon.
34. During my entire visit to the area, I personally saw no evidence of any crime and disorder, anti-social behavior, street drinking, begging for money, no groups of youths or unaccompanied children at all.
35. I felt safe throughout all the observations.

**ADMIRAL 26 QUEEN STREET, WOLVERHAMPTON SITE VISIT: FRIDAY 24th
FEBRUARY 2023. Midday to 1pm.**

36. I understand from the applicant that the current Admiral venue in Walsall has operated for many years and while the policies and procedures are uniform across the Admiral estate it was suggested that I visit a nearby Admiral venue in Wolverhampton which is more akin in fit out to the proposed venue which is the subject of this application, as the fit out is new.

37. I attended the Admiral premises situated at 26 Queen Street Wolverhampton WV1 3JW at midday. It is operated by the applicant for the Admiral AGC in Park Street Walsall. Upon entry I saw displayed the rules of the house, CCTV signage, challenge 25 notice and fire evacuation sign.

38. The premises were extremely clean, well illuminated and the 2 staff were very smart in company uniform of blue and black.

39. There were three customers inside, who were a mixed age group between 25 and 50, 2 male and 1 female.

40. When I observed the Admiral in Walsall I did so unobstructively. In Wolverhampton I met Martin Scott, a regional operations manager. As a result of my conversation and observations, I ascertained and observed the following. Much is reflected at the existing venue in Walsall :

- The venue is open 24 hours a day. The entrance is locked at 10pm and can only be opened from inside by a member of staff pressing a maglock button.
- CCTV covers the whole licensed area. There are thirteen cameras of extreme quality in image. The image can be downloaded. Very comprehensive.

- Staff, as I witnessed, are very personable, polite, circulate and interact with customers who in the main appeared to be regulars and locals. Staff work 6 or 8 hour shifts within the 24-hour system.
- Midday there were three customers within venue. I saw no issues.
- Training is by e-learning modules and in-venue training. Of particular interest to me is that training on social responsibility far outweighs customer service (which is comprehensive). There are six-month refresher courses on the constantly updated teaching modules. If a member of staff fails to complete training the system shows a flag to a manager, the training package cannot be continued until the last is passed. This ensures compliance but also allows management to constantly ensure that staff are aware of responsibilities, ensuring quality of service and of staff. I understand that this applies across all staff and I found it to be very impressive.
- Again, no alcohol is sold. Further, no alcohol is allowed in the venue and there is a zero tolerance to drugs. Entry is refused for either.
- The maximum stake on some machines only is £2.
- The majority of machines operated Ticket in Ticket Out (TITO) system. Cash can be paid in, but winnings are paid on ticket. This allows customers to withdraw their winnings when they want to.
- Lighting is high level without impacting on the outside of the venue area. Machines are positioned ensuring clean lines of sight within.
- All staff carry portable alarms in form of wristband on the person. Once operated, the alarm company is immediately notified. There is further to this an

announcement tannoy system that is automated this can be used to ask persons to leave if necessary.

- No children are allowed in the venue. It is Adult only.
- ID requested is as per Home Office Guidelines: driving licence, passport, PASS hologram, military ID (always checked thorough as some military ID can be under 18).
- All staff are trained in Think 25 (“If you look under 25, prove you are 18”). There is signage throughout the venue.
- Test purchase (TP) operations are conducted by independent company unannounced, four times a year. If a TP is failed, all staff are retrained and investigation by the Area manager is launched.
- The company operates the recommended self-exclusion policy, whereby a customer can request that they are self-excluded for up to 6 months. The company goes beyond with plus 6 months. Therefore, on a case-by-case basis, self-exclusion can last for 12 months.
- There is gambling addiction literature in the form of signage and leaflets throughout the venue. It can also be found in the toilet areas in case of persons would like to request help but are embarrassed to do so.
- Timers can be issued to customers on request. This aids self-regulation and is combined with staff supervision and awareness.
- Many measures are encompassed within the Gamblewise tool used at the venue. This is an app encompassing measures that, among other steps, allow customers

to set a budget limit and set the time spent on visits. This puts controls and awareness in the hands of the customers, with the assistance of staff.

- We spoke about the cash office. Details are not contained within this report, but I am fully satisfied that security is not an issue.

QUEEN STREET, WOLVERHAMPTON: FRIDAY 24th FEBRUARY 2023 11.30am to midday and 1 pm to 1.30pm.

41. Queen Street has retail premises either side like Park Street. It is a well-kept street within Wolverhampton and runs off the main shopping area. The road was not busy with vehicles and but had a good number of pedestrians using the street as a walk through from the nearby train station. I witnessed no anti-social behavior within the area.

42. As stated, there were three customers. There were two smartly dressed staff. There were no issues, no drunkenness, and the customers were well behaved with an age range from 25 to 50. The premises were clean, and the atmosphere relaxed It was all very comfortable. I felt very safe.

43. I found Admiral to be a clean, safe, friendly, and alcohol-free venue.

SUMMARY FINDINGS

During the visit to 9-11 Park Street and its surrounding area I saw no evidence of crime and disorder or anti-social behavior, no gangs of youths and no unaccompanied children apart from the daytime accompanied by parents. I saw one person begging during my observations. I witnessed no street drinking on Park Street.

I am aware that at the end of January a man was attacked on the high street near Asda and sadly died. However, I did not witness any fights or violent behavior in the locality.

In addition to visiting the existing Admiral AGC on Bradford Street in Walsall, I also visited Admiral AGC at 26 Queen Street in Wolverhampton, WV1 3JW, operated by the same company making this application. It 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 behavior, no street drinking, no youths, no litter, or drugs. The same applies to the Admiral in Bradford Street Walsall.

Management and staff in both venues are professional, polite, and attentive. The venues are well run and clearly the defined systems in place help to ensure that the licensing objectives are adhered to. They ensure that measures are taken and in place so as not to attract children, youths, or vulnerable persons.

Most of the customers I saw at all 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. Admiral is a quiet, low key lounge style environment. The most customers I saw at any one time was five and usually a lot less. There was no noise audible from the Admiral AGC venues in Bradford Street (unlike the pub in Park Street) or Queen Street in Wolverhampton.

My first hand experience of the surrounding area in Park Street is that it was non problematic. While I accept that, contrary to my personal findings, that might be different on occasions, I have seen the good practice, policies, strategies, training, and overall

assessments of risk reduction put in place by the applicant operator within the venues in Wolverhampton and Walsall. I have also witnessed Admiral venues in other national locations and there is a consistent approach.

The applicant has well run premises and the measures it takes to reduce the risk of crime and disorder and protecting vulnerable persons from being taken advantage of, are above and beyond those that I believe are strictly needed. Please see bullet points above re my site visit to Wolverhampton.

From observations, I see no reason why residential properties will be affected by this new venue - not least because there are none nearby. I note here are no residential objections to this application.

During my observation I saw no crime and disorder or anti-social behavior in the area relating to the application venue. I saw no harm or danger to children or young persons at the gambling establishments – there were no children or young persons in them. I saw no evidence of harm or encouragement to vulnerable persons by the gambling establishments.

From what I have seen, the AGC applied for, would not attract children or youths, and the policies and procedures which Admiral would have in place, would prevent drunken persons, or persons at risk from entering or remaining. The previous occupants at the site operated with a bingo licence, allowing alcohol. This is a very different style of operation and operator - Luxury Leisure and Talarius Ltd have been accredited by the Global Gambling Guidance Group for Responsible Gambling, the first land-based operator to have gained the accreditation. I have witnessed that this is a good company working with an AGC licence that does not allow alcohol or drugs within. As can be seen within this report, the applicant has numerous policies in place to adhere to the licensing objectives. I do not envisage any problems relating to crime or disorder that arising with with this operator in this area. The existing AGC premises I have seen in the vicinity do not cause any issues or problems, and I do not see why this should be any different. I have also

seen that the Playland AGC venue was issued its 24hr licence in June of last year and on the basis of my observations that is perfectly understandable.

I note that neither the police nor local authority has made any objection in their role as responsible authorities. On the basis of my observations, I agree with that approach. 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 are however copious amounts of 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.

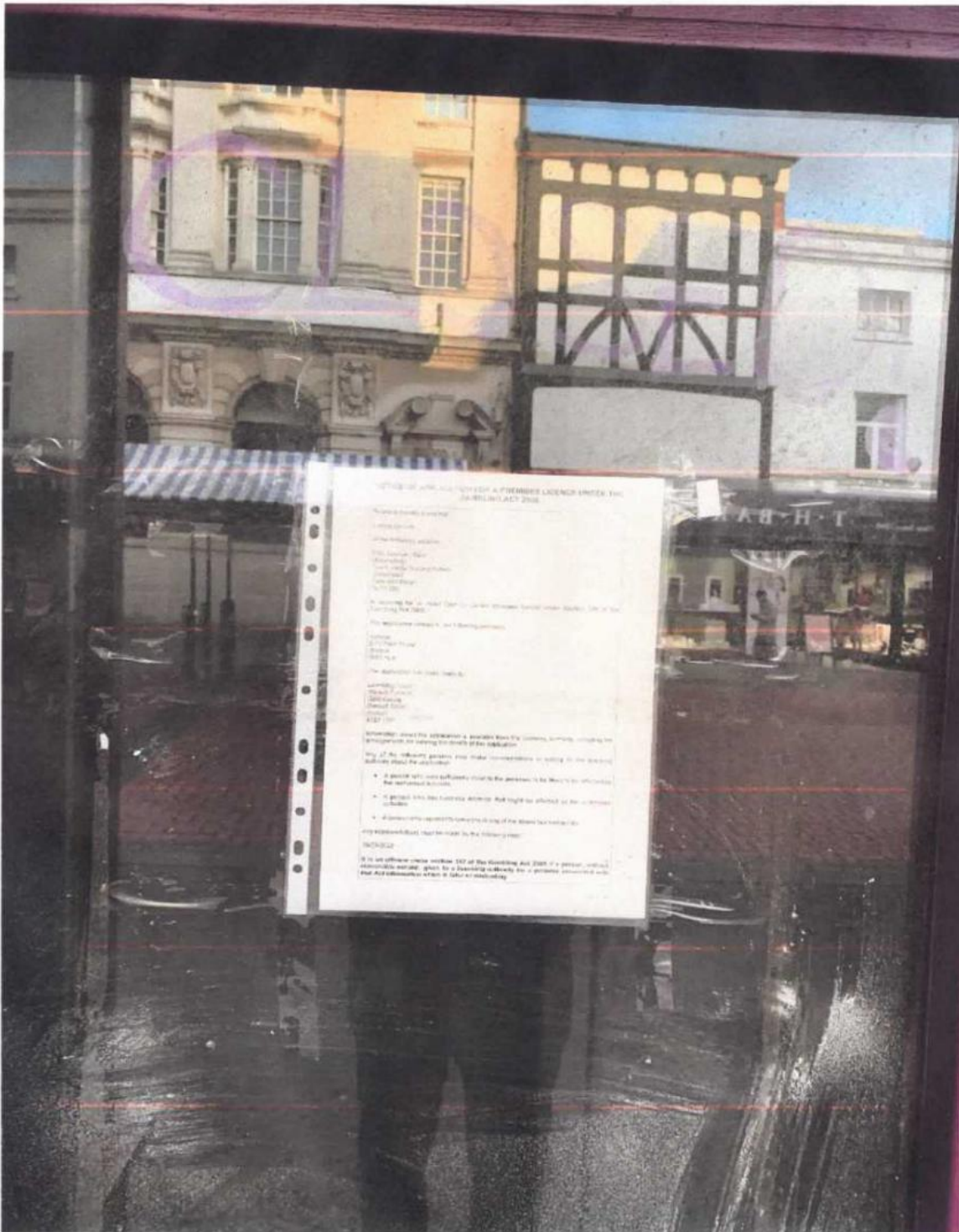
All matters relevant in the report on which my expert evidence is given has been included in this report. I believe the facts I state in this report are honest and true and that the opinions I have expressed are correct to the best of my judgement. The fee for this report is not conditional on the outcome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

IMAGES

1. Application Site 9-11 Park Street.



2. Notice of Application.



3. Admiral front entrance Bradford Street 4.50pm (40yds from proposed site).



4. Park Street venue front (site on left), retail shops & market. 12.10pm.



5. Bradford Street. Admiral (existing venue) & Playland 40 yards from proposed site. 12.10pm.



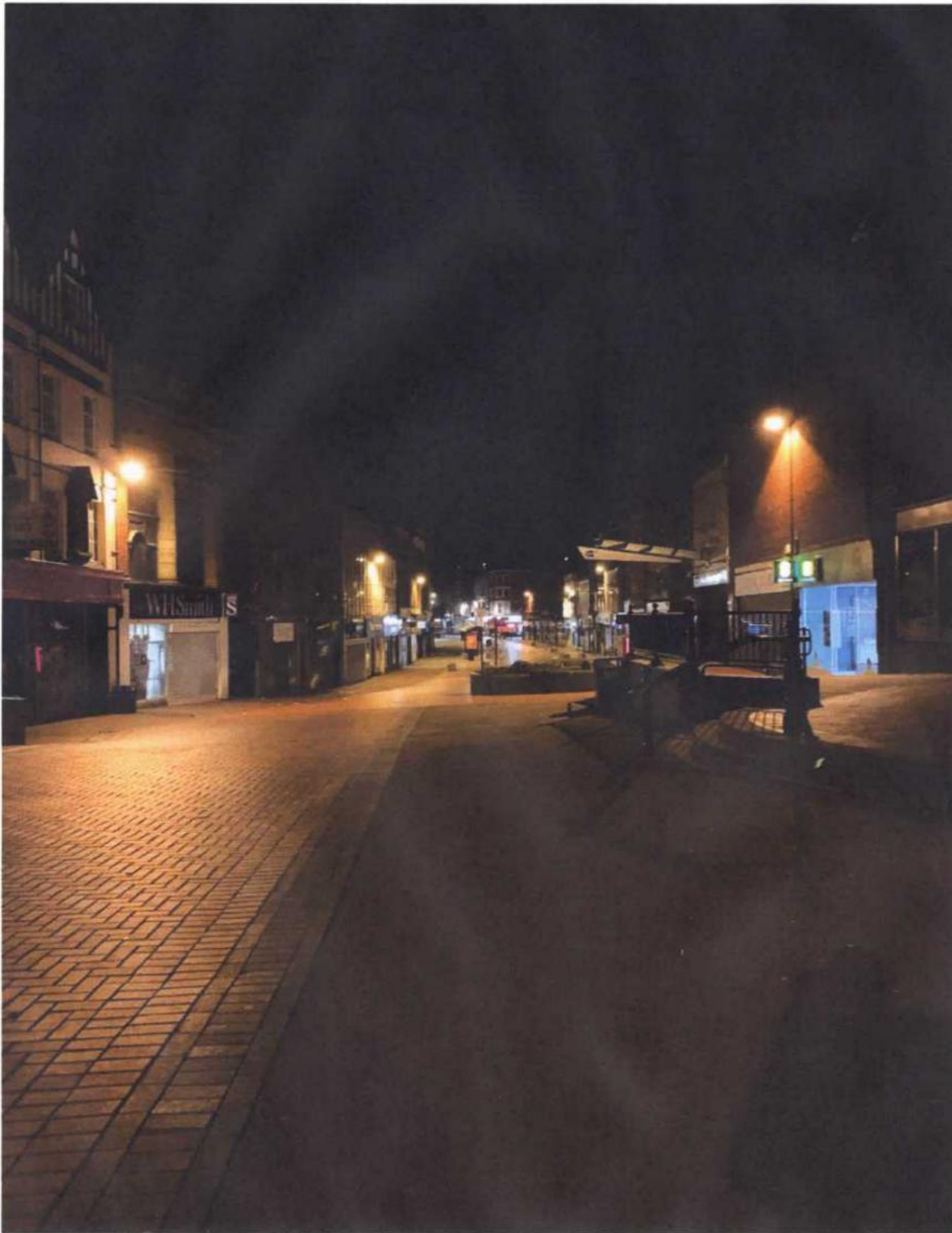
6. Bradford Street, Admiral. 10.15pm.



7. Park Street proposed site front 10.50pm.



8. Length of Park Street 00.40am.



9. Bradford Street Admiral & Playland. 00.40am.



10. Admiral Queen Street Wolverhampton.



11. Queen Street Wolverhampton. Bingo/AGC premises & Bookmaker 100 yards from Admiral.



12. Length of Queen Street.



13. Staff. Personal alarm, think 25 and name badge.



Admiral Systems in place. Witnessed by myself previously.

CCTV, Think 25, Social Responsibility



Maglock entry button



Staying control literature, ATM

(Replicated at exit, toilets, inside venue)



Signed Mark Halton

Mark Halton

Dated 9th MARCH 2023

MJH LICENSING CONSULTANTS

'Specialists in risk reduction, training, compliance, observations and investigations for the licensed trade'

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