



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

19 October 2023

Licensing Ref No:

23/02889/LIGV

Title of Report:

Silvertime
32 Gerrard Street
London
W1D 6JA

Report of:

Director of Public Protection and Licensing

Wards involved:

St James's

Policy context:

City of Westminster Statement of Gambling Policy

Financial summary:

None

Report Author:

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Senior Licensing Officer

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1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Gambling Act 2005		
Application received date:	28 April 2023		
Applicant:	Silvertime Amusements Limited		
Premises:	Silvertime		
Premises address:	32 Gerrard Street London W1D 6JA	Ward:	St James's
Premises description:	The premises trade as an adult gaming centre (AGC)		
Variation description:	<p>To extend the permitted hours of the premises from the current hours of Monday to Sunday 09:00 to Midnight, To Monday to Sunday 08:00 to 03:00 the following day, in line with the Planning Permission.</p> <p>To amend Condition 20 of the Premises Licence which currently reads Between 6pm and midnight there will be an SIA licensed door supervisor employed at the front entrance to the premises. The need for an SIA door supervisor at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band. to read Between 18:00 and 03:00 the following morning there will be an SIA licensed door supervisor employed at the front entrance to the premises. The need for an SIA door supervisor at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.</p> <p>To remove Condition 41 of the Premises Licence which reads No facilities for gambling shall be provided on the premises between the hours of midnight and 9am the following day.</p>		
Premises licence history:	<p>This premises had the benefit of a licence under the Gambling Act 2005 as a betting shop from October 2011 to November 2020 when the licence was surrendered. The premises have held an AGC licence since February 2022.</p> <p>A full licence history can be seen at Appendix 3 of this report.</p>		
Premises in the vicinity:	<p>Gerrard Street is located within the busy "Chinatown" area of Central London which consists of predominantly commercial licensed premises and is a short distance Leicester Square. The premises are situated on the ground floor of 32 Gerrard Street. The building is a 4 storey building with offices above.</p> <p>There are 2 hostels and 1 faith group within a 100m radius of the premises. There are also 17 licences under the Gambling Act 2005, this includes 3 betting shops, 1 non-commercial society lotteries, 2 Adult Gaming Centres, 4 Casinos and 7 gaming machine permits.</p>		

	<p>There are 146 residential properties within a 100 metre radius of the premises.</p> <p>A full detailed list of gambling premises can be viewed at Appendix 5 of this report.</p>
Applicant submissions:	The applicant has submitted supplementary documents which can be found at Appendix 2 of this report.

1-B	Current and proposed licensable activities, areas and hours					
Permitted hours:						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	09:00	00:00	08:00	03:00	Ground floor	No change
Tuesday	09:00	00:00	08:00	03:00		
Wednesday	09:00	00:00	08:00	03:00		
Thursday	09:00	00:00	08:00	03:00		
Friday	09:00	00:00	08:00	03:00		
Saturday	09:00	00:00	08:00	03:00		
Sunday	09:00	00:00	08:00	03:00		

1-C	Conditions being varied	
Condition 20		Proposed variation
<p>Between 6pm and midnight there will be an SIA licensed door supervisor employed at the front entrance to the premises. The need for an SIA door supervisor at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.</p>		<p>Between 18:00 and 03:00 the following morning there will be an SIA licensed door supervisor employed at the front entrance to the premises. The need for an SIA door supervisor at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.</p>

1-D	Conditions being removed
Condition 41	
<p>No facilities for gambling shall be provided on the premises between the hours of midnight and 9am the following day.</p>	

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Licensing Authority
Representative:	Jessica Donovan
Received:	24 May 2023

I write in relation to the application submitted on behalf of Silvertime Amusements Limited for a variation of an Adult Gaming Centre for the above mentioned premises under the Gambling Act 2005 (the Act). The premises is located on 32 Gerrard Street, London, W1D 6JA.

As a Responsible Authority under the Act, the Licensing Authority has gone through this application in detail and has considered the application in relation to the principles to be applied under section 153 of the Act, the Mandatory Conditions as specified in Schedule 1 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (Mandatory and Default Conditions Regs) and the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 (Premises Licence Regs).

The premises is located just outside the vulnerability zone however, given it is in the immediate vicinity it will need to be considered.

The statement of Licensing Principles for Gambling Policy section F1 (C and D) states:

C. If the application relates to premises that are in, or within proximity to an identified gambling vulnerability hot spot and/ or a designated Gambling Vulnerability Zone the applicant must demonstrate that: 1. They have specifically assessed the relevant risks associated with that Gambling Vulnerability Hot Spot and/ or designated Gambling Vulnerability Zone within their gambling risk assessment, and, 2. Put forward sufficient control measures to mitigate or eliminate those risks being associated with the operation of the gambling premises.

D. For the purposes of Clause C: 1. A 'Gambling Vulnerability Hot Spot' is an area of the City that has been identified as being in the top half of the combined gambling vulnerability index within the Council's Local Area Profile and has not been included within a designated Gambling Vulnerability Zone as set out in the Gambling Vulnerability Zone Policy F2, and 2. 'Close proximity' means that the premises, to which the application relates is within 65 meters of a Gambling Vulnerability Hot Spot and/or a designated Gambling Vulnerability Zone.

Could the applicant confirm what additional measures they propose to address vulnerability during the extended hours.

Policy section E1 (E) states:

E. Licences for Adult Gaming Centres and Licensed and Unlicensed Family Entertainment Centres that are granted by the Licensing Authority will be required to operate to the following hours or to such other hours that have been agreed by Westminster City Council under Regulation 3(1) of Westminster City Councils Pleasure Fairs (Amusement Premises) Byelaws.

1. Adult Gaming Centres Monday to Sunday: 09:00 to 00:00

The granting of this application to the remove of condition 41 (No facilities for gambling shall be provided on the premises between the hours of midnight and 9am the following day.) and to extend the hours to 03:00 would be in breach of Westminster City Council Pleasure Fairs (Amusement Premises) Byelaw which regulates the hours during which amusement premises

may be open to the public.

Pursuant to Byelaw 1(a) "These byelaws shall apply only to pleasure fairs within the meaning of Section 75(2) of the Public Health Act 1961 which are amusement premises". Pursuant to Byelaw 2(a) "Amusement premises means any place used wholly or mainly to provide..." "automatic or other machines intended for entertainment or amusement."

Adult Gaming Centres are classified as amusement premises that are subject to the provisions of the Byelaw and must consequently comply with any such requirements set out in that Byelaw.

Byelaw 3(1) provides that "The manager shall not keep the amusement premises open between the hours of **12 midnight and 9am.**"

A copy of the Pleasure Fairs (Amusement Premises) byelaws is attached for information as **Appendix A.**

The Licensing Authority looks forward to receiving further submissions to be able to assess any further relevant policy consideration.

The Licensing Authority submit this as a formal representation to this application.

Appendix A

Pleasure Fairs (Amusement Premises) Byelaw

Byelaws for the regulation of hours during which amusement premises may be open to the public; for the securing of safe and adequate means of ingress to and egress from amusement premises; for the prevention and suppression of nuisances and for the preservation of sanitary conditions, cleanliness, order and public safety at amusement premises; for the prevention of outbreaks of fire which might endanger structures used or intended for use in connection with amusement premises, and for reducing the risk of, and the spread of fire from, such outbreaks; made by the Westminster City Council in pursuance of Section 75 of the Public Health Act 1961, as amended by Section 22 of the Local Government (Miscellaneous Provisions) Act 1976.

1. (a) These byelaws shall apply only to pleasure fairs within the meaning of Section 75(2) of the Public Health Act 1961 which are amusement premises:

(b) These byelaws shall not apply to premises licensed or registered under Part II of the Gaming Act 1968 or to members clubs and miners welfare institutes registered under Part III of that Act.

2. In these byelaws, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say:

(a) "Amusement premises" means any place used wholly or mainly to provide entertainments within the meaning of Section 75(3)(f) of the Public Health Act 1961, and shall include any stationary vehicle, vessel, stall, caravan, trailer or tent where the above applies.

(b) "The Council" means the Westminster City Council.

(c) "Manager" means the person having control of the entertainments provided within the meaning of Section 75(3)(f) at the amusement premises.

Regulation of opening hours

3. (1) The manager shall not keep the amusement premises open between the hours of 12 midnight and 9am.

(2) The Council, may by resolution, fix a later hour in substitution for the hour of 12 midnight in this byelaw for the closing of amusement premises or specified classes of amusement premises on specified dates or during specified periods or generally.

4. (1) The manager shall give to the proper officer of the Council at least 5 days prior notice in writing of the intention to use any amusement premises specifying therein the dates and place at which such amusement premises are to be used.

(2) The notice to be given under this byelaw shall be in addition to and not in substitution for any notice required to be given under any other enactment.

(3) In this byelaw "proper officer" means an officer appointed for the purpose of the Council.

5. (1) The manager shall take such steps as are reasonably practicable to ensure that there are provided such entrances and exits to the amusement premises as will enable persons using the amusement premises (including disabled persons) to be safe and free from risks to health and while such persons are present on the

premises every exit provided for their use shall be unsecured and free from obstruction.

(2) The manager shall cause to be exhibited over each exit from the amusement premises a notice bearing the word 'EXIT' in letters of sufficient size to ensure it is legible at the maximum viewing distance.

6. No person shall place or cause to be placed any obstruction in any exit or gangway provided in accordance with these byelaws while any persons are using the amusement premises.

Nuisances, sanitary conditions, cleanliness, order and public safety

7. The manager shall ensure that at all times when the amusement premises are open for business, there is in operation such lighting as is adequate to enable persons using the premises to be safe.

8. The manager shall ensure that the internal parts of the amusement premises are maintained in good repair and condition in order that persons using the premises shall be safe at all times when the premises are open for business.

9. The manager shall take such steps as are reasonably practicable to ensure that:-
(a) a sufficient number of unobstructed gangways are provided and maintained in the amusement premises;
(b) amusement machines, seats and other furnishings and structures are distributed in order that the amusement premises shall, at all times when they are open for business, be safe for persons using the premises (including disabled persons).

10. The manager shall ensure that all parts of the premises (including sanitary accommodation) are kept as clean as is reasonably practicable.

11. The manager shall take such steps as are reasonably practicable to ensure that every machine provided at the amusement premises is properly and safely installed.

12. The manager shall not knowingly permit:-
(a) the amusement premises to be used for soliciting for the purpose of prostitution nor as a habitual resort or place of meeting of reputed prostitutes but this does not prohibit the manager from permitting such persons to remain on the premises for the purpose of using the amusement machines for such time as is necessary for that purpose.
(b) any person who is drunk or disorderly to enter or remain on the amusement premises.

13. The manager shall take such steps as are reasonably practicable to ensure that the external doors to the amusement premises suppress noise emanating from those premises where by means of the doors being fitted with a device for automatic closure or by any other similar means.

14. The manager shall ensure that the amusement premises are under the supervision of at least one responsible person at all times when those premises are open for business.

Fire protection

15. (1) The manager shall:

- (a) Consult the fire authority regarding a means of fighting fire for use in the amusement premises; and
 - (b) Provide and maintain reasonable means of fighting fire having regard to all the circumstances including the size, nature and age of the amusement premises; and
 - (c) Keep the means for fighting fire in a place where it is readily available for use.
- (2) In this byelaw 'maintain' means to maintain in an efficient state in efficient working order and in good repair.

Penalty

16. Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding £400.

Defence

17. It shall be a defence for a person to prove that he had taken all reasonable precautions and exercised all due diligence to prevent the commission of an offence under these byelaws.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	24 May 2023
<p>Dear Westminster Licensing Committee</p> <p>I write on behalf of the Chinatown Stakeholders' Committee to express our objection to the above licence extension application for Silvertime Amusements Limited.</p> <p>We do not believe that the application addresses the requirements of the legislation, and in particular that it is not 'reasonably consistent' with the licensing objectives. Specifically:</p> <ul style="list-style-type: none">- 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. <p>The Chinatown Stakeholder group is a partnership between the Chinese business community, Metropolitan Police, London Chinatown Chinese Association, Chinese Community Centre, Shaftesbury Capital and Westminster City Council and other relevant stakeholders and organisations working together to inform and shape the future of Chinatown. The meeting exists to allow Chinatown's many stakeholders to share information, address areas of concern and collaborate as a community.</p> <p>Chinatown London is a cultural destination which attracts the local community, tourists, educational groups, and families. The Chinatown Stakeholders are extremely concerned about the negative social impact this licence extension will have. Operating between midnight and 3am and then opening again at 8am will target vulnerable individuals. It will in our opinion also encourage other anti-social behaviour and crime during the hours of 12am-3am.</p>	

There are a high number of gambling premises licensed in our area. The previous licensed premises at the same address was a better shop with fewer gaming machines than an Adult Gaming Centre. The Stakeholders are concerned that extending Silvertime's operating times further builds greater opportunity - not for social gambling, which we believe can be carried out amply during Silvertime's existing licensed opening hours - but rather for people where gambling is problematic.

Chinatown is not a largely residential area. The workforces of our neighbourhood's businesses travel to work and, as is expected in the hospitality industry, work long hours to allow visitors to Chinatown to enjoy their leisure time. When the area's many restaurants close (between 11 pm-2am), there are limited options for people finishing their shifts at that time to take part in cultural life in the local area beyond bars and pubs or gambling venues. The Council has a duty to ensure that vulnerable people are not being targeted. The harm caused by gambling addiction to an individual, their family, and the communities to which they belong, and the potential associated antisocial behaviour is too great to ignore. We must prioritise the well-being of the whole community, its individuals and families over the economic interests of one organisation.

The hours between midnight and 3am are also likely to attract people who have been drinking alcohol elsewhere in the West End, and therefore more likely to gamble more than they otherwise would sober.

The extended hours proposed in the licensing application are more likely to attract vulnerable people.

The extension application does not set out how Silvertime would not add to existing pressures in the neighbourhood. The Chinatown Stakeholders feel that not only will an extension to Silvertime Amusements' licence have a direct negative impact on the safety of the area, and the local community, and set an unwanted precedent.

The Chinatown Stakeholders Group reserves the right to submit further evidence expanding on the points made in this representation at a later date.

Name:	██████an
Address and/or Residents Association:	████████████████████ ██████ ██████
Received:	25 May 2023

I write as an interested party to make a relevant representation objecting to the grant of this application.

I do not believe that the application addresses the requirements of the legislation, and in particular it is not 'reasonably consistent' with the licensing objectives:

I'm the ██████████ which i established over 15 years ago, a small local oriental desserts business selling all kinds of traditional desserts and drinks like bubble tea which I was the first who introduced it into Chinatown.

My business started from my own experiences as a young British born and bred Chinese boy growing up with Chinatown culture and visiting families from Hong Kong and other far east countries including China, Malaysia, Thailand, Japan and just naming a few.

Over the years while growing up I had a question and wondered why so many lovely taste of food and drinks aren't around in Chinatown and that is where I brought the east to the west on my experiences, now this is where it becomes relevant to my objection to Adult Gambling activities.

It is not in my understanding of a Chinatown I grew up in to see where Gambling should be allowed and how it is promoting Chinatown as a mixed Far East culture thriving.

Mixed culture area like Chinatown is moving to a new generation many Oriental cultures have emerged and embraced the culture Chinatown has grown to.

We are not just Chinese but a mixed of many cultures which we must take good care of in how we promote our culture from the east.

Gambling in any shape or form does not come into our many cultures only destroys everything we have built as a minority community in Chinatown.

We cannot see the need for this and with so many establishments opened in the area already it is not suitable especially of people that are vulnerable and being harmed and exploited by gambling.

With so many gambling establishments in the area it makes no sense to allow another adult gambling premises to promote themselves in a way that does not promote positive culture in Chinatown. Chinatown cannot be shown as a gambling location for visitors, we are not promoting Chinatown in the right direction for our next generation.

In my opinion from how I know Chinatown it is a tradition for locals and visitors to visit with families especially Childrens to get together and spend time to learn and experience the Far East cultures. Adult gambling has no place in family tradition.

Gambling has been involved with so many break downs, depression in families and locals who are vulnerable to the attraction of Gambling. Focal workers who are addicted to gambling lose all their wages to feed their families have been a constant reminder the frustration and sad outcomes from the constant Adult Gambling.

Establishments which aims and pressure the vulnerable people locally and in society.

Extending hours is by all means needless and reckless to the locals and people who visits Chinatown

Why are we promoting Adult Gambling in such a tourist focal point of our society, we should ask whv are we allowing this to even exist in a diverse cultural place where Gambling should not be part of Chinese culture in 2023.

Another point of security for locals and allowing more younger and less in control young people to be abused by the attractions that Adult Gaming promotes.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████ ██████████
Received:	25 May 2023

I, as the ██████████ and on behalf of my Board of Trustees, am writing as an interested person to make a "relevant representation" in opposing this application.

Our Charity has handled caseworks and seen how gambling addiction has ruined the lives of several British Chinese and other ESEA people. Online gambling is already widely available,

and it causes terrible domestic harm to people, families, and their children - OUR FUTURE. Although our Charity can confirm Silvertime had honoured the licencing policy by engaging with us, they have not worked closely with the community. Our Charity was the only Community organisations present at the training session they held on 19 January 2023 at their Gerrard Street premises.

I do not believe the application for this adult gaming centre complies with the law's requirements or that it is "reasonably consistent" with the licensing goals.

The objectives on the Gambling Act 2005 stated,

(a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;

Extended opening time will simply encourage additional criminal acts linked to gambling. As reported by the Dedicated Chinatown Police Officers at the quarterly Ward Forum Meeting, illegal drug dealing and consuming already occur often on Chinatown's pedestrianised streets after midnight, the hotspots are Gerrard Street and Wardour Street.

And (c) protecting children and other vulnerable persons from being harmed or exploited by gambling;

Chinatown employees are particularly at risk, and those who speak little English have few options for recreation, so easily available gambling is a risky temptation. Our next generation would also "normalises" gambling having been growing up in the abundance of casinos and adult gaming centres.

Name:	██████████
Address and/or Residents Association:	████████████████████
Received:	25 May 2023

I write as an interested party to make a 'relevant representation' objecting to the grant of the above application.

I do not believe that the application for this Adult Gaming Centre addresses the requirements of the legislation or that it is not 'reasonably consistent' with the licensing objectives:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime (9am-12 midnight is already sufficient opening hours, 8am - 3am will only encourage more criminal activities associated with gambling. Illegal drug dealing already regularly takes place on the pedestrianised streets of Chinatown after midnight, a problem that WCC Police haven't sufficiently addressed. Extending Silvertime's opening hours to 3am would further encourage these social problems & evils in vulnerable people's lives. For example, after a bad gambling loss, a vulnerable individual might turn to drugs for comfort. Or after a big win, be tempted to try drugs to celebrate)

- Ensuring that gambling is conducted in a fair and open way (who needs to gamble at such ridiculously early or late hours, except those who are addicted or conducting criminal activities?)

- Protecting children and other vulnerable persons from being harmed or exploited by gambling. (Chinatown workers are particularly vulnerable, those with limited English have few entertainment options, so easily accessible gambling is one temptation too far. The proliferation of gambling establishments & Adult Gaming Centres in Chinatown normalises gambling for British Chinese & ESEA children. Our communities' families strongly object to that materialistic 'greed' culture)

1. I am a freelance actor, writer & director of 30yrs+ standing. The companies I set up: Yellow

Earth Theatre (rebranded New Earth) and Chinatown Arts Space (rebranded Kakilang) have both created numerous productions or public sculptures in Chinatown over three decades, serving the community.

2. Both New Earth Theatre and Kakilang continue to help local people by supporting local British ESEA artists, who give voice to contemporary British Chinese, East & Southeast Asian lives & experiences. That artistic work enables the younger generation especially to have positive role models, affirming their cultural identity & self-confidence, protecting them from being lured into crime or gambling through low self-esteem.
3. Chinatown is a vibrant area full of Chinese, East & Southeast Asian businesses, ranging from restaurants & supermarkets to hairdressers & cultural organisations. This is naturally a family friendly area, and many ESEA children who use the local Chinese language schools also regularly visit. It is not a place for gambling or normalising that for vulnerable children & teenagers.
4. That hours proposed will impact negatively on vulnerable Chinatown workers or residents since immediately after work there are few places for these workers to socialise. So gambling establishments can easily turn into informal community centres in which they go to chat with their friends. And of course while they are there they can be easily follow the crowd and end up gambling as there is little protection for these vulnerable individuals after midnight. That will negatively impact on their sleeping pattern, their ability to work the next day, and gradually increase the possibility of addiction for gambling with all the associated problems of being in debt (stealing, defaulting on rent, homelessness etc)
5. There are already too many gambling premises (particularly Adult Gaming Centres) in the area and increasing the hours of opening will only encourage other venues to also extend their hours, exacerbating all the social problems currently associated with gambling and this vulnerable community in Chinatown
6. There is insufficient information in the application setting out how the application would not add to clearly identifiable issues in the local area. Community organisations such as the Chinese Community Centre, Chinese Information & Advice Centre & London Chinese Chinatown Association have consistently said that the proliferation of gambling premises (particularly Adult Gaming Centres) in the area negatively impacts on the culture of Chinatown.
7. The ESEA community is collectively saying no to this application. We felt that Licensing Committee Members previously ignored valid Chinatown community objections to the original Silvertime application and endangered our vulnerable members, particularly Chinatown workers with limited English & few family members in the UK to protect them from slipping into gambling debts/ addiction / crime, or ESEA children & teenagers growing up & seeing gambling as part of 'normal cultural life' (why not, for example, open a Silvertime in the Opera Quarter nearby?) There is an institutionally racist trope at play, that Chinatown is acceptable for gambling. It isn't, and members of our community committed to family values are strongly saying 'no more'. Silvertime trying to now extend their opening hours is one step too far.
8. I've grown up in the catering industry & heard many stories of how gambling problems have blighted certain British Chinese & other ESEA lives. The domestic damage & harm done to individuals, families & their children is horrendous & online gambling is already proliferating. 9am-12 midnight already Silvertime to trade enough. Extending that would turn Chinatown back into the unsavoury nature of the area in the 1970's when illegal basement gambling dens proliferated. Over the decades, the area has become much more family friendly and we collectively need to protect that.

We want Silvertime to move out of Chinatown, not increase its trading hours

3. The Gambling Act 2005

3.1 The Licensing Authority must under Section 153(1) of the Act exercise its functions relating to premises licensing with an aim to permit the use of the premises for gambling in so far as it thinks fit and in accordance with the relevant codes of practice, guidance, reasonably consistent with the licensing objectives and in accordance with the Council’s Statement of Principles.

3.2 The Licensing Authority can take into account a representations relating to an application for a premises licence from either an interested party (a person living sufficiently close to the premises to be likely to be affected by the authorised activity or has a business interest that may be affected or represents persons in either of these two groups) or a responsible authority (Licensing Authority, Gambling Commission, Police, Fire Authority, Environmental Health and HM Revenue and Custom). Any representations must be relevant and not frivolous or vexatious.

3.3 Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. The Explanatory Notes for section 152 state “The general position for premises licensing is that premises may only be subject to one premises licence at a time... The effect of this requirement is to limit the principal activity on the premises to the provision of facilities for a particular type of gambling activity.”

3.4 The Act, via regulations also imposes mandatory and default conditions that promote the licensing objectives. A list of these Mandatory and Default conditions are attached at Appendix 4 to this report.

3.5 A premises licence issued by the Authority will be subject to the mandatory and default conditions for that licence type. However, paragraph 9.27 of the guidance states;

Section 169 of the Act gives licensing authorities:

”The ability to exclude from premises licences any default conditions that have been imposed under Section 168;” and ”The power to impose conditions on the premises licences that they issue.”

4. Policy & Guidance

The following policies within the City of Westminster Statement of Gambling Policy apply:

<p>Policy F1 applies</p>	<p>A. Applications, other than those within a designated Gambling Vulnerability Zone, must demonstrate that they have considered the local risks to the licensing objectives with the operation of that premises in that location.</p> <p>B. In meeting Clause A applicants will be expected to have:</p> <ol style="list-style-type: none"> 1. Considered the Council’s Local Area Profile when assessing the local area risks. 2. Considered any other information that may relate to the local area risks to the licensing objectives, which may include information supplied within representations from interested parties and/or responsible authorities following the application being made. 3. Set out the relevant local risks within their gambling risk assessment and put forward suitable and sufficient measures to mitigate or eliminate those risks, in accordance with Policy C1 of this statement. <p>C. If the application relates to premises that are in, or within proximity to an identified gambling vulnerability hot spot and/ or a</p>
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	<p>designated Gambling Vulnerability Zone the applicant must demonstrate that:</p> <ol style="list-style-type: none"> 1. They have specifically assessed the relevant risks associated with that Gambling Vulnerability Hot Spot and/ or designated Gambling Vulnerability Zone within their gambling risk assessment, and, 2. Put forward sufficient control measures to mitigate or eliminate those risks being associated with the operation of the gambling premises. <p>D. For the purposes of Clause C:</p> <ol style="list-style-type: none"> 1. A 'Gambling Vulnerability Hot Spot' is an area of the City that has been identified as being in the top half of the combined gambling vulnerability index within the Council's Local Area Profile and has not been included within a designated Gambling Vulnerability Zone as set out in the Gambling Vulnerability Zone Policy F2, and 2. 'Close proximity' means that the premises, to which the application relates is within 65 meters of a Gambling Vulnerability Hot Spot and/or a designated Gambling Vulnerability Zone.
<p>Policy E1 applies:</p>	<p>A. Applications that intend to provide facilities for gambling within the hours set out in Clause D, below will generally be granted for the relevant premises licence uses subject to not being contrary to other policies within this Statement of Principles.</p> <p>B. Applications that intend to provide facilities for gambling from premises located outside a Gambling Vulnerability Zone for hours beyond those set out in Clause D will be considered on their own merits, subject to other relevant policies within this Statement, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of the Gambling Commissions Licence Conditions and Codes of Practice and Licensing Authority Guidance and policies D1, D2 and D3. 2. Appropriate and heightened security features available to ensure the protection of staff and customers and as a deterrent to crime and disorder 3. Additional risk posed to the vulnerable population in the area of the premises due to the extended hours 4. Sufficient transport links to customers leaving the premises to ensure that customers are not stranded or likely to be a victim of or cause crime or disorder upon leaving the premises 5. The impact of any additional hours on children and the vulnerable 6. What genuine gambling activities are available for customers during the extended hours 7. Minimum staffing levels so as not to leave staff feeling vulnerable or isolated and to allow staff safe passage to and from public transport where necessary. <p>C. Whist aiming to permit the Licensing Authority may, none the less refuse applications within a designated Gambling Vulnerability Zone that seek to provide gambling facilities for hours beyond the hours set out in Clause D below or any later hour which has already been permitted by this Authority, and that:</p> <ol style="list-style-type: none"> 1. Does not address the matters set out in Clause B above, and, 2. Does not provide sufficient reasons and risk mitigation in accordance with the Gambling Vulnerability Policy F2 for those hours, and, 3. Does not meet the Gambling Commissions Codes of Practice or its Guidance to Licensing Authorities or is not reasonably consistent with one or more of the Licensing Objectives or any other policy within this statement. <p>D. For the purposes of Clauses, A to C above, the hours when</p>

	<p>gambling facilities can be provided for each premises licence use or gaming machine permit type, as defined within this statement are:</p> <p>Premises Licence Use</p> <ol style="list-style-type: none"> 1. Casinos Monday to Sunday: Up to 24 hours a day. 2. Bingo Monday to Sunday 09:00 to 00:00 3. Betting Shops Monday to Sunday: 07:00 to 22:00 4. Betting Tracks Monday to Sunday: 07:00 to 22:00 (when sporting events are not taking place) 00:00 to 00:00 (during a day when a sporting event is taking place on the premises) <p>E. Licenses for Adult Gaming Centres and Licensed and Unlicensed Family Entertainment Centres that are granted by the Licensing Authority will be required to operate to the following hours or to such other hours that have been agreed by Westminster City Council under Regulation 3(1) of Westminster City Councils Pleasure Fairs (Amusement Premises) Byelaws.</p> <ol style="list-style-type: none"> 1. Adult Gaming Centres Monday to Sunday: 09:00 to 00:00 2. Licensed Family Entertainment Centres Monday to Sunday: 09:00 to 00:00 3. Unlicensed Family Entertainment Centres Monday to Sunday: 09:00 to 00:00 <p>F. For the purposes of clause D within this policy:</p> <ol style="list-style-type: none"> 1. the hours specified for each premises use will not apply between 00:01 on the 25th December until 00:00 hours on 26th December as no facilities for gambling can be provided by virtue of section 183 of the Gambling Act 2005, and 2. the hours shown are the hours set out within the default condition for those gambling premises licences as defined within regulations 11, 15 and 17 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007. <p>G. For the purposes of Clause D.2 (Bingo Premises) the hours stated do not apply to the access of gaming machines in bingo premises.</p> <p>H. For the purposes of this policy any reference to “children” will include any person who meets the definition of a child and young person within section 45 of the Gambling Act 2005, therefore such references will apply to anyone under the age of 18.</p>
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5. Gambling Commission Guidance

- 5.1 The Gambling Commission have produced guidance for local authorities in relation to the 2005 Act. The information in this section of the report relates to the relevant points within the Guidance which members may wish to consider.
- 5.2 Paragraphs 7.5 of the GLA describes what may be considered as a premises, it states that:
- “...There is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.”
- 5.3 Paragraph 7.32 of the GLA states:

“...they [Licensing Authorities] should be aware of the following:

“Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit customers should be able to participate in the activity named on the premises licence.’

- 5.4 Paragraph 7.33 of the GLA sets out factors that the Licensing Authority can use to assist in determining whether premises are truly separate. These factors may include:
- Is a separate registration for business rates in place for the premises?
 - Is the premises' neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or a public passageway?
 - Can the premises only be accessed from any other gambling premises?
- 5.5 The Gambling Commissions Guidance to Licensing Authorities (GLA) states in paragraph 7.20 that “The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out the access provisions for each type of premises. The broad principle is that there can be no access from one licensed gambling premises to another, except between premises which allow access to those under the age of 18 and with the further exception that licensed betting premises may be accessed from other licensed betting premises. Under-18s can go into FECs, tracks, pubs and some bingo clubs, so access is allowed between these types of premises.”
- 5.6 Paragraph 7.21 of the GLA states: “It should be noted that the Gambling Act 2005 (Mandatory and Default Conditions) Regulations define street as ‘including any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not’. This is to allow access through areas which the public might enter for purposes other than gambling, for example, access to casinos from hotel foyers.”
- 5.7 Paragraph 7.22 of the GLA states “There is no definition of ‘direct access’ in the Act or regulations, but licensing authorities may consider that there should be an area separating the premises concerned, for example a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.”
- 5.8 The Committee can, if it feels minded impose conditions on the premises licence. Paragraph 9.28 of the Guidance states that
- “Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission’s codes of practice and this guidance, or their own statement of policy.”
- 5.9 The guidance goes further to state that authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. If the authority does decide that the only way to address a particular concern is through conditions it must be proportionate to the circumstances which they are seeking to address.

- 5.10 The guidance encourages licensing authorities to ensure that premises licence conditions are relevant to the need to make the proposed building suitable as a gambling facility, directly related to the premises and the type of licence applied for, or fairly and reasonably related to the scale and type of the premises and reasonable in all other respects (see paragraph 9.31 of the guidance).
- 5.11 Local authorities are also prevented from attaching conditions relating to certain matters. Paragraph 9.32 of the guidance sets out the relevant sections of the Act where conditions may not be imposed.

“...The relevant sections are:

- s.169(4) prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition
- s.172(10) provides that conditions may not relate to gaming machine categories, numbers, or method of operation
- s.170 provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- s.171 prevents a licensing authority imposing conditions in relation to stakes, fees, winnings or prizes.

6. Options for Members

- 6.1 When determining the application the Committee will need to consider the Gambling Act 2005, the relevant Guidance to Licensing Authorities, the policies contained within the Council's Statement of Principles and the licensing objectives.
- 6.2 Members need to be satisfied that if the application were to be granted there would be no breach of mandatory conditions and the granting of the application would not have a detrimental impact on the licensing objectives.

7. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

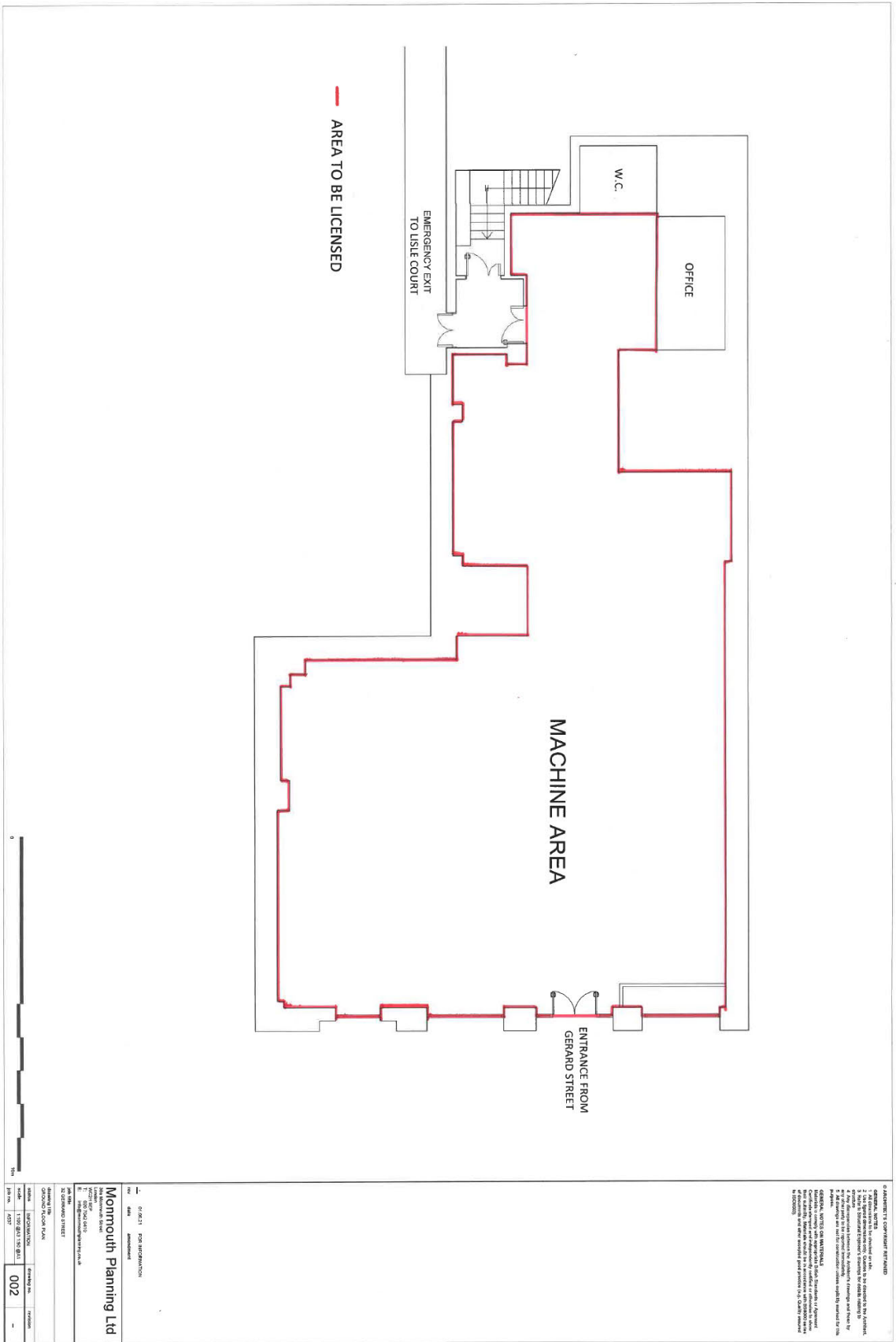
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Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

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If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Gambling Act 2005	N/A
2	City of Westminster Statement of Principles for Gambling	December 2022
3	Gambling Act 2005 (Premises Licence and Provisional Statements) Regulations 2007	N/A
4	Guidance to Licensing Authorities	April 2021
5	Gambling Commission Licence conditions and code of practice	September 2022
6	Licensing Authority Representation	24 May 2023
7	Interested Party representation (1)	24 May 2023
8	Interested Party representation (2)	25 May 2023
9	Interested Party representation (3)	25 May 2023
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Applicant Supporting Documents

Appendix 2

The applicant has submitted a bundle of supporting documents. A number of these are commercially sensitive and have been redacted at the applicant's request.

An unredacted copy of the documents has been made available to the Committee Members and can be provided at the hearing of the application.

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TAB 1

WESTMINSTER CITY COUNCIL

LICENSING SUB-COMMITTEE

19th OCTOBER 2023

VARIATION OF AN ADULT GAMING CENTRE PREMISES LICENCE

SILVERTIME AMUSEMENTS LIMITED

32 GERRARD STREET, LONDON W1D 6JA

SKELETON ARGUMENT

A. Essential Reading

- Silvertime Premises Licence for 32 Gerrard Street (Tab 35)
- Local Area Risk Assessment (Tab 2)
- Policy Consideration Document (Tab 4)
- Response to Licensing Authority Representation (Tab 5)
- Witness Statement of Meto Parmachki (Tab 9) (Exhibits may be skimmed)
- Report of Nick Mason (Tab 8) (Exhibits may be skimmed)

B. Summary

1. This is an application by Silvertime Amusements Limited (“Silvertime”) to extend the trading hours of their Adult Gaming Centre (“AGC”) at 32 Gerrard Street from midnight to 3 a.m.
2. Silvertime is a long-standing operator of adult gaming centres, with 11 premises, all in Greater London and Hertfordshire. It has in place comprehensive policies to promote

the licensing objectives and operates them correctly through its trained staff. It has never suffered a licence refusal, review or other regulatory intervention.

3. It has traded in Westminster since 2014 when it took over an AGC licence at 426 Edgware Road. The licence is a 24 hour licence with no added licence conditions. The premises are in what is now designated as a Gambling Vulnerability Zone. Silvertime has traded there for 9 years without any licence review or other regulatory intervention.
4. On 16th February 2022 the Sub-Committee heard Silvertime's application for an AGC premises licence at 32 Gerrard Street. Recognising that the premises were in a sensitive location under Westminster's policy, Silvertime presented detailed management, operational and training plans, and proposed a set of 37 individual conditions on the licence.
5. In granting the licence, the Sub-Committee commented that Silvertime was a responsible and experienced operator who had worked closely with the Police and Responsible Authorities on the proposed conditions.
6. Silvertime is therefore subject to:
 - The individual premises licence conditions (Tab 35).
 - The Secretary of State's mandatory conditions (Tab 33).
 - The Gambling Commission's Licence Conditions and Codes of Practice (Tab 31).
7. Silvertime opened the premises in August 2022, and has traded over the last 14 months without any concern on the part of any responsible authority or any complaint from any local resident, business, community group or third party agency concerned with gambling protection or safeguarding. It is worth mentioning that while the licence only requires an SIA supervisor from 6 pm to midnight, Silvertime has in fact used door security for all of its opening hours, 9 a.m. to midnight, to give itself, its customers, local residents and the authorities assurance that the premises are operated safely and compliantly.
8. Silvertime now applies to extend its trading hours from midnight to 3 a.m. It has sought to do so in a way which recognises and fully respects Westminster's Statement of

Gambling Principles, and the location of the premises next to a Gambling Vulnerability Zone.

9. First, it carried out (and has since updated) a detailed Local Area Risk Assessment (Tab 2), in the form required by Westminster's policy, and proposed control measures including but also going beyond those inherent in the licence conditions.
10. Second, it supported its application with a comprehensive suite of operational policies (Tabs 3-18) to demonstrate its serious and concerted approach to promotion of the licensing objectives.
11. Third, it has gone through Westminster's policy criteria and considerations line by line, to ensure that the measures it is proposing represent a conscientious response to Westminster's requirements, and has produced a table setting out that response (Tab 4).
12. Fourth, the only representation from a responsible authority was from the licensing authority, whose representation raised questions for Silvertime's consideration. Through its solicitors, on 10th July 2023, Silvertime supplied a comprehensive response, including setting out the further controls which it is proposing (Tab 5). The letter invited the licensing officer to revert should there be further questions. No further comment has been received. It is hoped that its letter satisfied the licensing officer, but if anything is outstanding there remains an opportunity to discuss and resolve it prior to the hearing.
13. Fifth, there have also been representations from members and representatives of the local community. The applicant has written to all those who have made representations and sought meetings with them (see Tab 22). As a result, it had a helpful meeting with [REDACTED] (see witness statement of Mr Parmachki Tab 9 para 52).
14. Sixth, Silvertime has wanted to produce independent verification that its night-time operation is conducted without harm and so instructed Leveche Associates Limited to conduct covert observations. Mr Mason's report (Tab 8) confirms that the premises are well-managed with effective oversight, that it is a "low-key, carpeted style lounge with no more than a handful of mature customers in at any one time", that "customers seen leaving ... did so quietly in couples or alone" and that the premises "do not have a negative impact on the environment, infrastructure or local community."

15. It is pertinent to point out that Mr Mason also visited other premises within the adjacent Gambling Vulnerability Zone, including premises with 24 hour licences, no added conditions and fewer staff members exercising oversight of the premises. Silvertime's premises benefit from higher staffing levels, including door security, and a strongly-conditioned licence.

C. The law

16. As the Committee will be aware, each piece of licensing legislation sets out a different approach to the question of grant. The approach relevant to gambling is in section 153 of the Gambling Act 2005:

In exercising their functions under this Part, a licensing authority shall aim to permit the use of premises for gambling in so far as the authority thinks it:

(a) in accordance with any relevant code of practice [issued by the Gambling Commission]

(b) in accordance with any relevant guidance issued by the Commission

(c) reasonably consistent with the licensing objectives (subject to (a) and (b))

(d) in accordance with the [authority's statement of licensing policy] (subject to (a) to (c)).

17. The gambling licensing objectives (section 1) are:

(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, and

(c) protecting children and other vulnerable persons from being harmed or exploited by gambling.

18. Section 153 applies to variations in the same way as it applies to applications for new licences: section 187(3).

19. Again, as the Sub-Committee is aware, a variation application does not trigger a general review of the licence: the Sub-Committee is concerned only with the proposed variation: Taylor v Manchester City Council [2012] EWHC 3467 (Admin) at para [77].

20. Where the criteria in section 153(a)-(d) are satisfied, there is a mandatory “aim to permit”. This is described by the Gambling Commission in the Guidance to Licensing Authorities as the authority’s “primary obligation” (para 7.56).

21. Paterson’s Licensing Acts’ commentary on the provision states:

“... A person who ‘aims’ to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling.”

22. It is not open to an authority to refuse a licence on the basis that it is inappropriate to licence an operation or a further operation, in an area. As the Guidance says (page 528):

5.34 Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority’s decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

23. Rather, as the paragraph makes clear, there would need to be reasons which demonstrate that the licensing objectives would not be met. That means demonstrate by evidence.

24. In this case, the application is to relax a condition relating to hours of operation. The Commission’s Guidance states that conditions limiting use should not be applied (or, conversely, an application to relax them refused) unless necessary:

9.28 Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s 153. They must aim to permit

the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this Guidance, or their own statement of policy.” (page 532)

25. Finally, the following considerations are legally irrelevant to the determination of an application for a licence or variation:

- i. Nuisance (see Guidance para 5.5, page 521).
- ii. A dislike of gambling (para 5.34, page 528).
- iii. A general notion that it is undesirable to allow gambling premises in an area (para 5.34, page 528).
- iv. Moral or ethical objections to gambling (para 5.34, page 528).
- v. The demand for gambling premises (see s 153 Gambling Act 2005). As such, objections which state that there are enough gambling establishments in a locality may be relevant to planning, but they are irrelevant to licensing.
- vi. Planning matters. However, for the avoidance of doubt, the premises has planning permission for the hours sought in this application.

D. Application of section 153 principles

26. Section 153(a)-(d) sets out criteria which the authority should take into account. Each sub-paragraph is taken in turn.

(a) Code of Practice

27. The Gambling Commission publishes Codes of Practice under section 24 of the Gambling Act 2005.

28. The relevant Code of Practice applying to AGCs is at Tab 31 of the bundle.

29. The Codes cover all the gambling objectives. For example, there must be procedures for age verification, customer interaction and self-exclusion, and exterior advertising must not be aimed at children. There is no suggestion by anybody that Silvertime do not comply with the Code, here or in any of their premises.
30. The Codes also require the submission of a local area risk assessment. A detailed risk assessment has been submitted (Tab 2).

(b) Guidance

31. The Commission publishes Guidance for Licensing Authorities under section 25 of the Act. This covers a wide range of topics, including (for example), the layout and supervision of the premises and whether local risks are adequately controlled.
32. The Guidance states that the licensing authority does not need to investigate the suitability of the operator, or the fairness and openness of gambling, both of which are controlled by the operating licence: paras 5.10 and 5.11 (page 522).
33. There is no evidence in this case that these premises or their management contravenes any the Commission's Guidance, such that refusal of the variation meets the test of necessity.

(c) Licensing objectives

34. Section 153 asks whether the application is reasonably consistent with the licensing objectives. Read together with the aim to permit, it precludes an argument that any gambling, or additional gambling, inherently risks harm and so should not be permitted.
35. The application is clearly reasonably consistent with the licensing objectives:
- (i) the applicant's current licence is one of the most heavily conditioned gambling licences in Westminster, with a comprehensive suite of conditions designed to promote the licensing objectives;
 - (ii) it has traded to midnight since August 2022 with no regulatory concern or evidence of harm to the licensing objectives;

- (iii) the applicant has traded the same format at 426 Edgware Road for 24 hours on a licence without added conditions since 2014, with no evidence or suggestion it has harmed the licensing objectives;
- (iv) there are 24 hour AGC licences at 3-5 Wardour Street (Tab 29), 32 Wardour Street (Tab 28) and 89 Wardour Street (Tab 27), with only 3-5 Wardour Street subject to extensive conditions. There is no suggestion that they are harming the licensing objectives;
- (v) further afield, there is a 24 hour AGC licence at 1A Bedford Street, granted on a consented appeal in 2022, subject to conditions, again without suggestion of harm (Tab 30);
- (vi) the applicant has commissioned observation evidence from Nick Mason of Leveche Associates Limited (Tab 8). Mr Mason conducted covert night-time deployments both in relation to the applicant's premises in Gerrard Street and nearby later-trading gambling premises, uncovering no harm to the gambling licensing objectives. He has commented favourably on the controls operated in the premises and the lack of evidence of negative impact, whether in terms of crime and disorder or children or vulnerable people. The Sub-Committee is referred to his summary at paragraphs 209-221.

36. The applicant is a compliant operator subject to extensive conditions at 32 Gerrard Street. There is no evidence demonstrating that the proposed extension of hours will be harmful, or that it is necessary to restrict the licence to midnight.

(d) Statement of licensing principles

37. The main applicable policies are:

- Risk assessment Policy C1
- The licensing objectives policies D1, D2, D3
- The hours policy E1
- The location policy F1

38. *The risk assessment policy.* Silvertime has taken care to comply with this policy requirement, producing a detailed local area risk assessment (Tab 2), analysing local risks and referring to existing control measures and setting out further controls, particularly in response to requirements in Westminster’s 2022 Statement of Licensing Principles for Gambling. If there are matters which have been inadvertently omitted, it is hoped that these can be discussed with the responsible licensing authority prior to the hearing.

39. *The licensing objectives policy.* As stated above, Silvertime has appraised all the policy criteria and considerations and set out how it seeks to comply with them (see Tab 4). Again, if there are further matters which the responsible licensing authority considers should be included, it is hoped that these can be resolved prior to the hearing.

40. *The hours policy.* Policy E1(D) provides for a terminal hour of midnight for AGCs. Accordingly, since this application is for hours beyond midnight for premises located outside a Gambling Vulnerability Zone, policy E1(B) applies, whereby the application is to be considered on its merits, subject to other relevant policies and with particular regard to the 7 matters listed in E1(B), as set out in the table below.

No.	Requirement	Response
1	The application meeting the requirements of the Gambling Commission’s Licence Conditions and Codes of Practice and policies D1, D2 and D3	Silvertime complies with the Licence Conditions and Codes of Practice. It is also subject to requirements to submit regulatory returns to the Commission (LCCP 15.3.1) and to notify it of key events (LCCP 15.2.1) Its compliance with policies D1, D2 and D3 is demonstrated in its policy response document at Tab 4.
2	Appropriate and heightened security procedures available to ensure the protection of staff and customers and as a deterrent to crime and disorder.	<ul style="list-style-type: none"> • Comprehensive CCTV (conditions 9 and 10) • Spotter monitor (condition 13) • Magnetic locking device (condition 18) • Acoustic alert on door opening and closing (condition 19) • SIA supervisor required (condition 20)

No.	Requirement	Response
		<ul style="list-style-type: none"> • Minimum of three staff/supervisors at all times, one to be assistant manager or above (conditions 21 and 22) • Banning customers who engaged in crime or disorder inside or out (condition 23) • Refusal of intoxicated customers (condition 24) • Intruder alarm (condition 25) • Fixed and portable panic buttons (condition 26) • Toilet checking (condition 27) • Induction training including conflict management (condition 29) • Employment of experienced staff (condition 31) • Reasonable steps to prevent street drinking, including a written notice (conditions 32 and 33) • Incident log (condition 34) • Seating to be immovable (condition 37) • No bags to be left at premises (condition 38) • Counter-terrorism policies (see LARA) • AGC Counter Policy (see LARA and Tab 3, page 55) • AGC CCTV Policy (see LARA and Tab 3, page 56) • AGC Staff Line of Sight Policy (see LARA and Tab 3, page 66) • AGC Gaming Machines Policy (see LARA and Tab 3, page 61) • Staff Safety and Alarm Measures Policy (see LARA and Tab 3, page 67) • External Shop and Forecourt Management Policy (see LARA and Tab 3, page 60)

No.	Requirement	Response
		<ul style="list-style-type: none"> • Provision of office as safe haven (see LARA) • Silvertime attend quarterly Police panel meeting, display Police signage and welcome Police drop-ins (see Mr Parmachki witness statement para 42)
3	Additional risk to the vulnerable population in the area of the premises due to the extended hours	<ul style="list-style-type: none"> • No access between premises and other licensed premises (condition 2) • No alcohol (condition 4) • Residents' liaison (conditions 6-8) • Gambling support notices in English and simplified and traditional Chinese (conditions 11-12) • Door acoustic alerts (condition 19) • Door security (condition 20) • Minimum staffing levels (condition 21) • Banning intoxicated customers (condition 24) • Toilet checking (condition 27) • Display of GamCare documentation (condition 28) • Induction training (condition 29) • Experienced staff (condition 31) • No cash point / ATM (condition 35) • Liaison with support agencies (condition 39) • Customer interaction training (condition 40) • Comprehensive policies for protection of vulnerable people, see Tabs 3, page 65 • Appointment of individual to lead on protection of children and vulnerable people (see LARA) • Safeguarding policies, procedures and training (see LARA) • LCCP requirements including no credit cards (condition 6.1.2); policies for combating problem gambling (SR Code 3.1.1);

No.	Requirement	Response
		<p>responsible gambling information (3.3.1); customer interaction (3.4.1); self-exclusion (3.5.1)</p> <ul style="list-style-type: none"> • Social responsibility signage and literature (Tabs 16 -20) • Company venue audits (see Mr Parmachki statement para 33)
4	Sufficient transport links to customers leaving the premises to ensure that customers are not stranded or likely to be a victim of or cause crime or disorder upon leaving the premises.	<p>The premises is situated in the West of London, with good transport links during the early hours.</p> <p>The premises employs door security at night so that there is oversight of arrival and departure.</p>
5	The impact of any additional hours on children and the vulnerable	<p>For vulnerable people (including children) see no. 3 above.</p> <p>For children specifically see:</p> <ul style="list-style-type: none"> • Exterior noticing prohibiting access by children (condition 1) • Spotter monitor (condition 13) • Challenge 25 (condition 14) • Challenge 25 register (condition 15) • Notices re Challenge 25 (condition 16) • Third party age verification testing (condition 17) • Policies for protection of children including age verification policy (Tab 3, page 53), advertising policy (Tab 3, page 54), safeguarding children policy (Tab 3, page 64), • LCCP SR Code requiring policies to prevent underage gambling (SR 3.2.3) and advertising attractive to children (SR 5.1.6) <p>Silvertime has not experienced problems with children seeking to gain access to its AGC premises,</p>

No.	Requirement	Response
		and does not consider that this is likely to be an issue should the licensed hours be extended.
6	What genuine gambling activities are available for customers during the extended hours.	As this is an AGC, the gaming machines on offer will not change during the additional hours sought.
7	Minimum staffing levels so as not to leave staff feeling vulnerable or isolated and to allow staff safe passage to and from public transport where necessary.	The premises will have three staff members on duty at all times. One of those staff members will be an SIA licensed door supervisor. Silvertime is not aware of another AGC in Westminster with such staffing levels.

41. *The location policy.* The premises are in close proximity to a Gambling Vulnerability Zone. Accordingly, policy F1(c) requires the applicant specifically to assess the relevant risks in their local area risk assessment and to put forward sufficient control measures to mitigate or eliminate such risk. Silvertime have carried out a detailed local area risk assessment and have put forward comprehensive responsive measures, as set out above.

42. In the circumstances, it is submitted that the application is in accordance with Westminster’s Statement of Licensing Principles for Gambling.

Conclusion on compliance with section 153

43. It is submitted that each part of section 153(a)-(d) is fully complied with, and that therefore:

- The mandatory aim to permit applies. As such, as the Commission states, the primary obligation is to permit the application.
- The condition restricting the hours to midnight is not necessary. Accordingly, it should be released.

- If there are residual issues, consideration should be given to whether and how they can be resolved. The applicant is unaware of any such residual issues.

E. The byelaw

44. The Westminster City Council Pleasure Fairs (Amusement Premises) Byelaws prevents the opening of amusement premises between midnight and 9 a.m.
45. Paragraph 3(2) states that the Council may by resolution fix a later hour for individual premises or specified classes of premises.
46. Silvertime is aware that WCC has granted 24 hour AGC licences notwithstanding the byelaw. E.g.
 - 3-5 Wardour Street, granted on 12th August 2021 with an informative regarding the byelaw (Tab 29, page 451).
 - 1A Bedford Street, 24 hour licence granted by consent on appeal on 29th September 2022 (Tab 30).
47. Silvertime has engaged in correspondence with Council officers as to WCC's current position regarding the byelaw (see Tab 6).
48. The Sub-Committee is invited to attach an informative to the varied licence in the format used for the licence at 3-5 Wardour Street.

F. Local representations

49. The local representations largely express concerns regarding extended hours on the licensing objectives.
50. Silvertime acknowledges the concerns which have been expressed. It hopes that the extensive work it has carried out in relation to this application, together with its track record in Gerrard Street and elsewhere, helps to assuage those concerns. The Sub-Committee will note that a number of measures in the licence (see e.g. conditions 7, 8, 11, 12, 28, 29) are for the protection of the local community and will remain in place. In relation to this application Silvertime has written to those making representations. It

has had a productive meeting with [REDACTED] (see statement of Mr Parmachki Tab 9, para 52). It has a good relationship with a local addiction service, Turning Point (Mr Parmachki para 50) and uses its literature at the premises. It is also seeking to recruit a Chinese-speaking member of staff.

51. Silvertime will continue to do all it can to work with the local community and answer any concerns.

G. Conclusion

52. Silvertime is a conscientious operator which takes its responsibilities to promote the licensing objectives seriously. It has an excellent track record in this regard, both generally, in Westminster and at 32 Gerrard Street, where it has traded without concern.

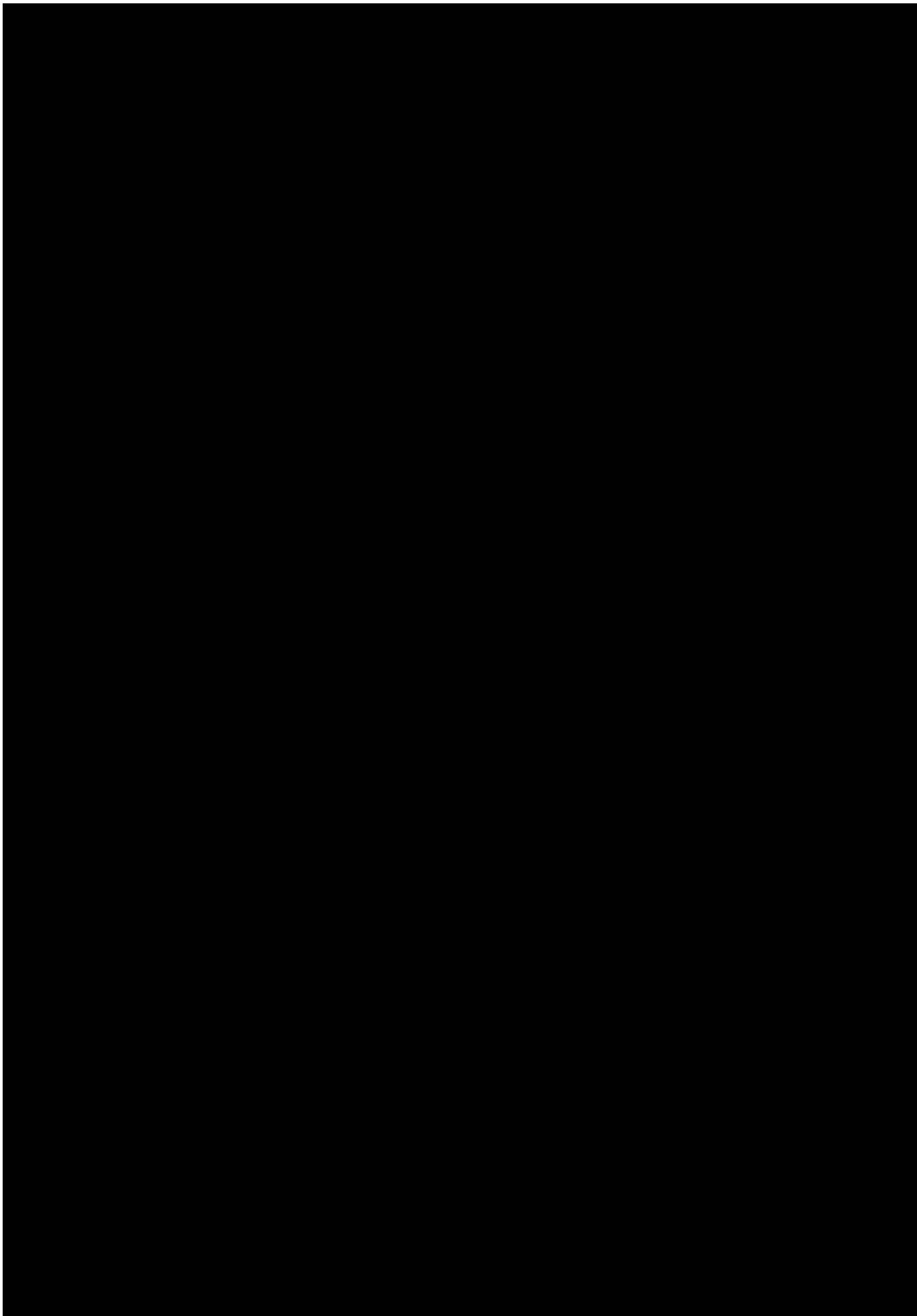
53. It has more staff, including security and licence conditions than most other AGCs in Westminster, while trading fewer hours than nearby AGC premises.

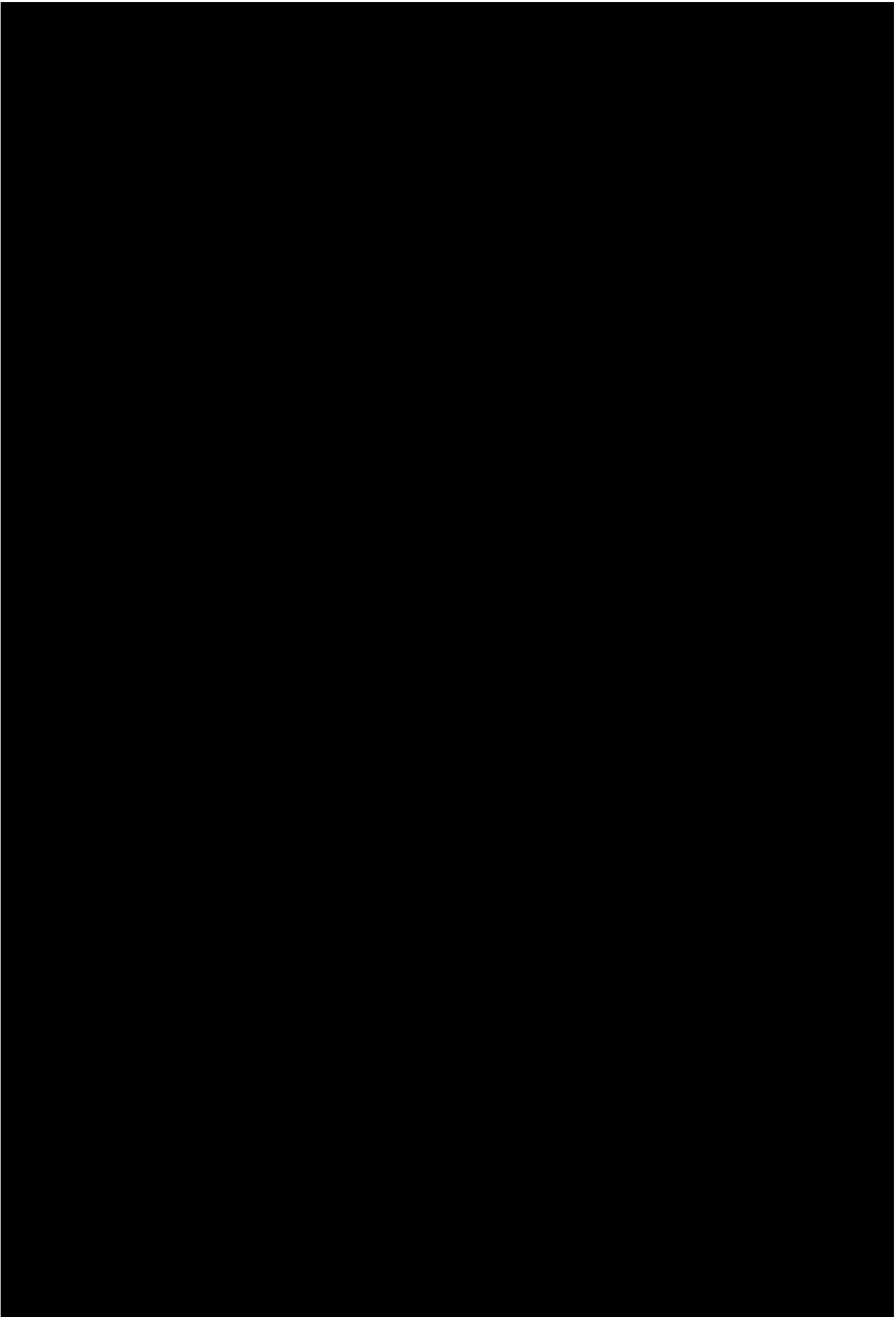
54. It has presented a detailed case demonstrating that the extension of hours sought would meet the criteria under section 153 of the Act. Put conversely, it has not been demonstrated by evidence that refusal of this application is necessary.

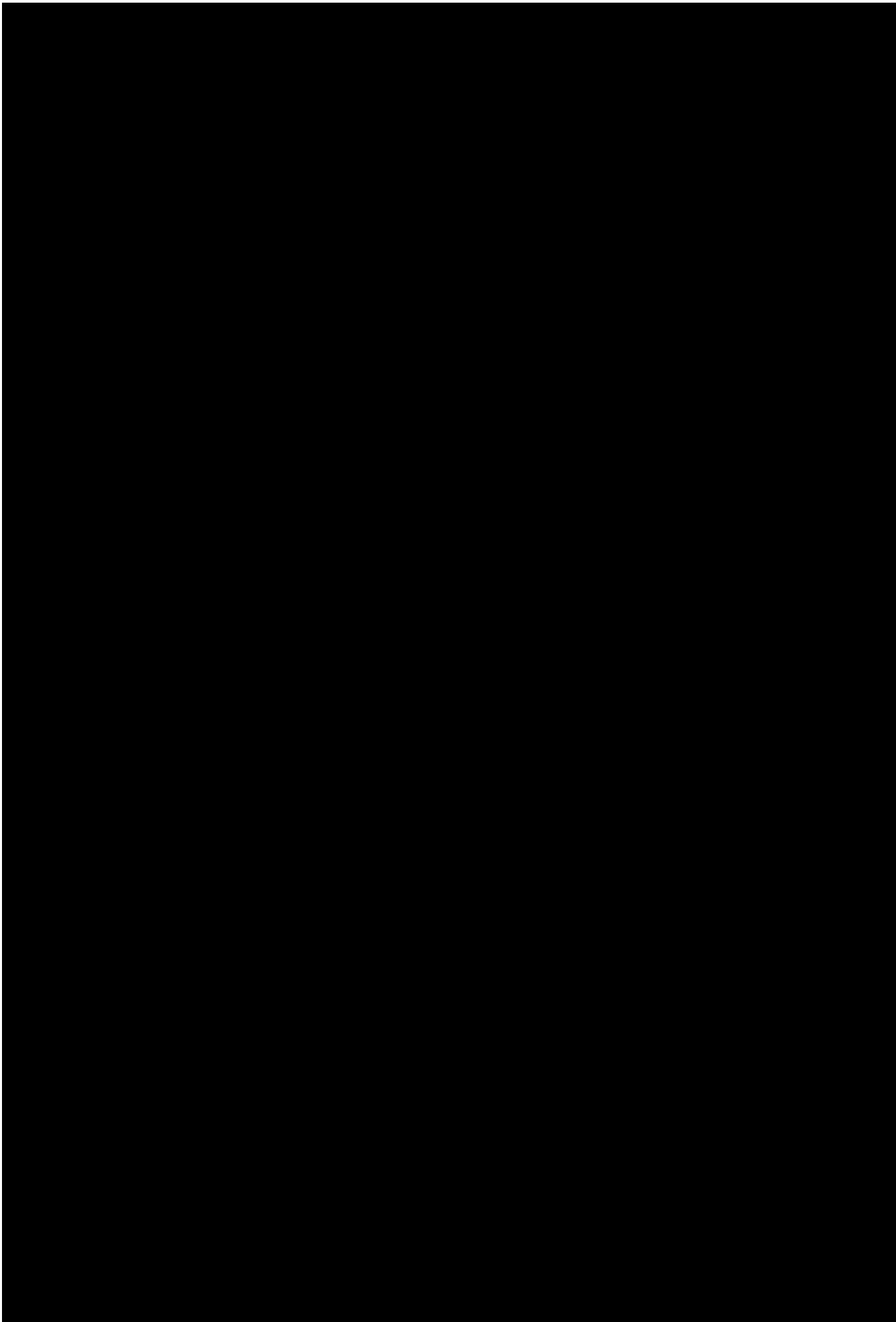
55. For these reasons, the Sub-Committee is respectfully requested to grant this application.

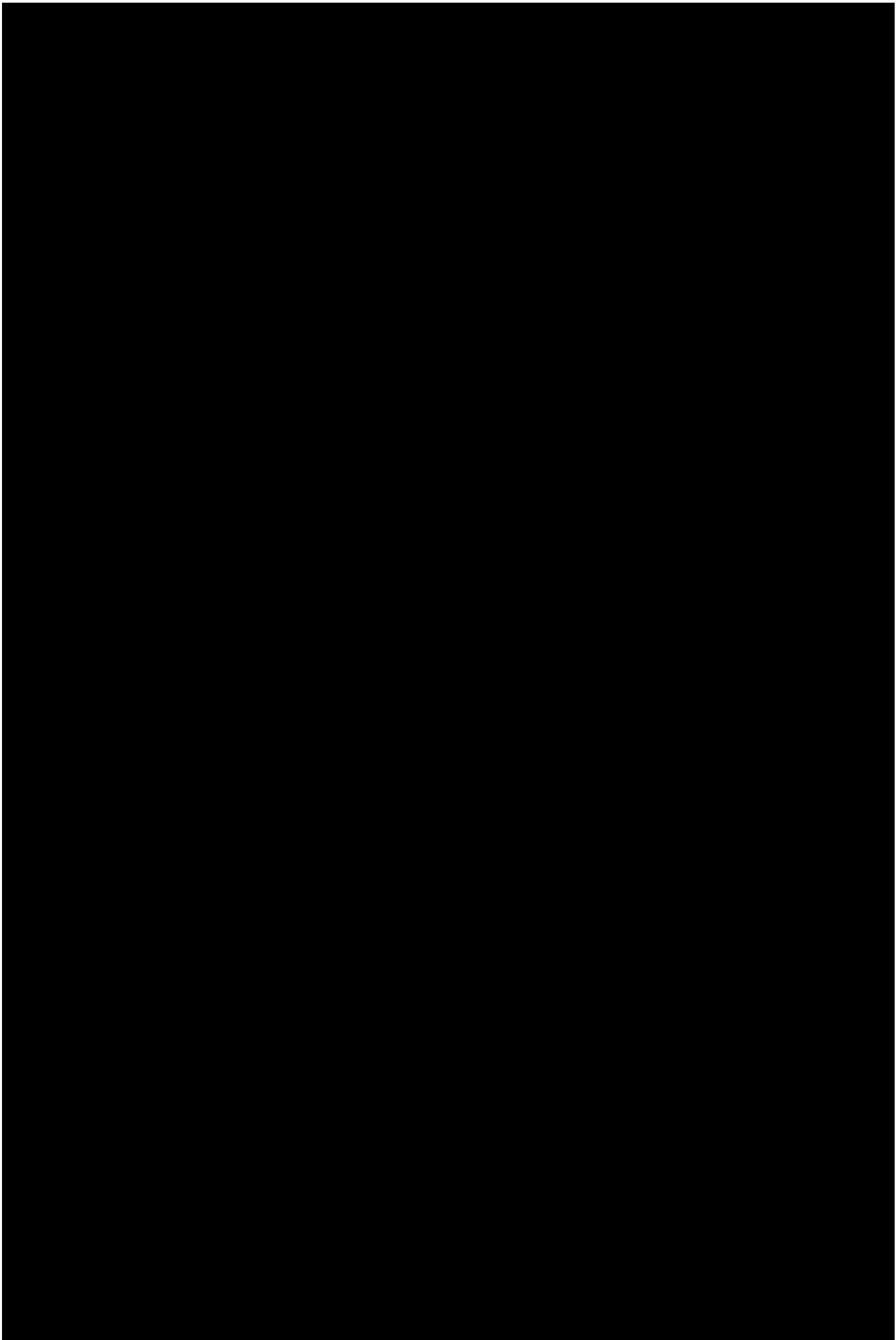
PHILIP KOLVIN KC
11 KBW
Temple
London EC4
6th October 2023

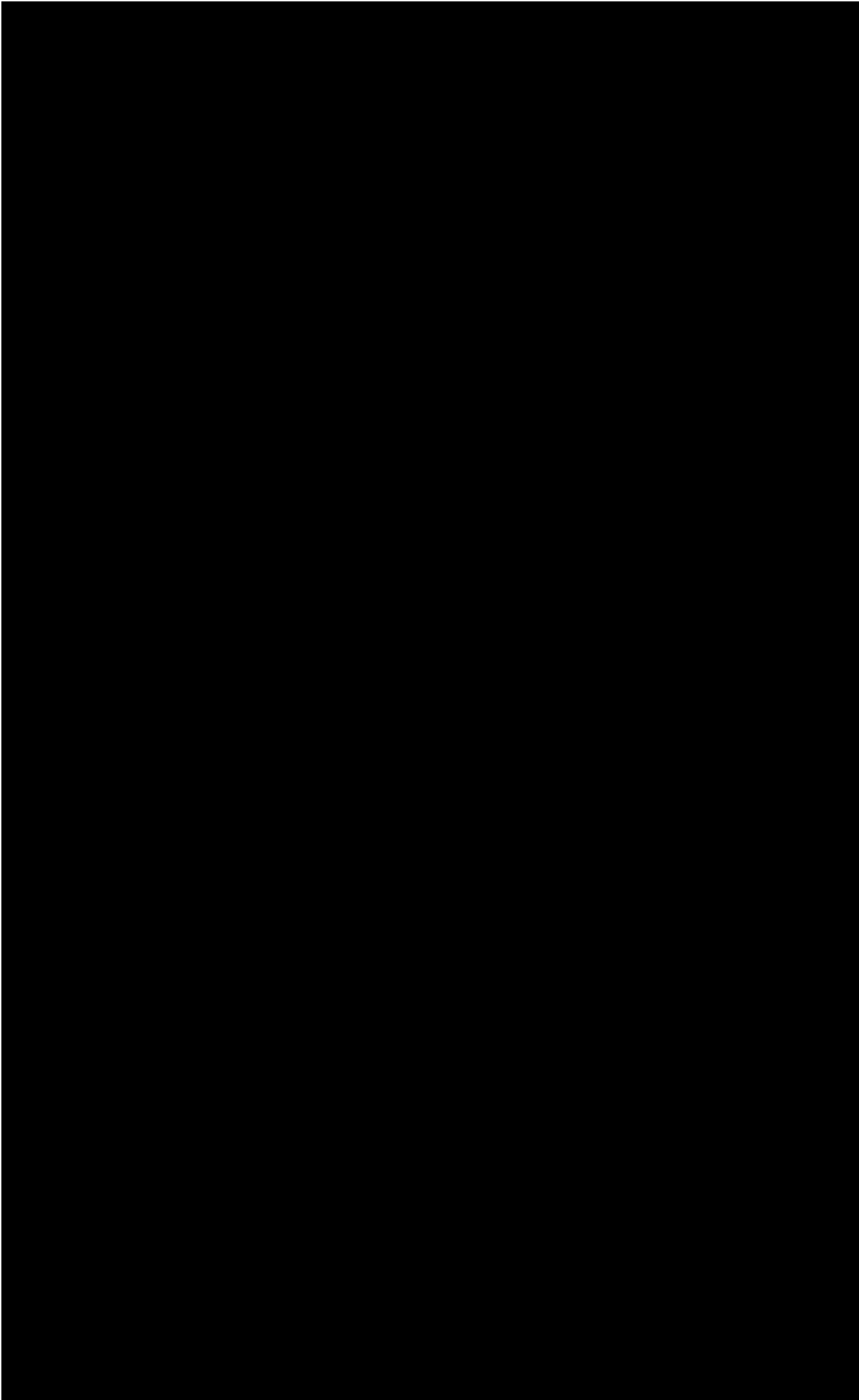
TAB 2

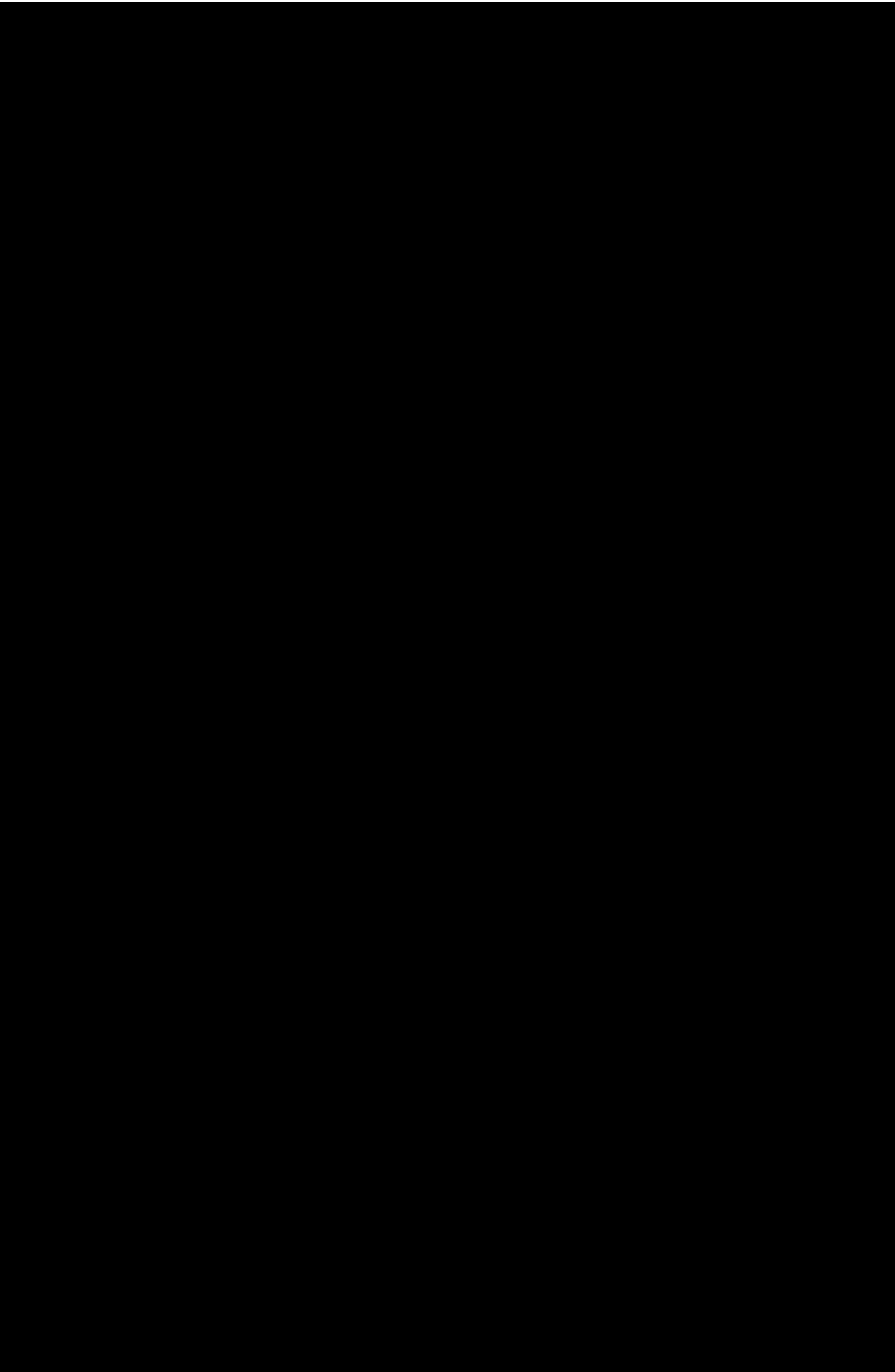


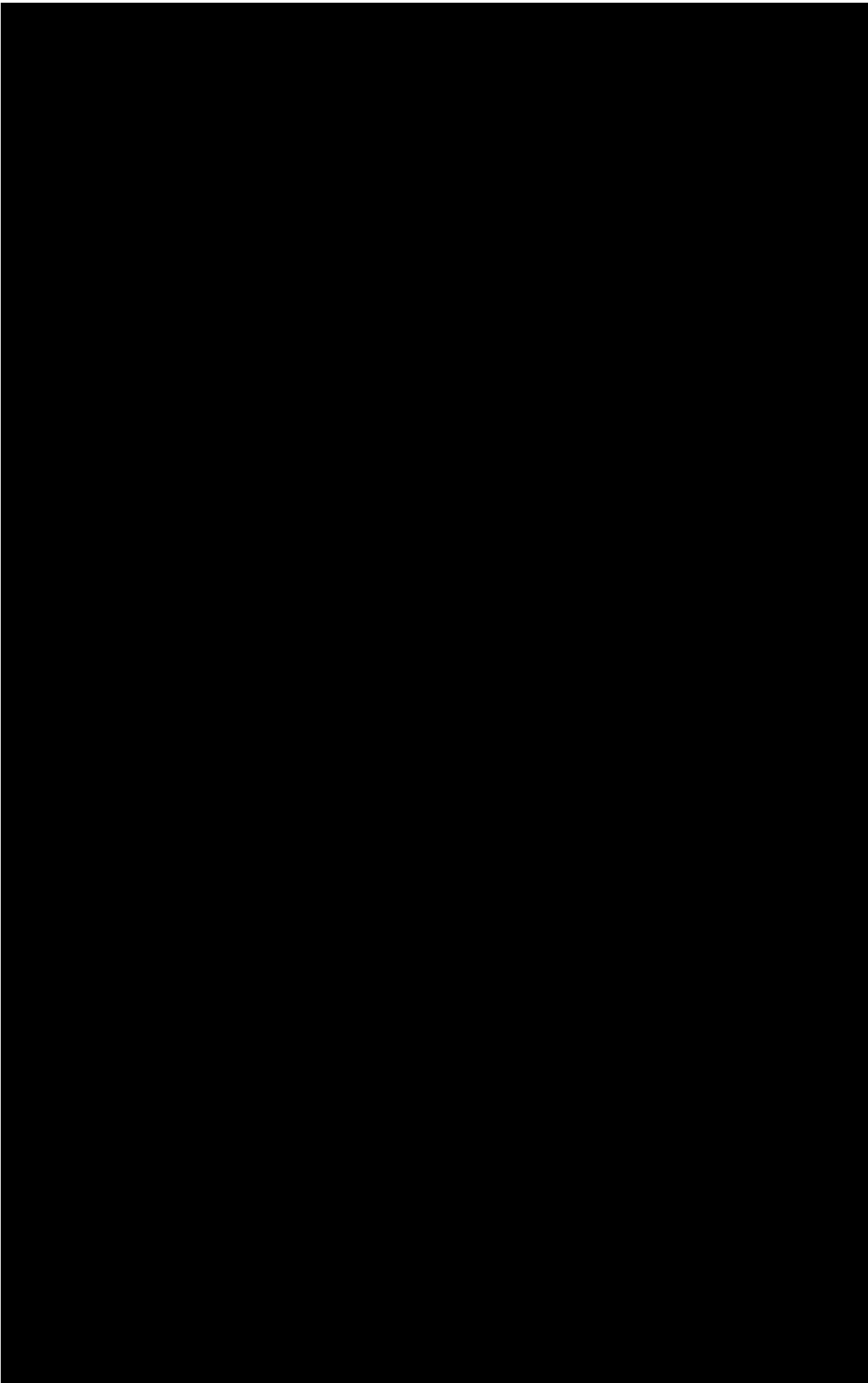


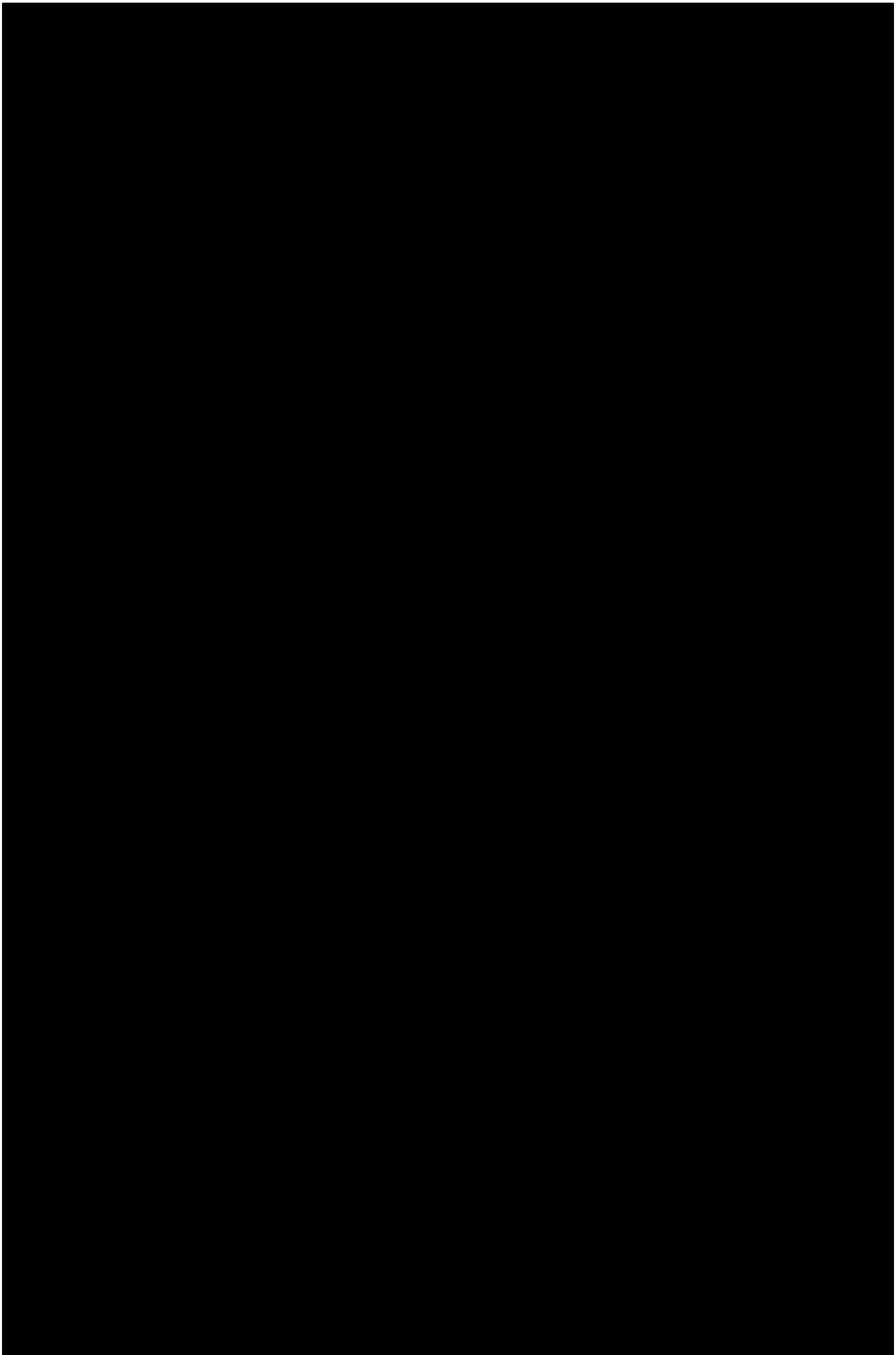


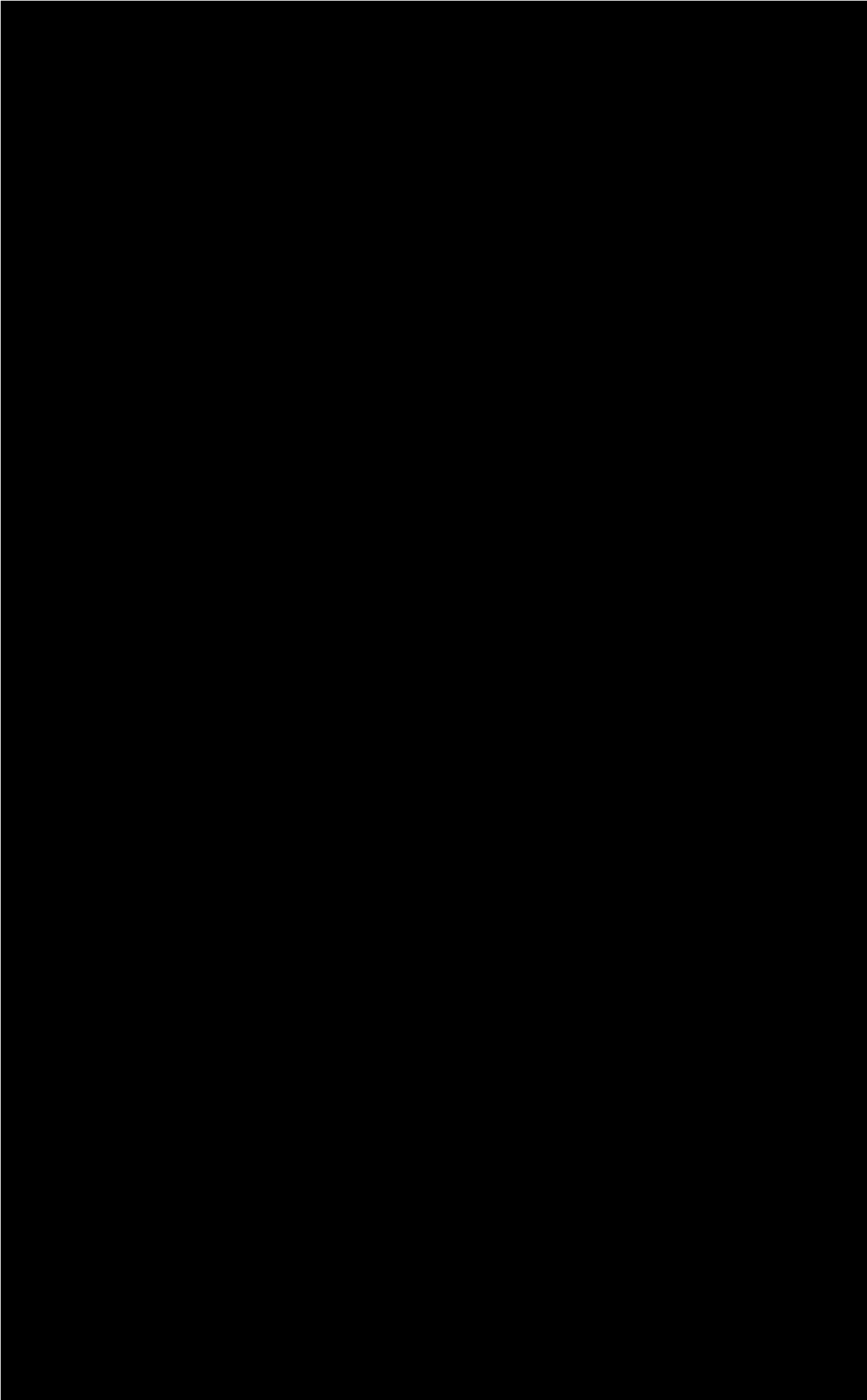


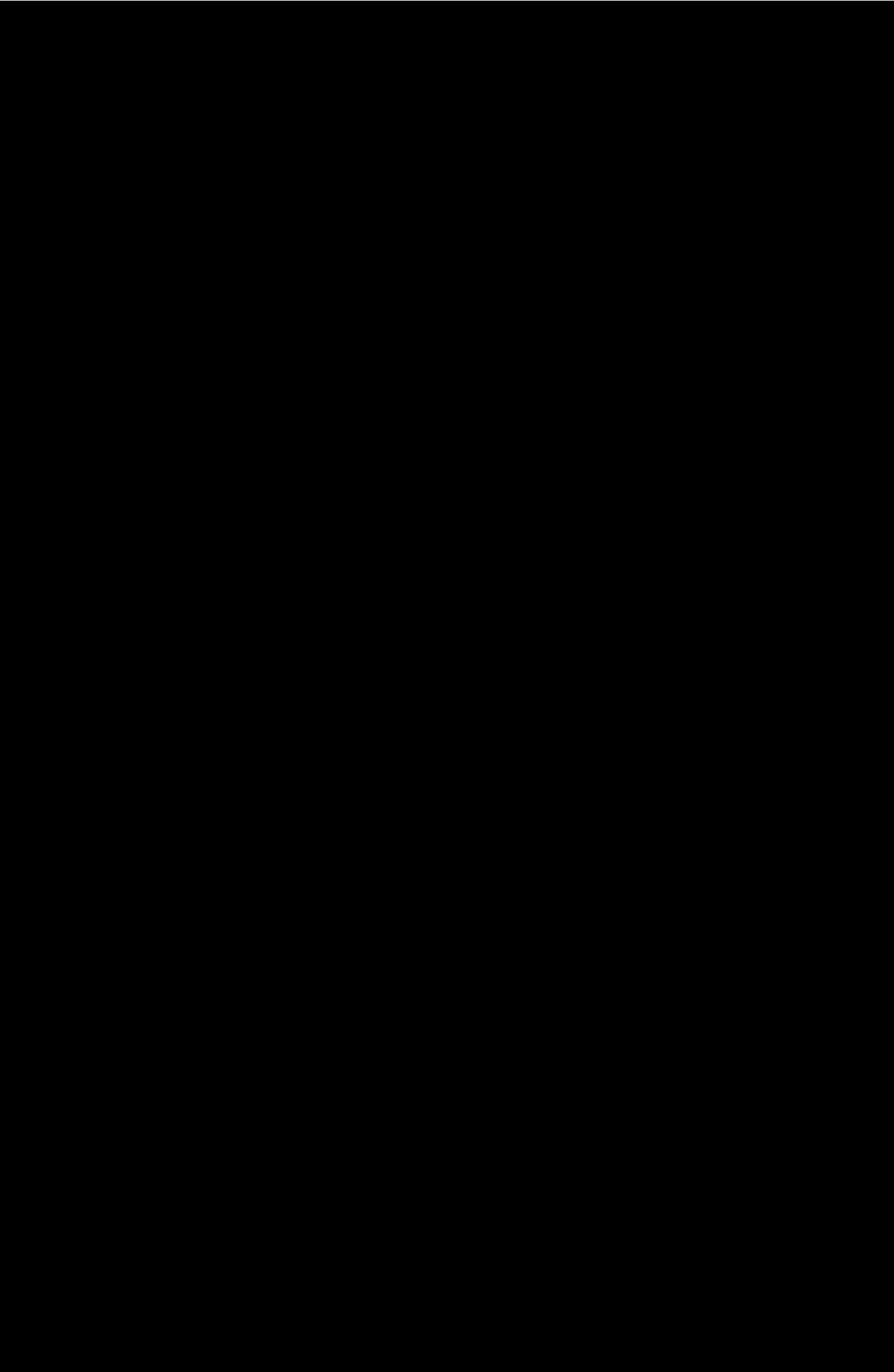


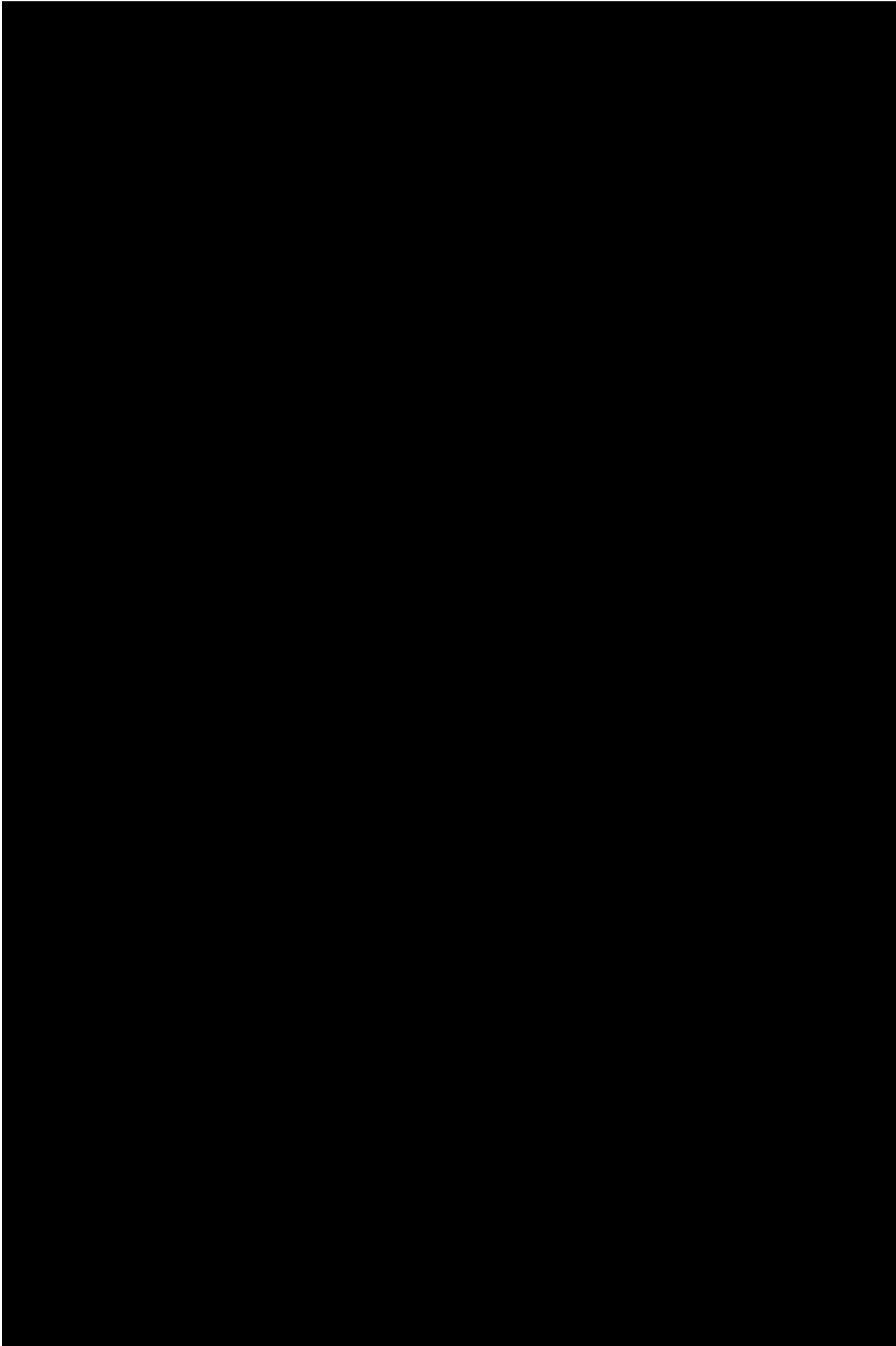


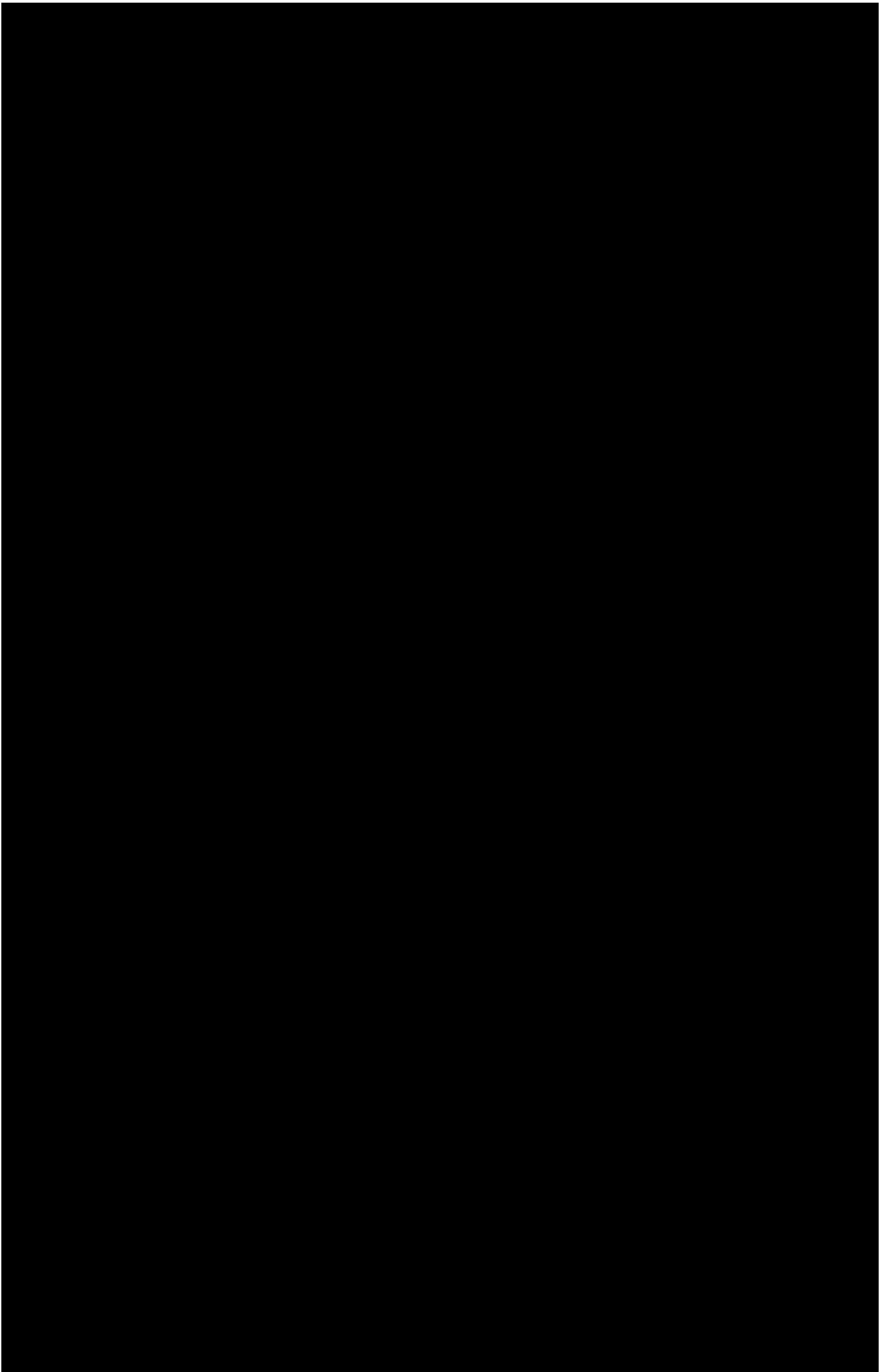


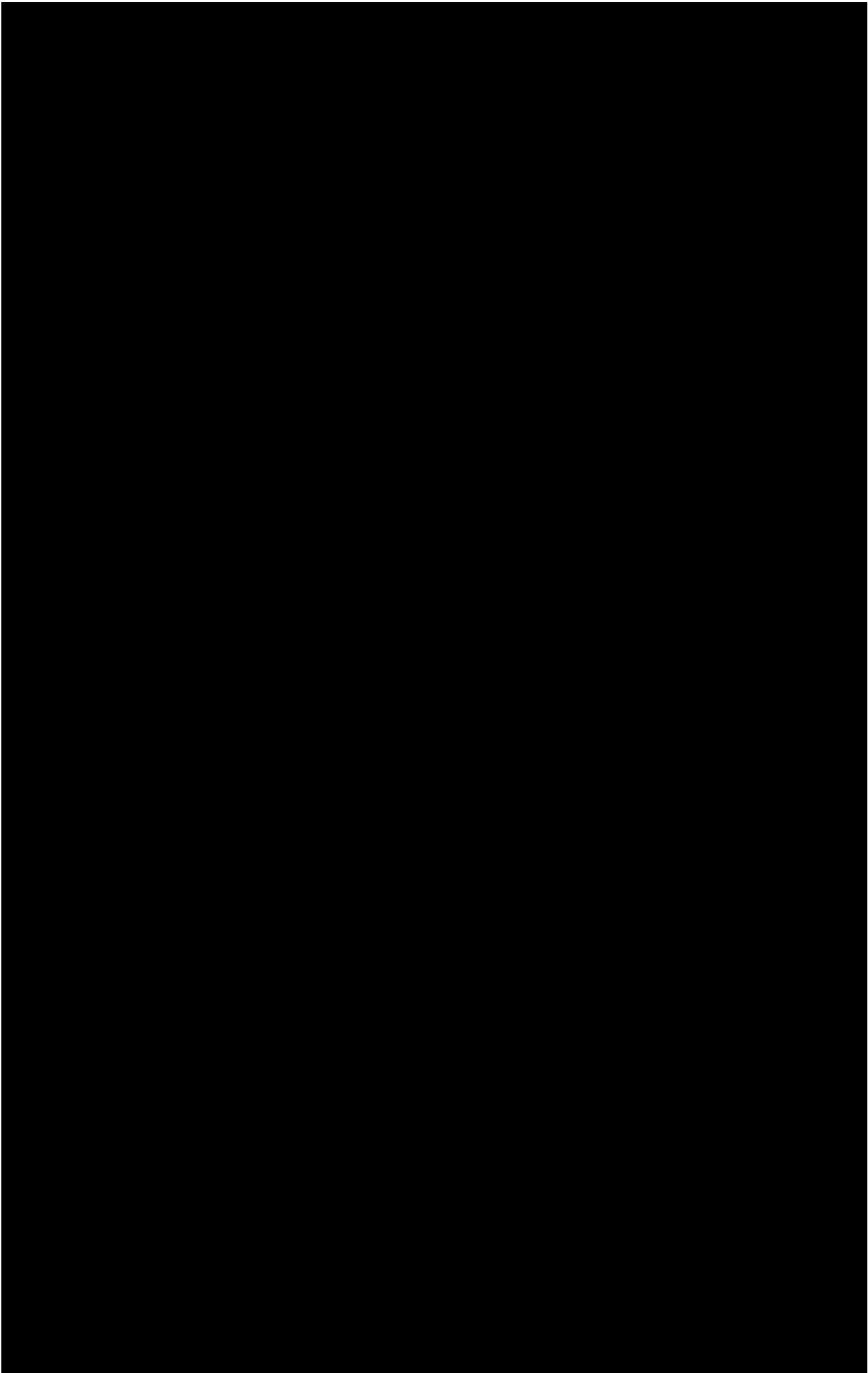


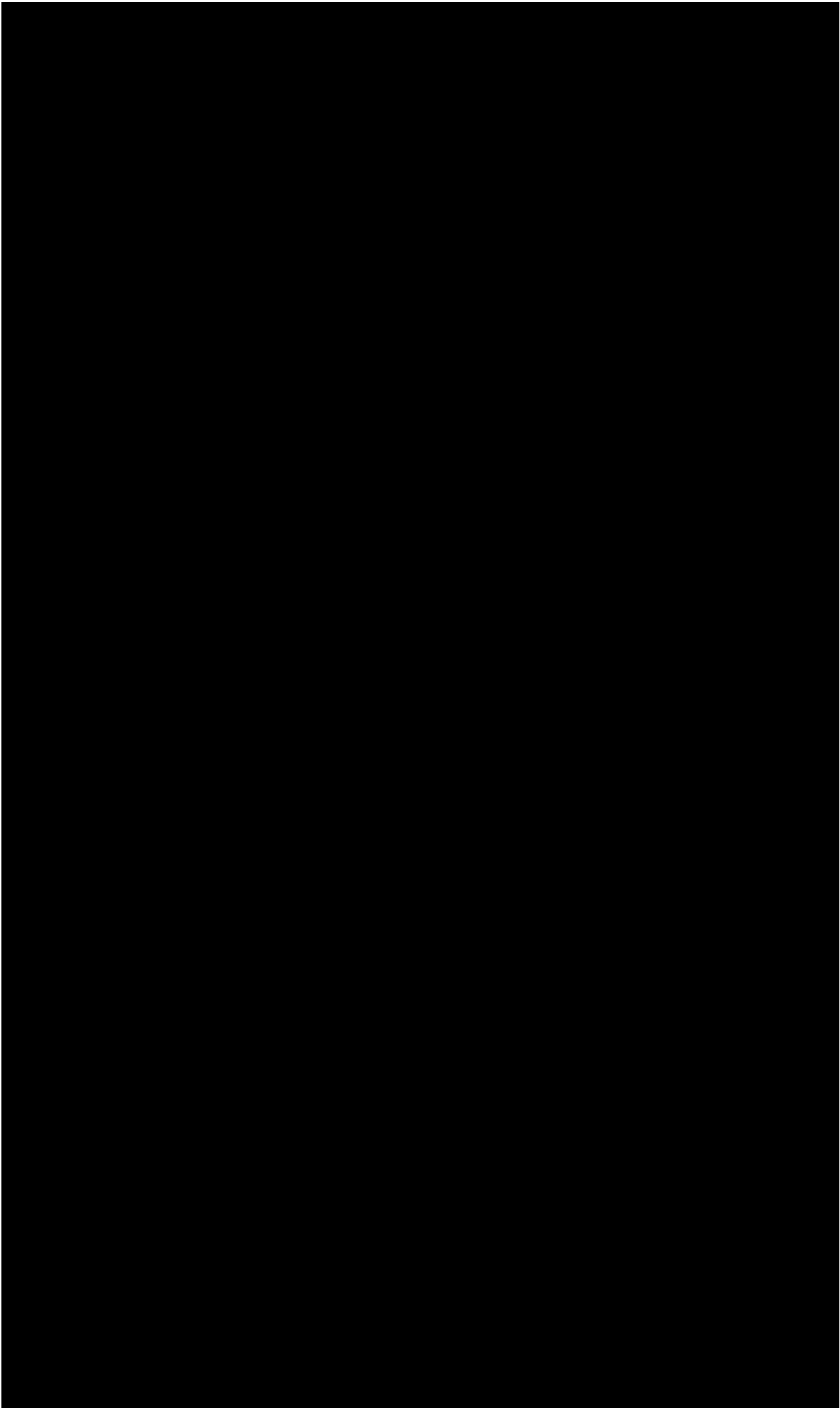


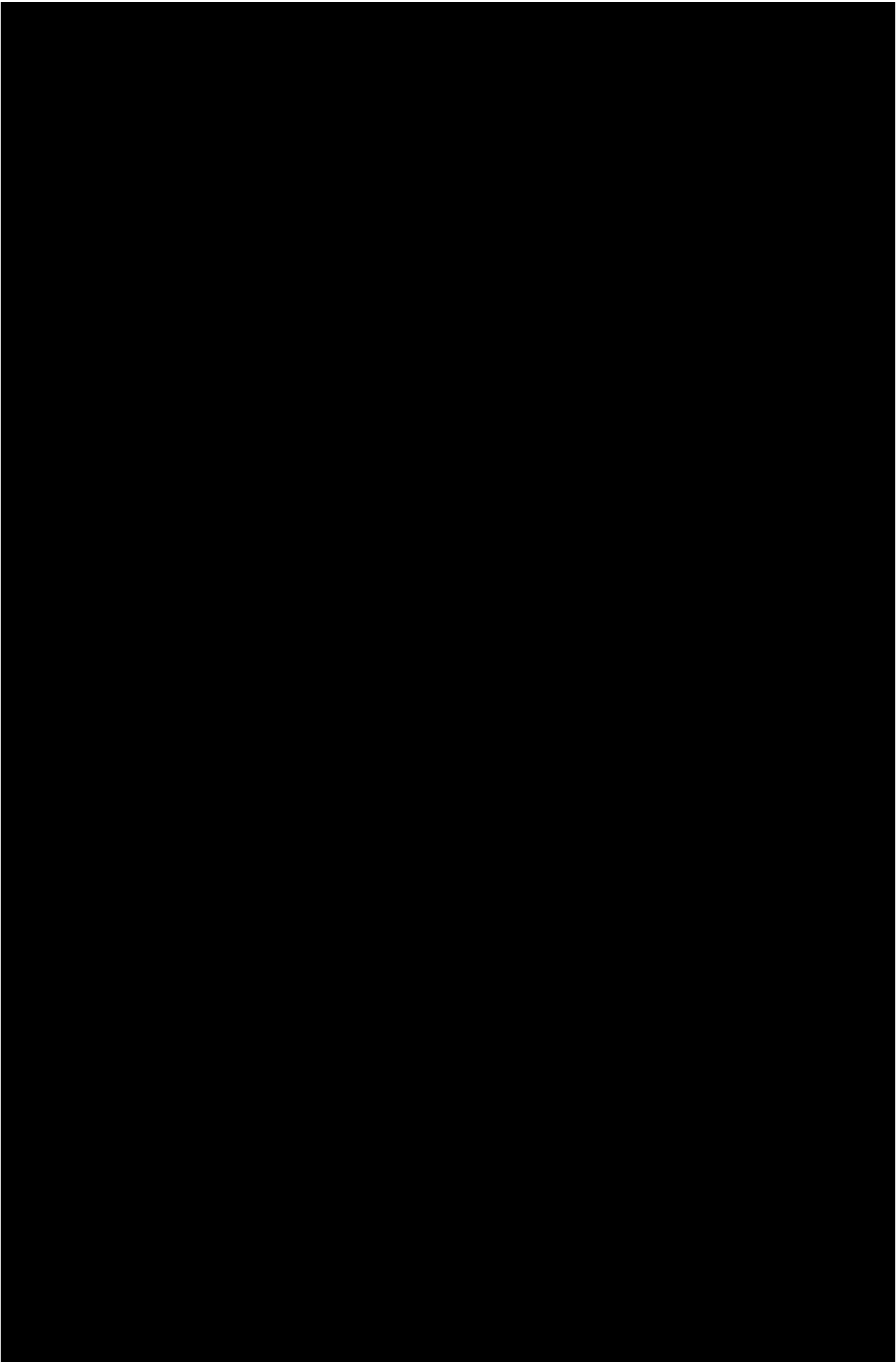


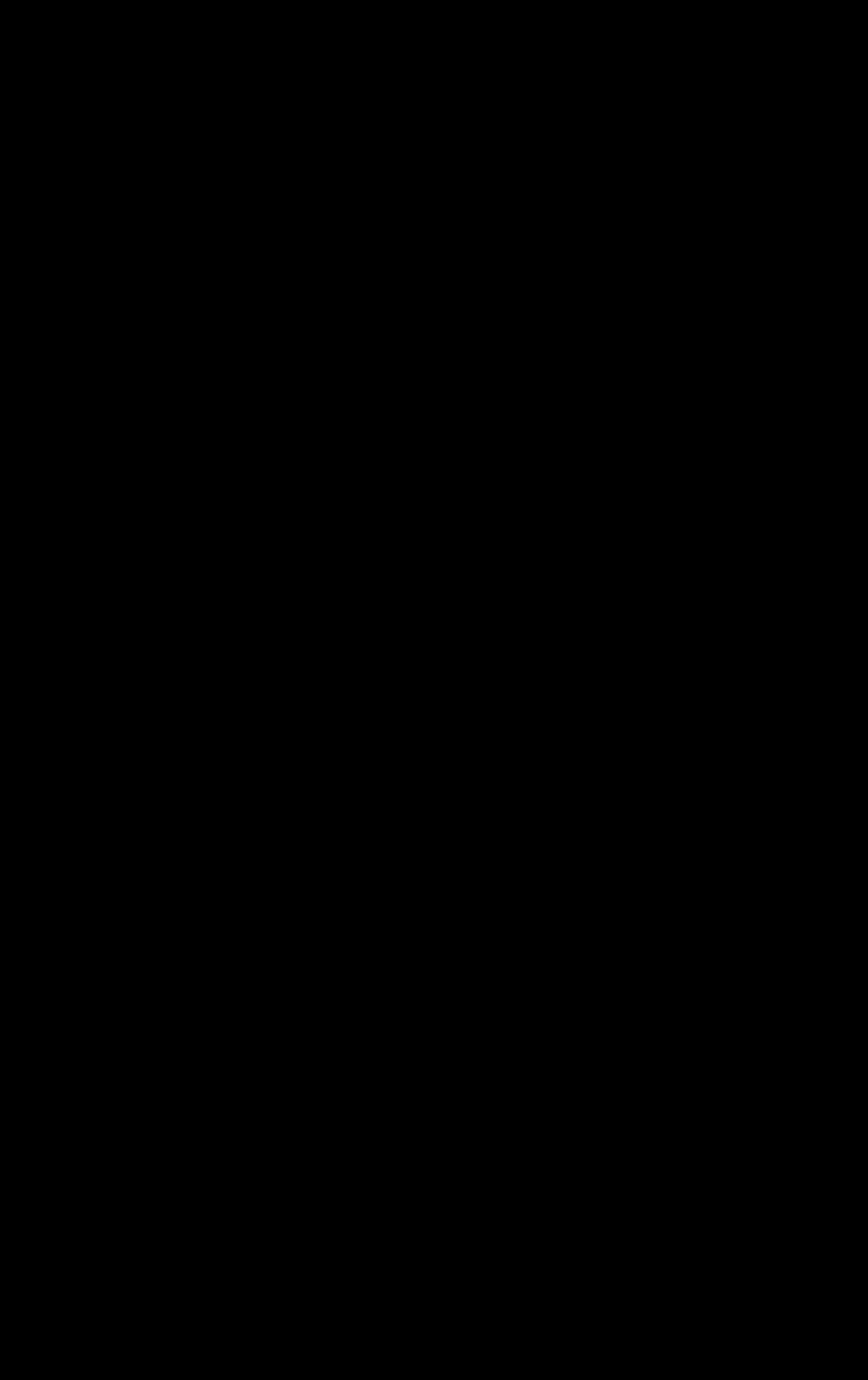


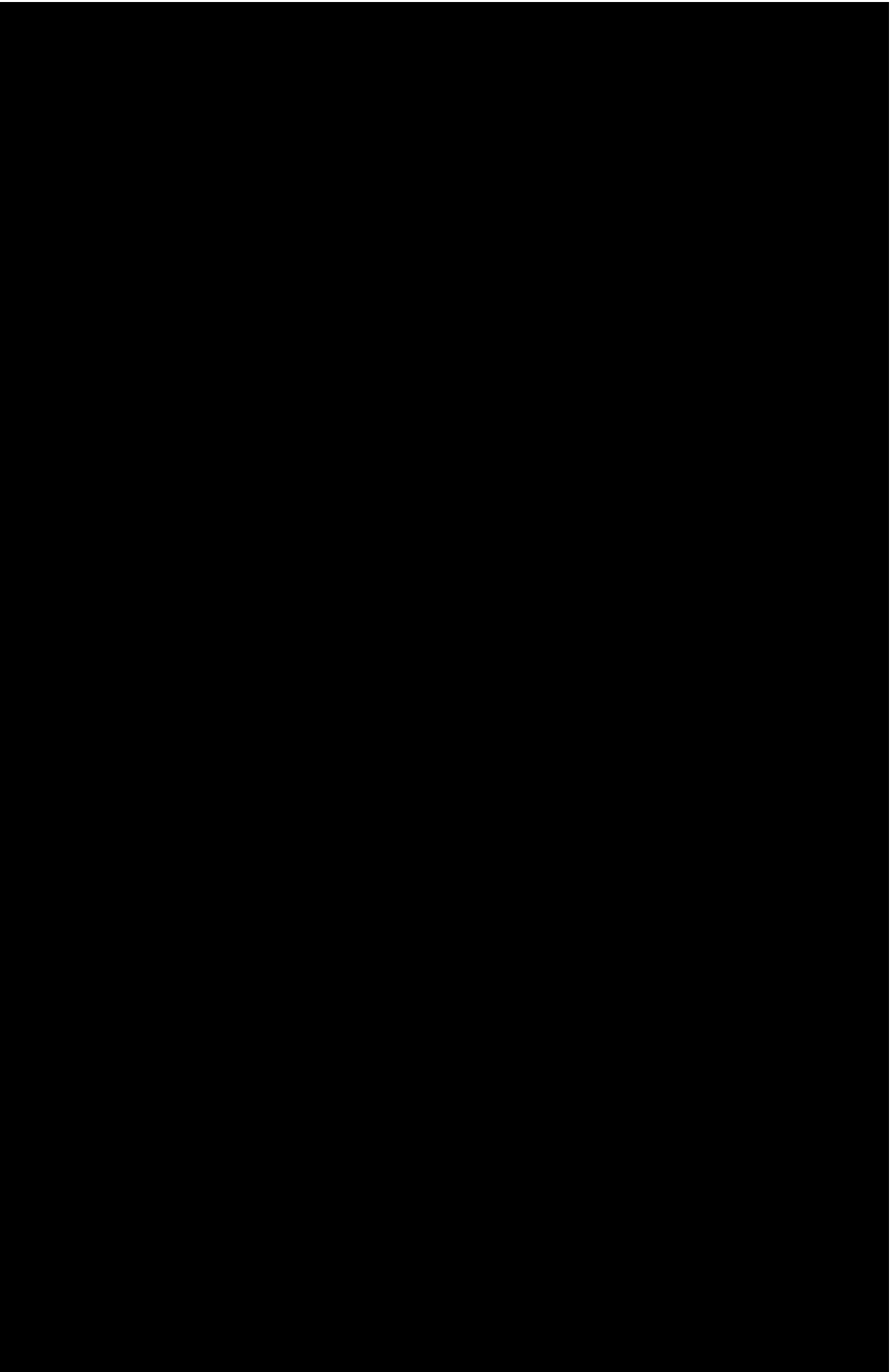


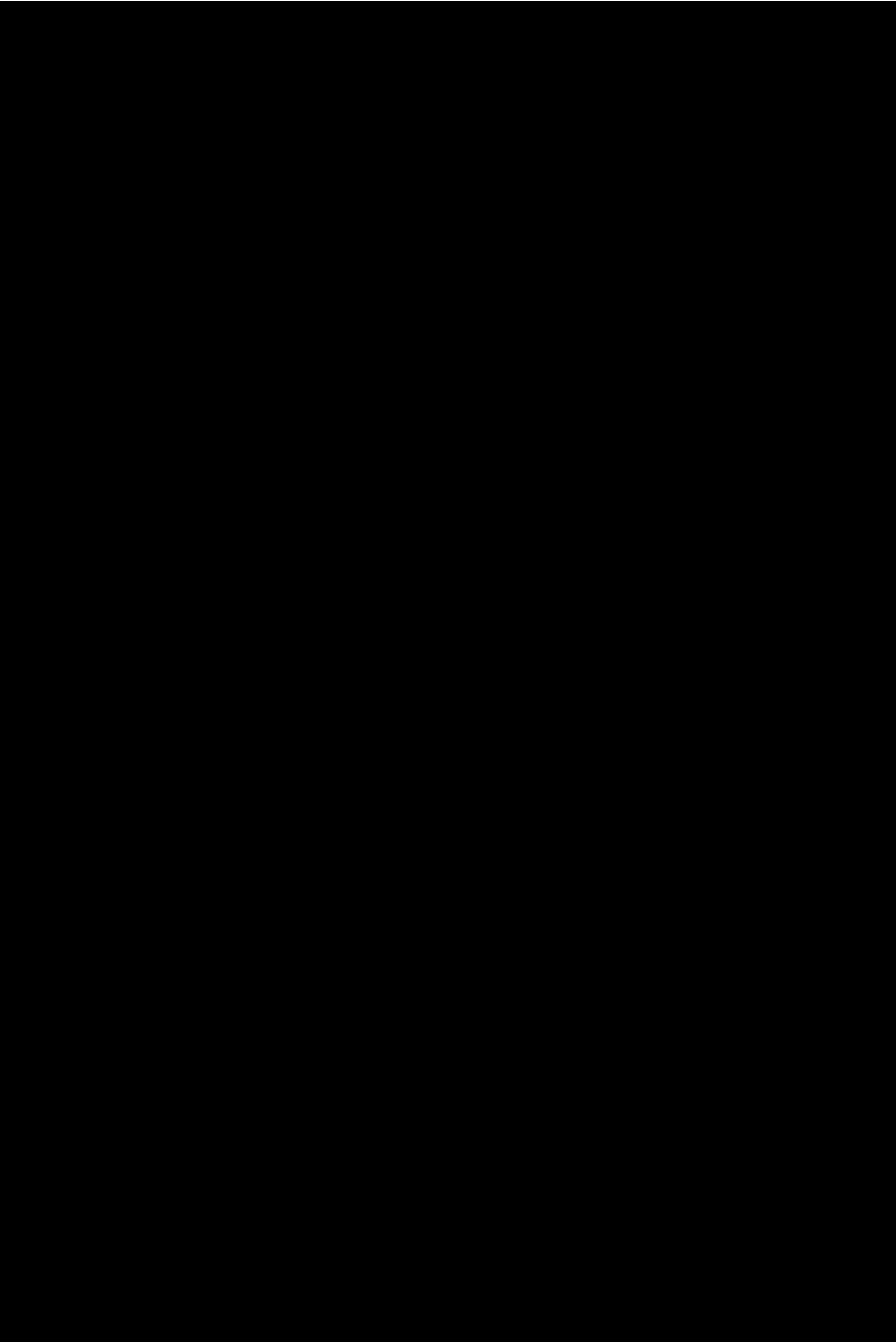


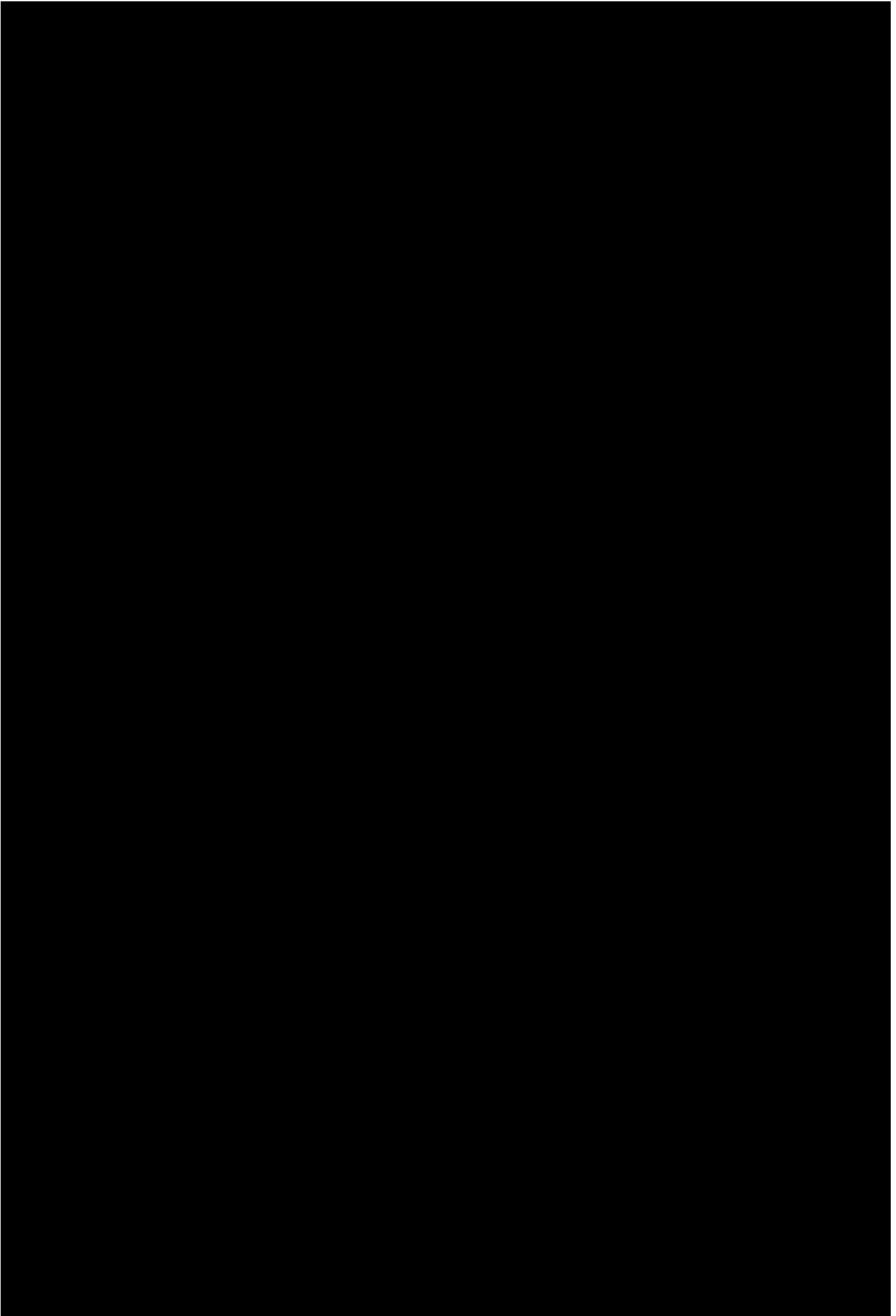


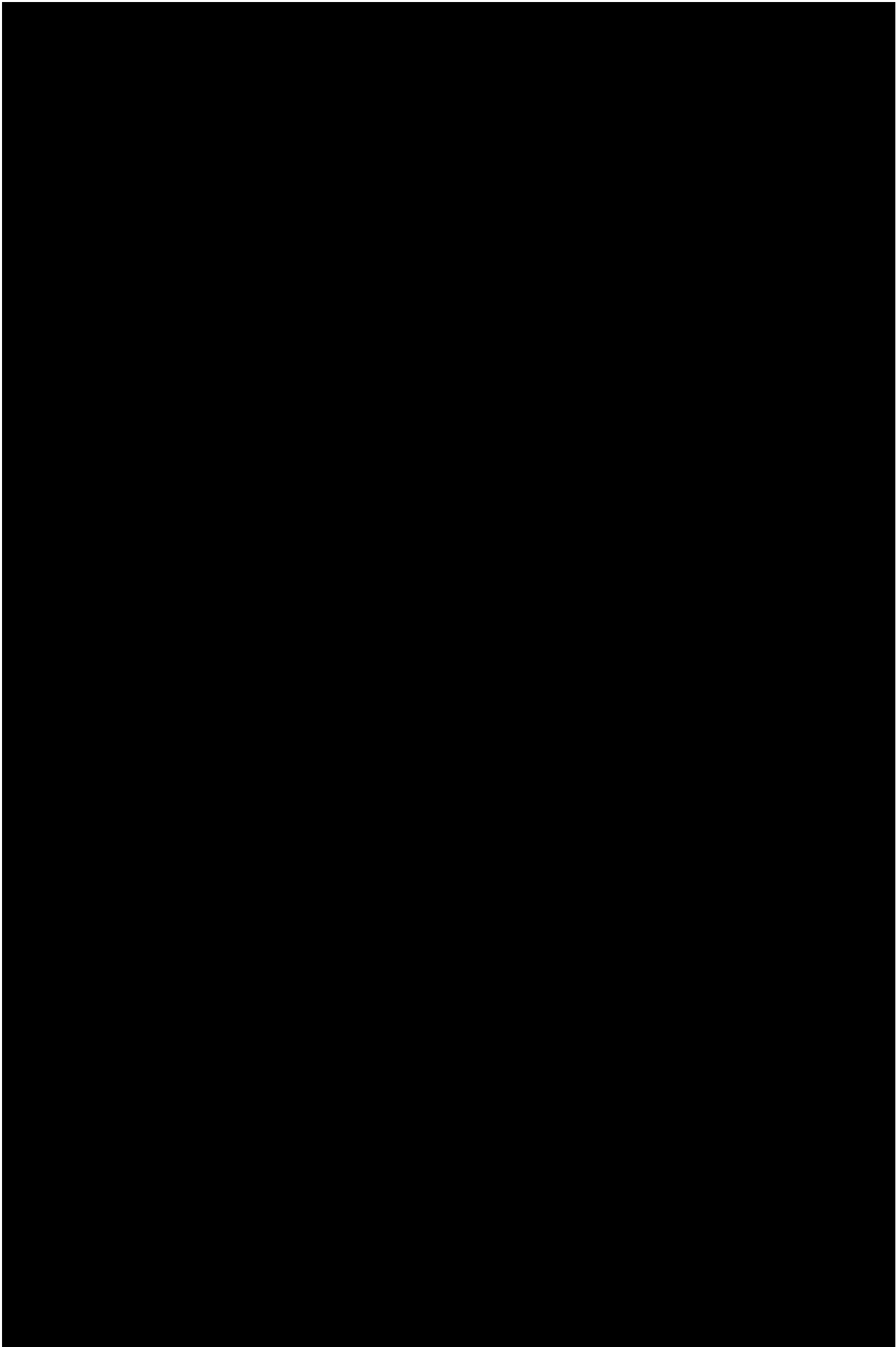


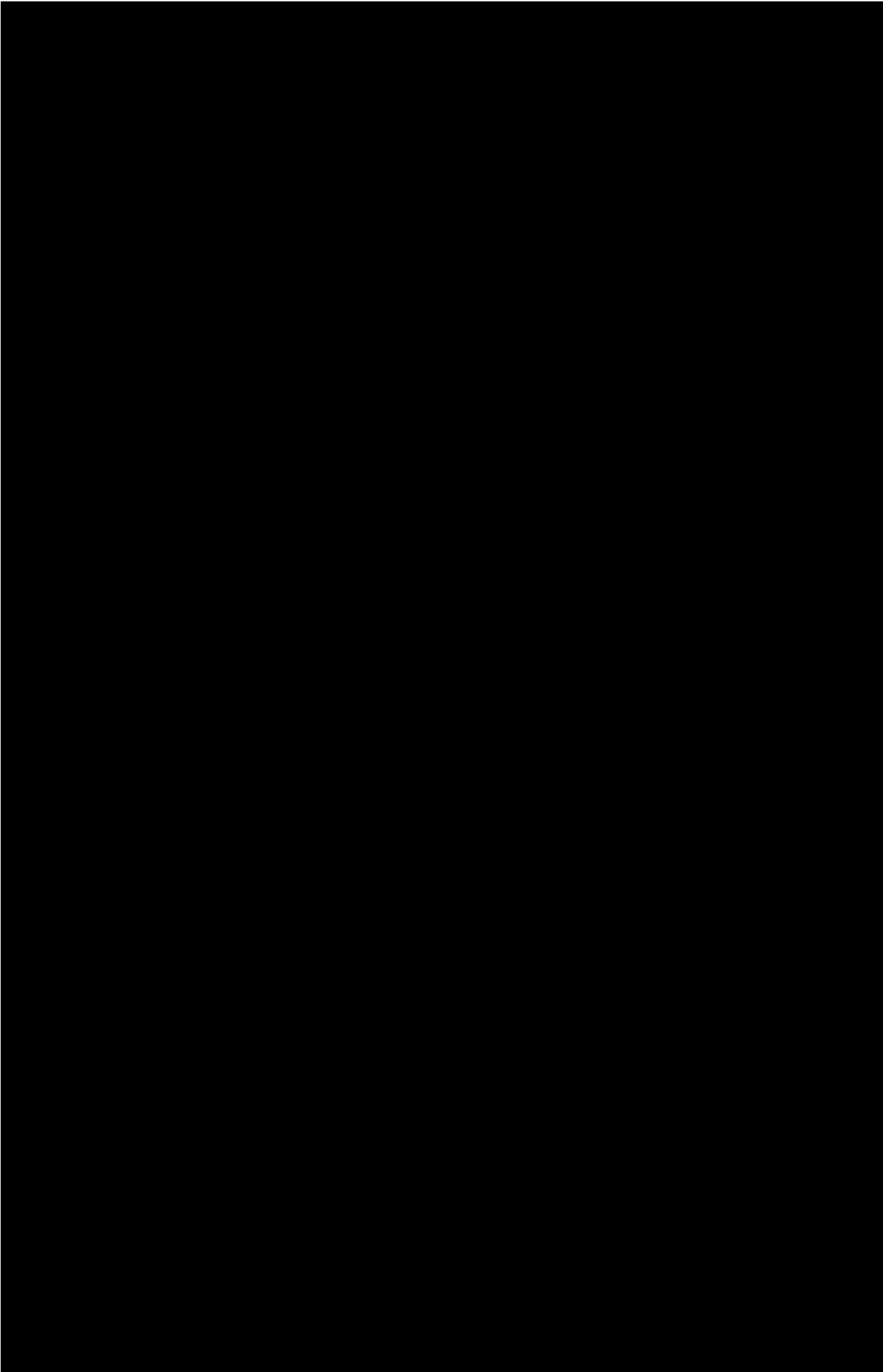


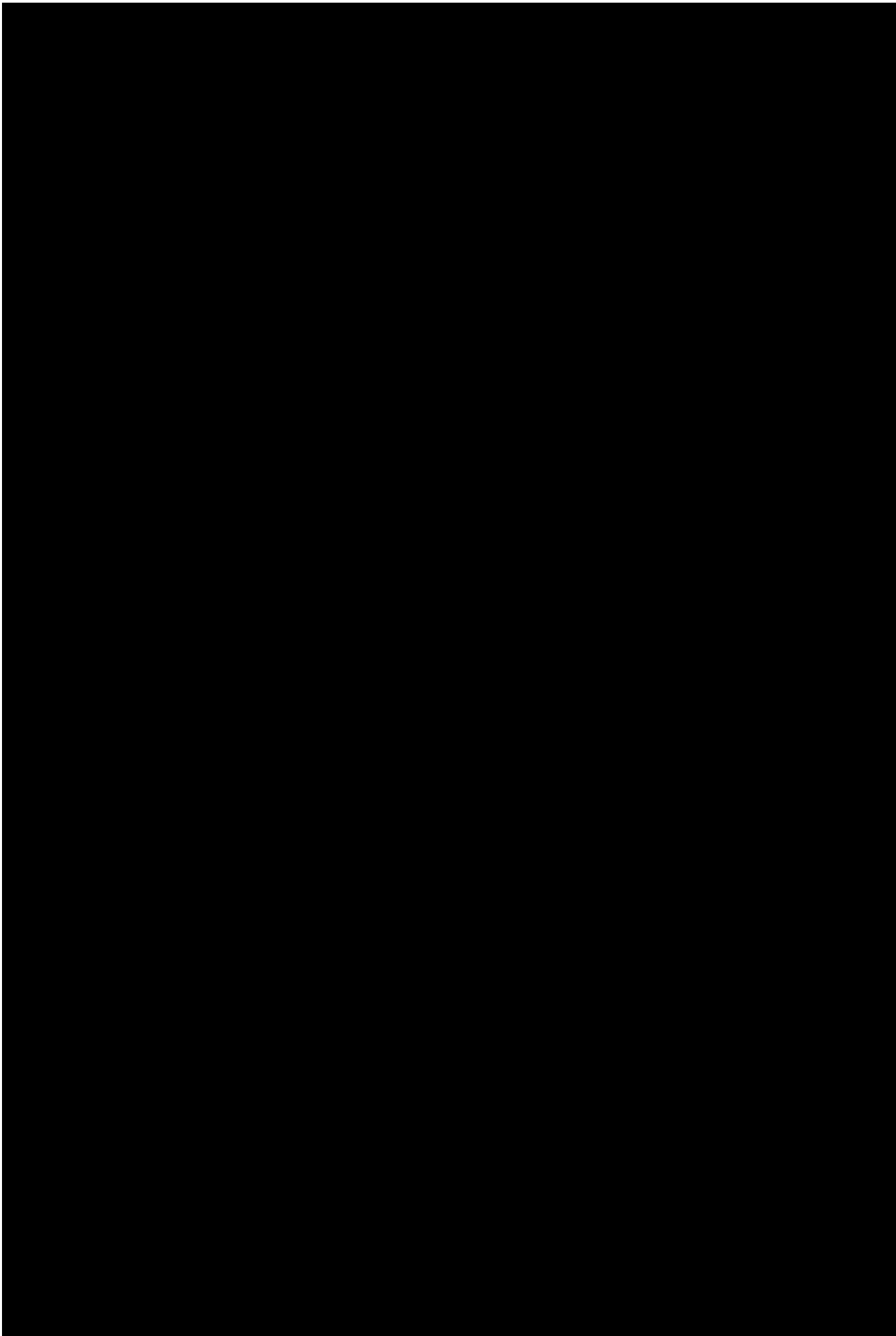


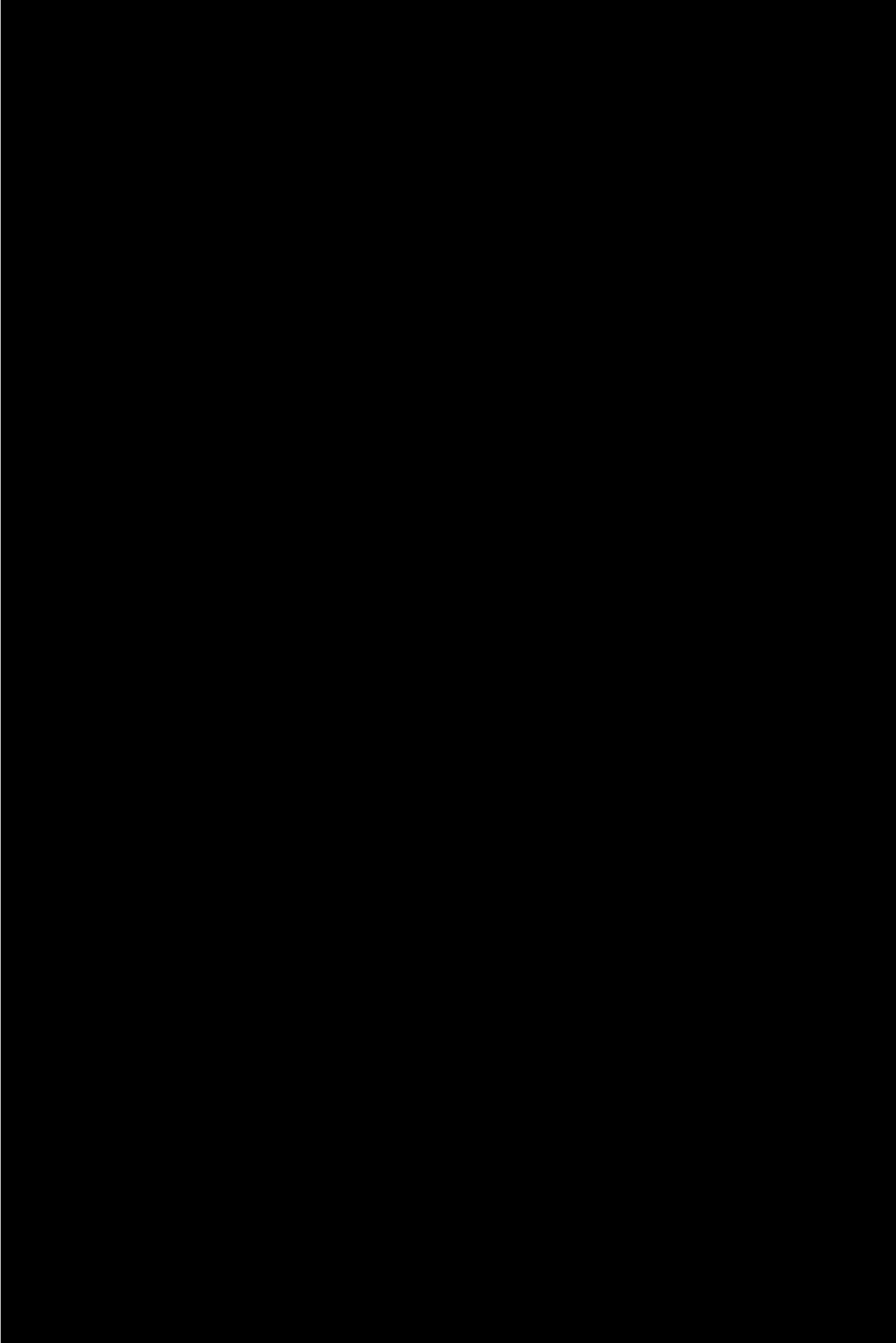


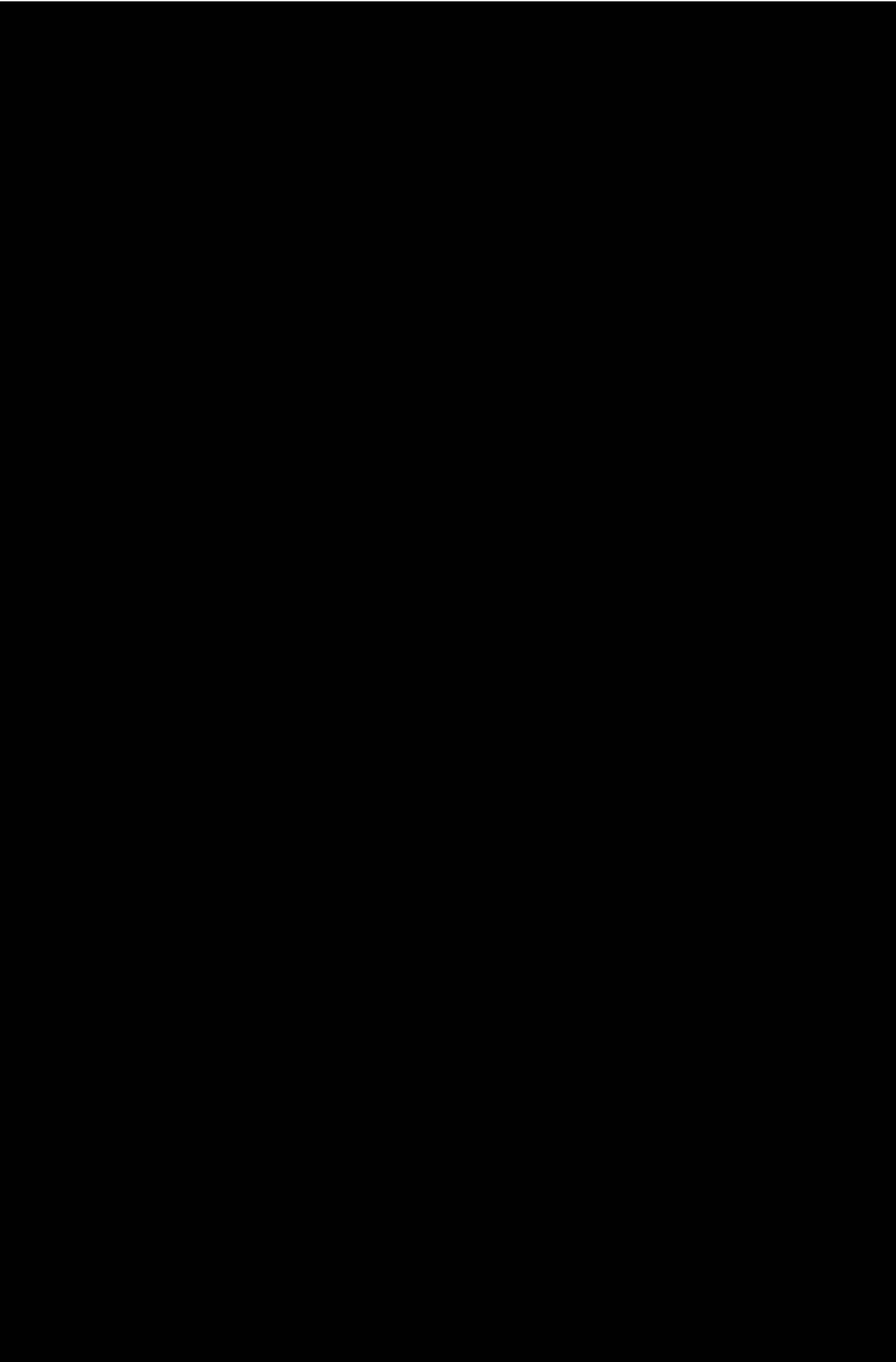


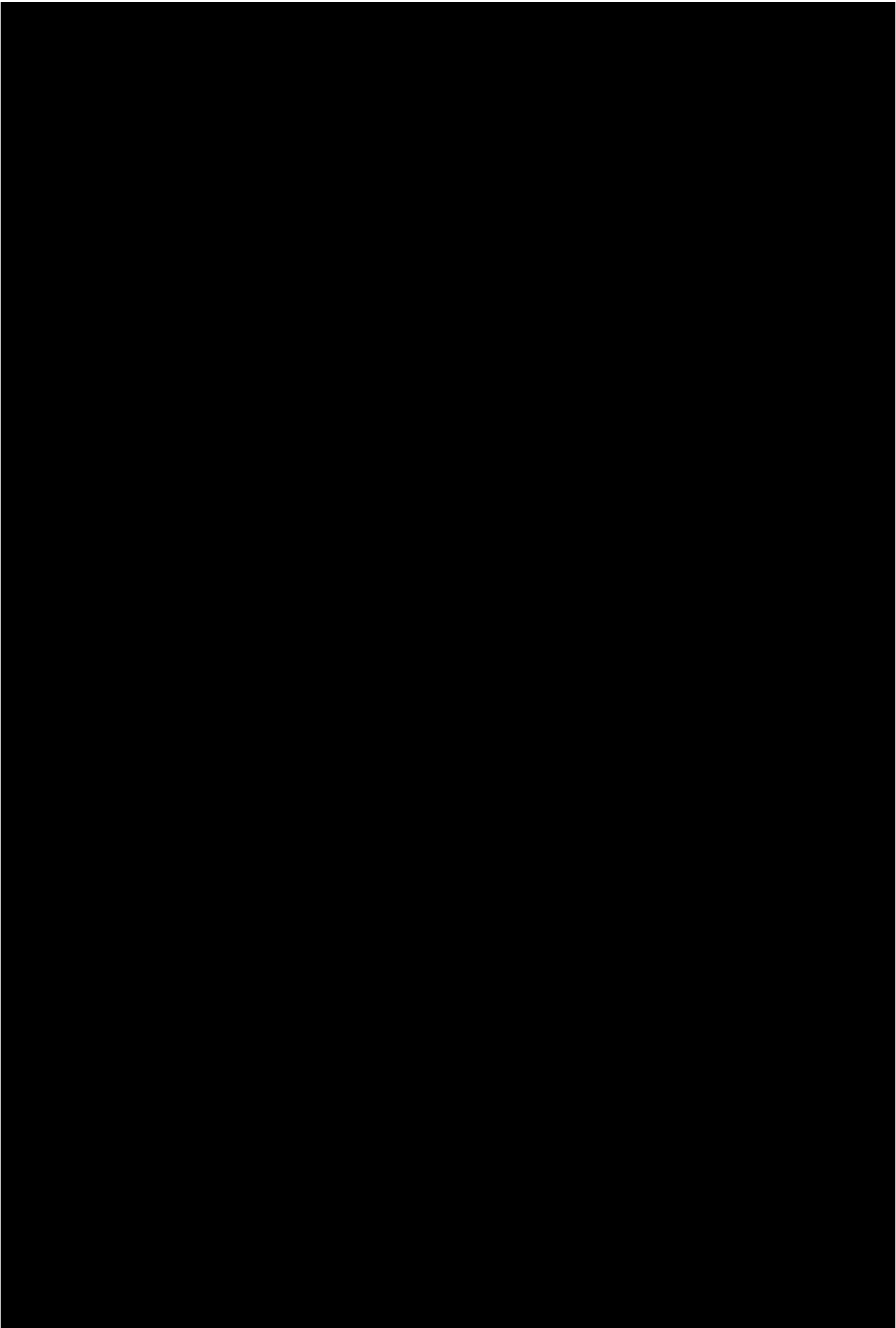


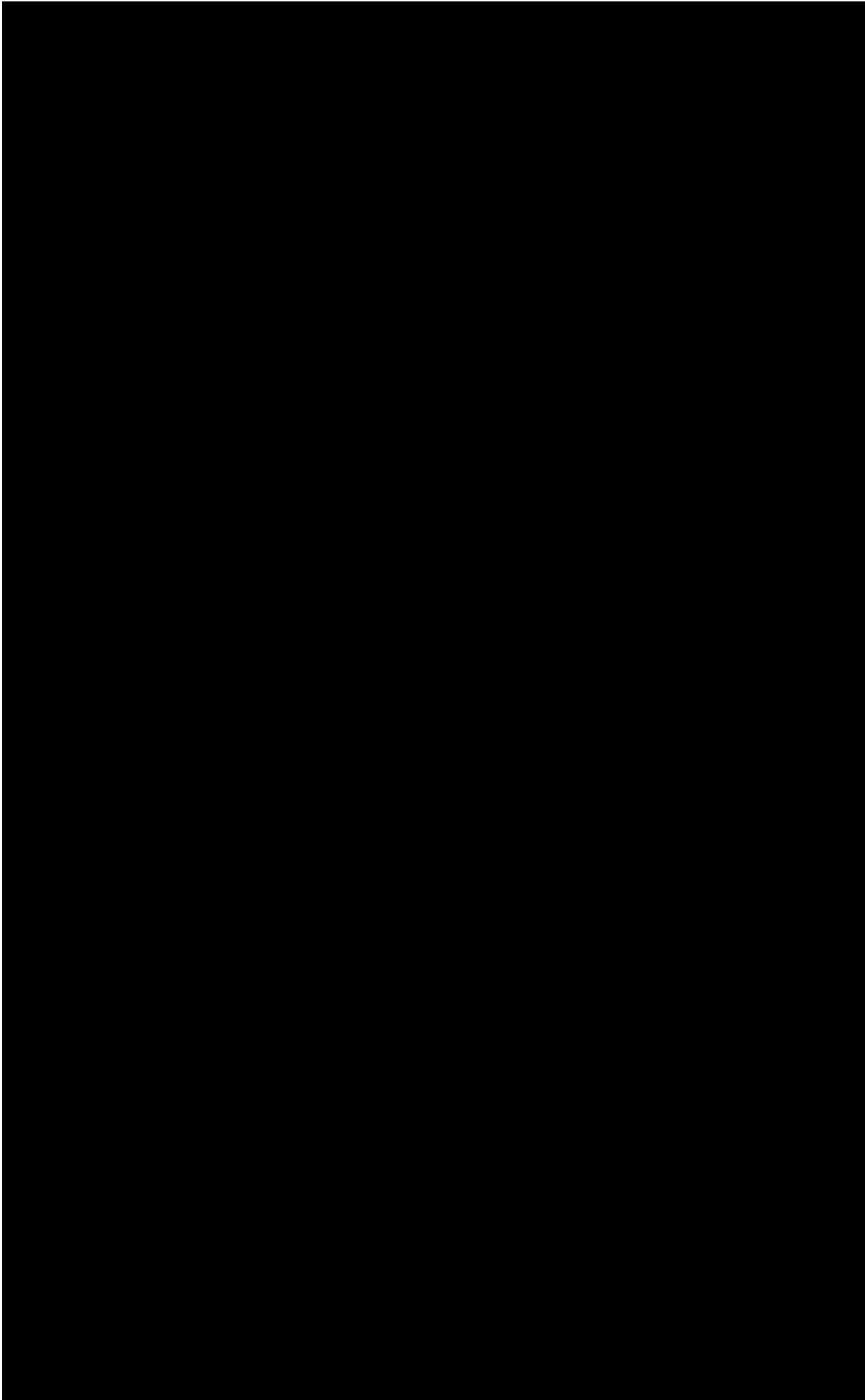


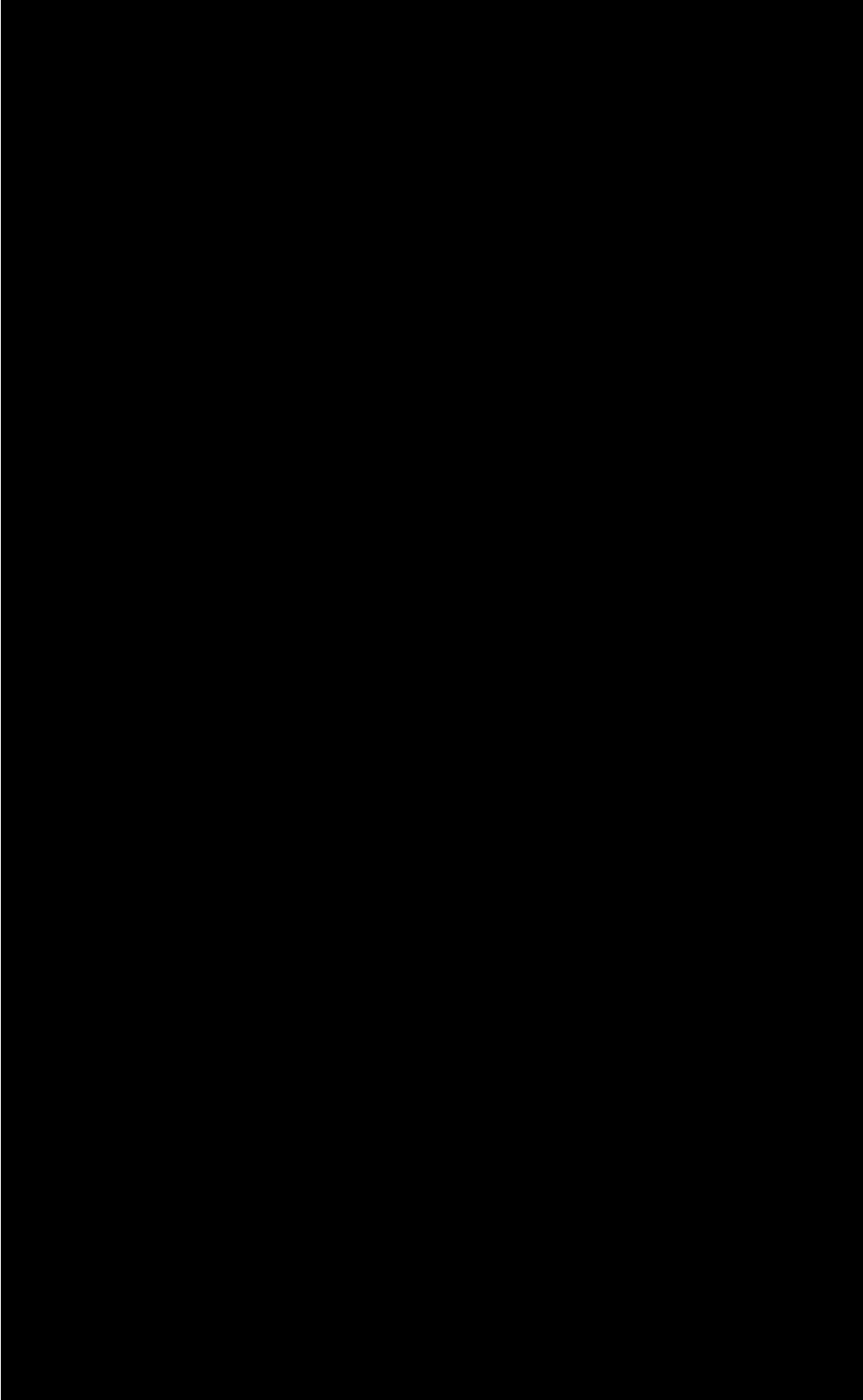


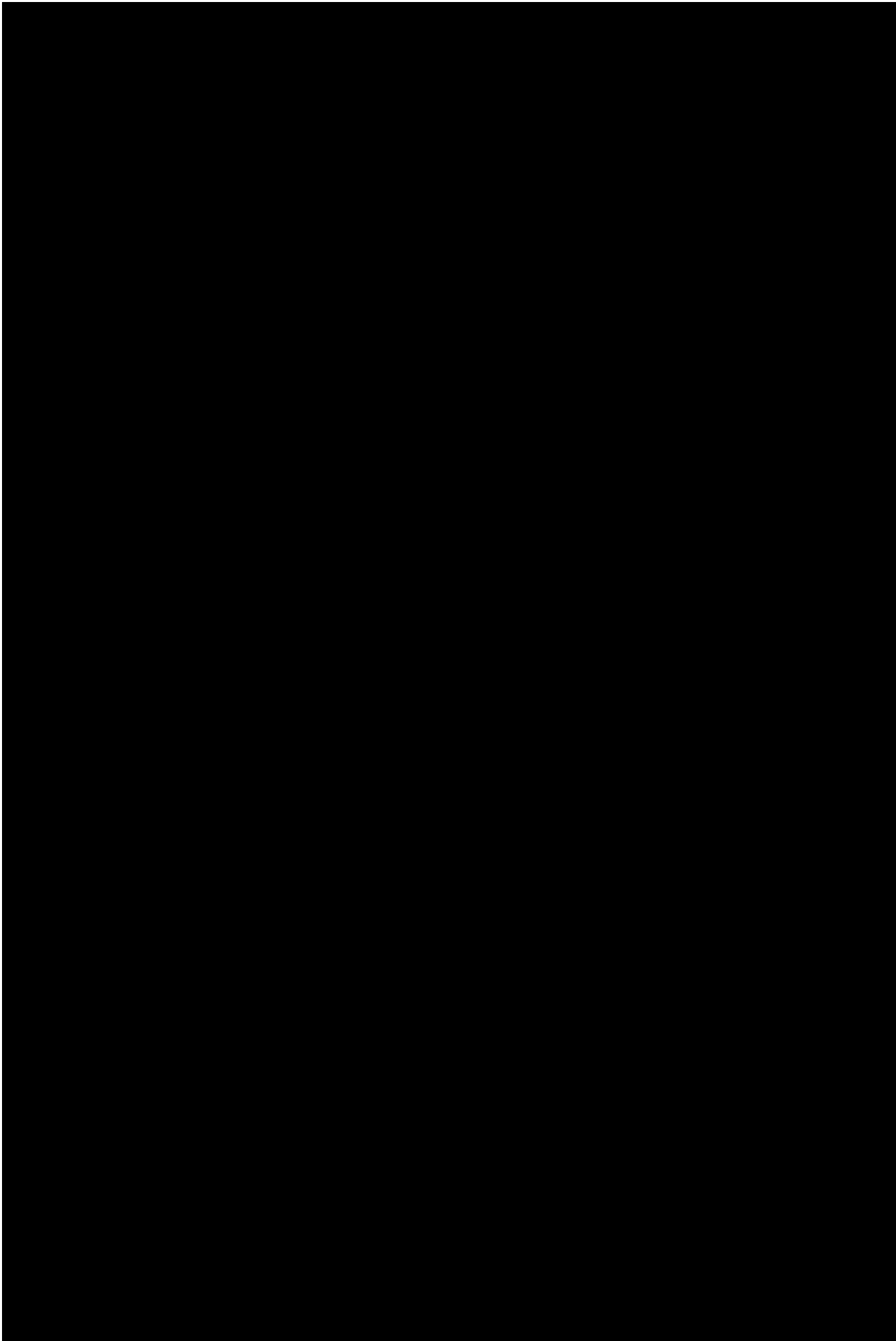


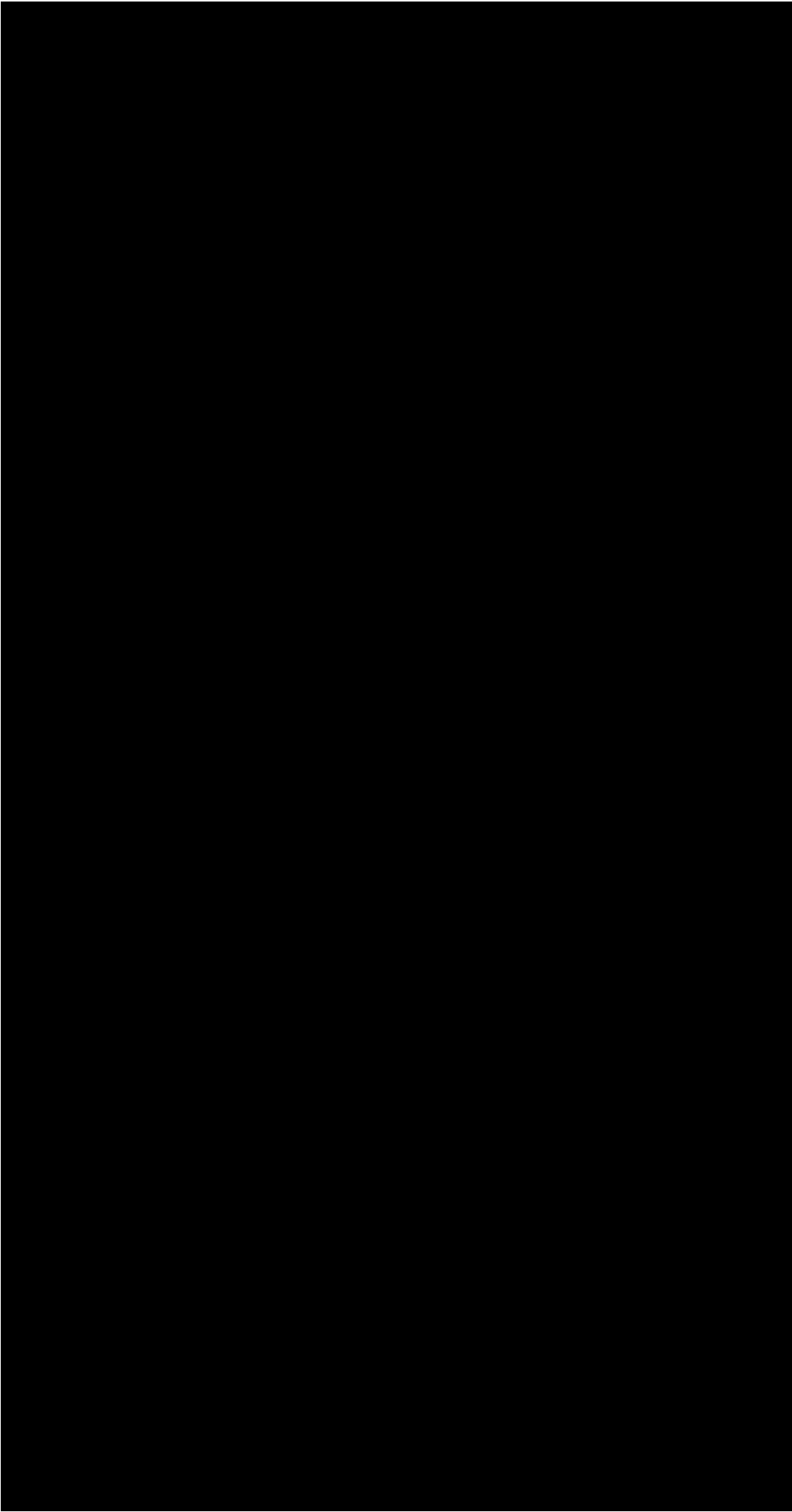


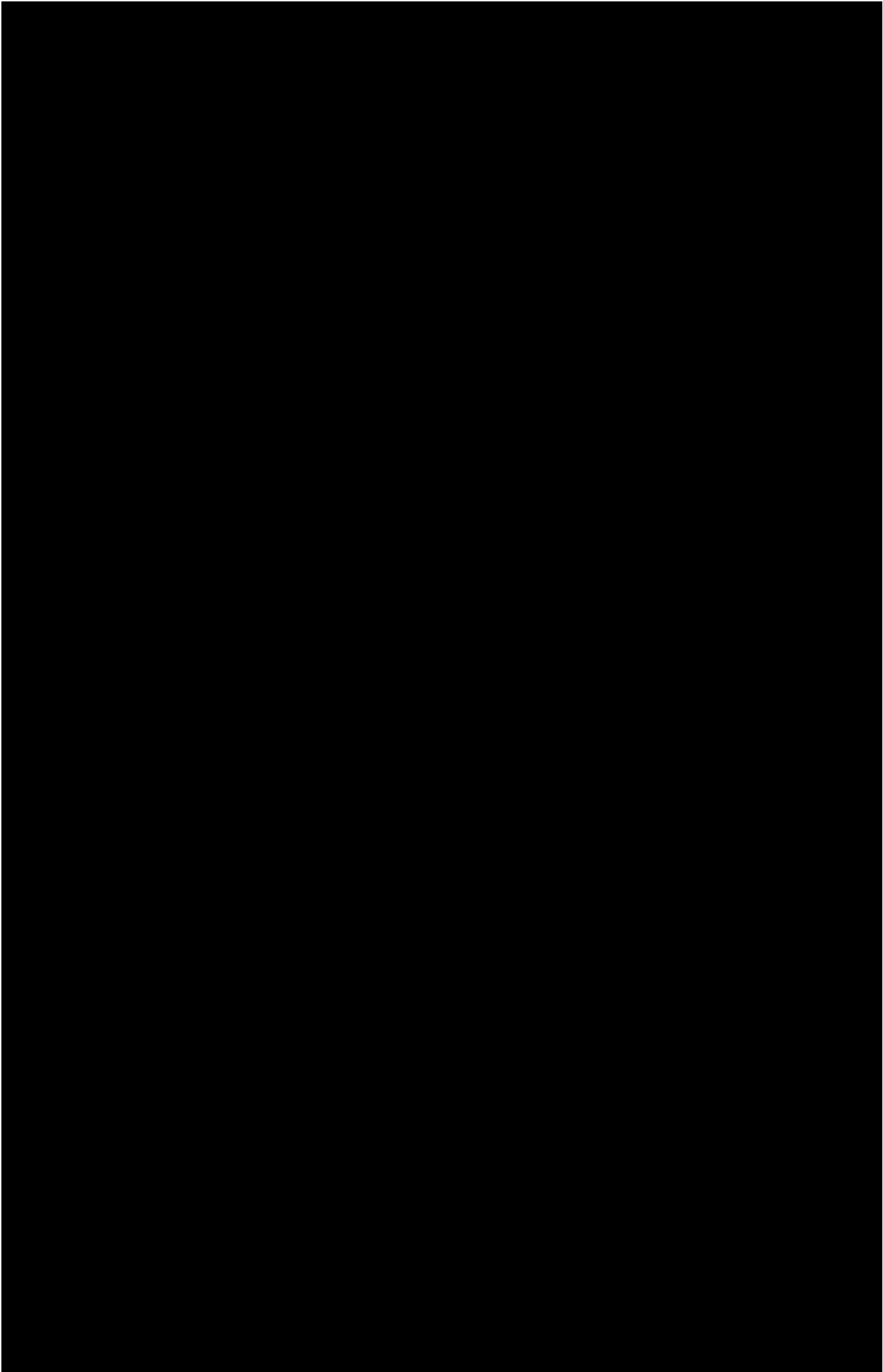


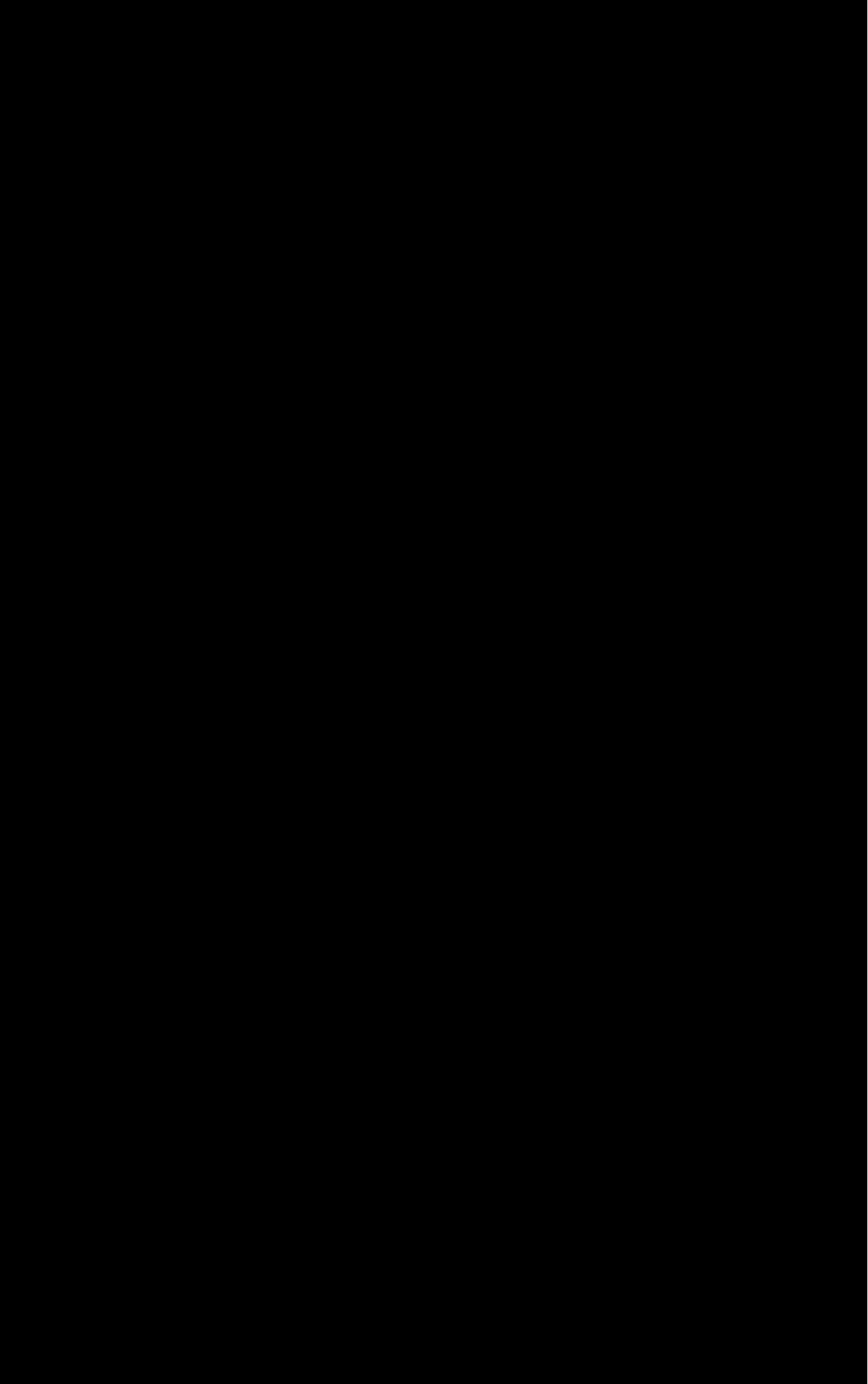












TAB 3

From: Christopher Rees-Gay
Sent: 04 May 2023 08:08
To: 'Jackaman, Kevin: WCC'; Amy Hayward
Subject: RE: Silvertime, 32 Gerrard Street, London, W1D 6JA - 23/02889/LIGV
Attachments: Silvertime AGC Policies V1.zip; Silvertime Policy Consideration Document.pdf

Morning Kevin,

I hope you are well.

As per our application email, please now see attached the further documents to support the application. Due to the sensitive nature of these documents I would ask that they not be circulated.

I should be grateful if you would please confirm receipt.

I have reached out to the client this morning about the annual fee and will get back to you on this point.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Jackaman, Kevin: WCC [mailto:kjackaman@westminster.gov.uk]
Sent: 3 May 2023 17:52
To: Amy Hayward
Cc: Christopher Rees-Gay
Subject: Silvertime, 32 Gerrard Street, London, W1D 6JA - 23/02889/LIGV

Dear Amy

I acknowledge receipt of your application for the above mentioned premises and the fee of £1000 which was received on the **28 April 2023**. The consultation period relating to this application has now commenced and will end on the **25 May 2023**. If for any reason you dispute this date, please contact us as soon as possible.

Please note that in addition to advertising in a local paper the regulations require you to display a notice at the premises in the prescribed form. Failure to do so will invalidate your application.
For more information, please visit our website at www.westminster.gov.uk/premises-licence.

The Licensing Authority will inform you of any representations to this application following the end of the consultation period.

The licence will be issued by the Licensing Authority within a timely manner after the expiry of the consultation period subject to volume of applications being received by the service. If the application is opposed then the application will have to be referred to a public hearing.

The Licensing Authority will update this application when any representations or documents are received during the consultation period. To view the application documents and any representations, as well as track this application you can [click here](#).

The application information and any public documents will then be displayed.

If you want to receive updates on the progress of this application via email you should click on the 'Track' button to the upper right of the application information in the register. This will enable you to enter an email address to which updates will be sent when the application file is updated or documents are uploaded.

Please note that according to our records the annual fee for 2023 (due on 16 February 2023 and totalling £1000) is currently outstanding. Payment can be made using the following link: <https://www.westminster.gov.uk/licensing/pay-fees-and-invoices> Please quote the licence number as a reference when making payment and email me a copy of the payment receipt once payment has been made. NOTE: you risk having your licence suspended by not sending through proof of payment.

Regards

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



COVID-19 VACCINATIONS

The COVID-19 vaccine is our first line of defence against coronavirus. The vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

FREE EARLY EDUCATION AND CHILDCARE

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

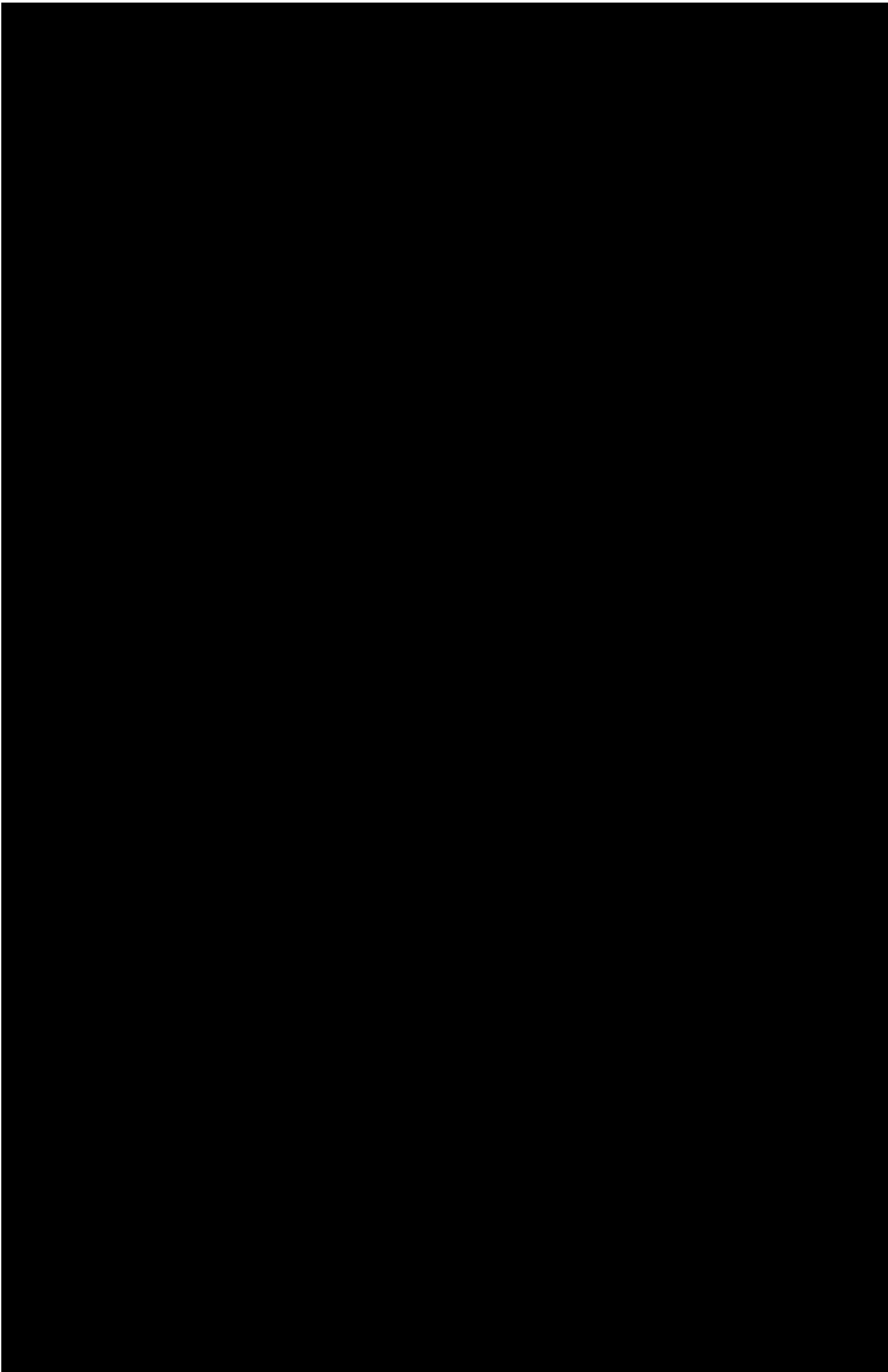
Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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You should not disclose the contents to any other person or take copies.





Silvertime AGC Based Advertising Policy - G4-K

Silvertime does not advertise its venues, activities or customer benefits using mainstream media, television, radio, newsprint etc. We promote solely within and around the premise and do so with the following consideration;

That communications are legal, decent, honest and truthful.

They are produced with a sense of responsibility to consumers and to society.

Specifically, we ensure that advertising contains nothing that is likely to lead people to adopt styles of gambling that is unwise and that the advertisements and promotions are socially responsible and do not encourage excessive gambling.

Advertising is not directed at people under the age of 18 years through the style of presentation, content, or context in which they appear.

Persons shown gambling are not, nor do they appear to be, under 25 years of age.

The advertising and promotional material carries a reference for the need to keep gambling under control; it is never suggested or implied that gambling is a means of getting out of financial difficulty.

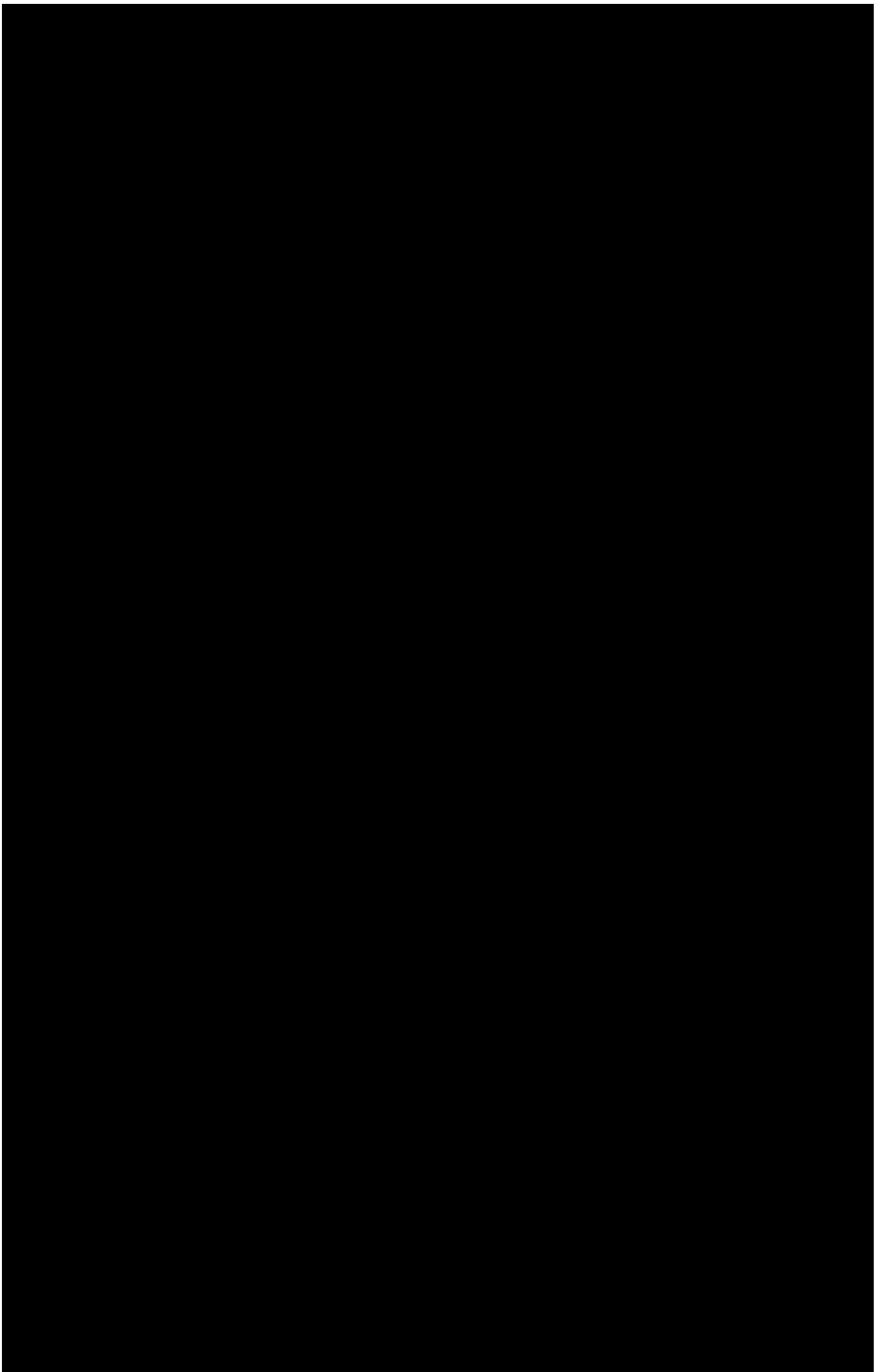
The venue window display screens feature content of games available inside. All content displayed is produced by Gambling Commission recognised and regulated companies that are subjected to LCCP criteria and therefore must be designed and worded in a way not to attract children to gamble. All content displayed is checked and verified by our managers to ensure its' appropriate message to potential customers.

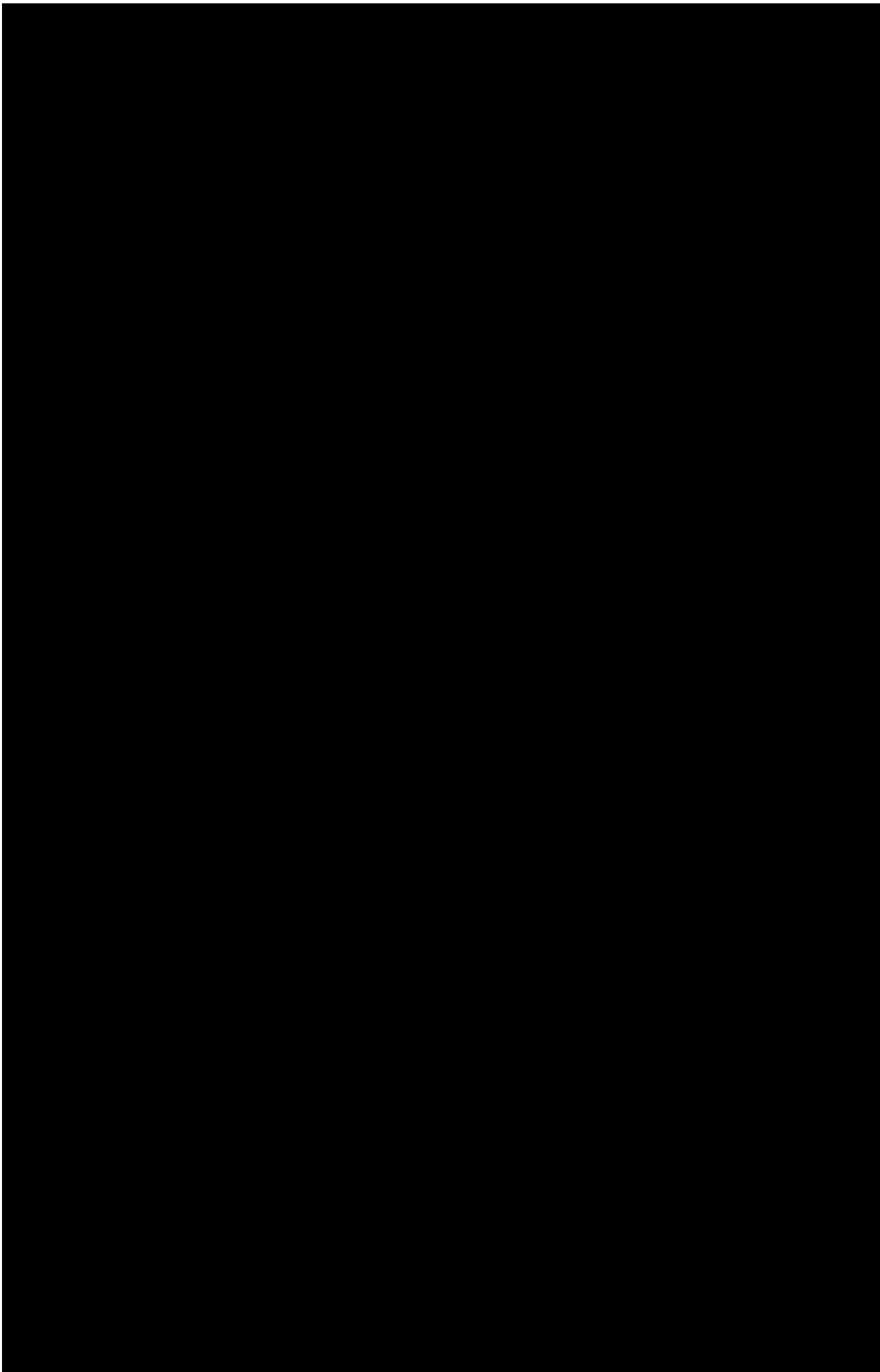
We recognise the main advertising elements of concern and as detailed by the ASA & CAP are those that maybe considered of interest to children, young persons and/or the vulnerable.

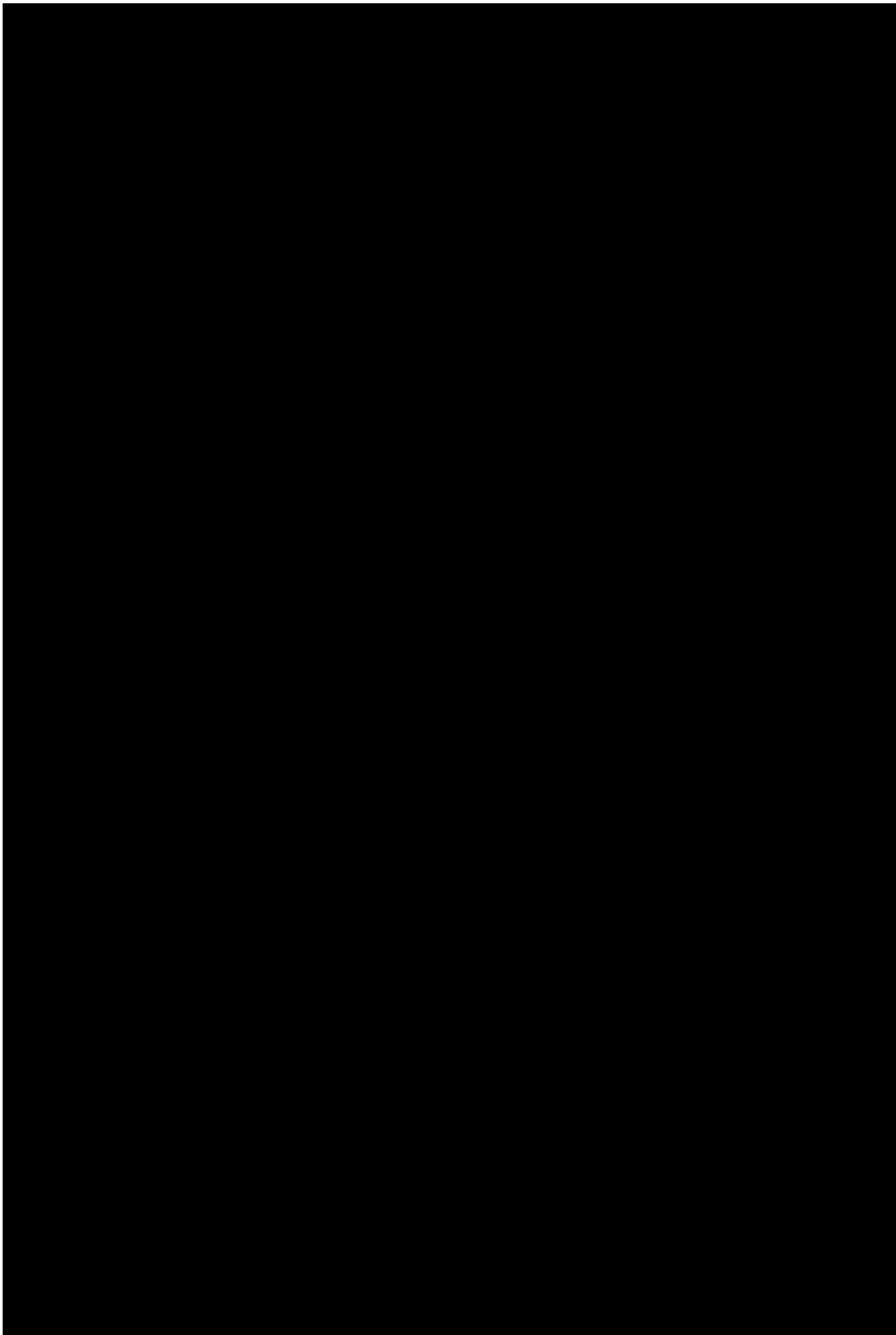
Having produced and re-visited our LARA for this premise, we are aware of sensitive premises within the vicinity. Due to advertising only within the venue and via window display screens, we are confident that no sensitive premises are affected.

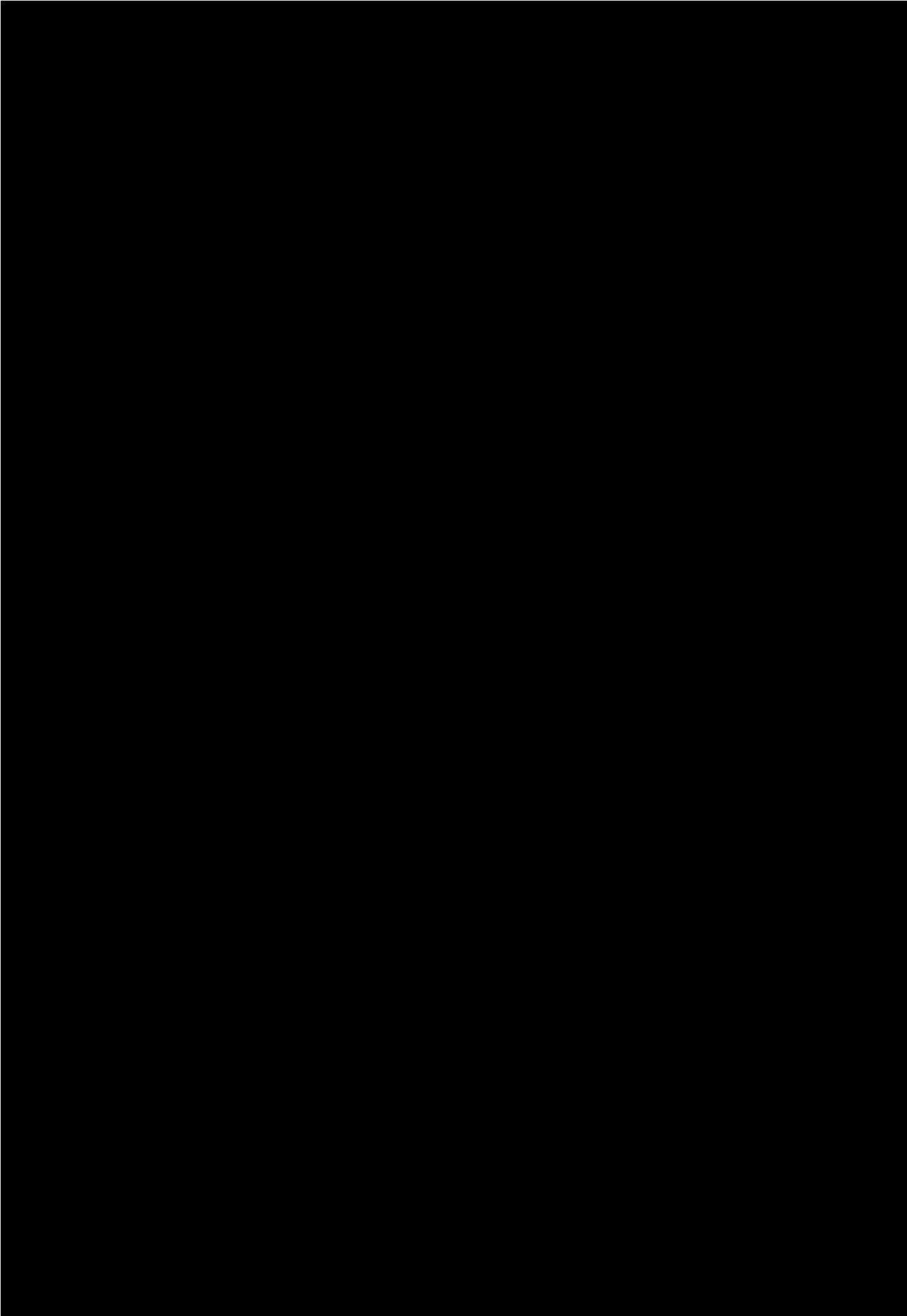
Silvertime AGC Merchandise Policy – G4-L

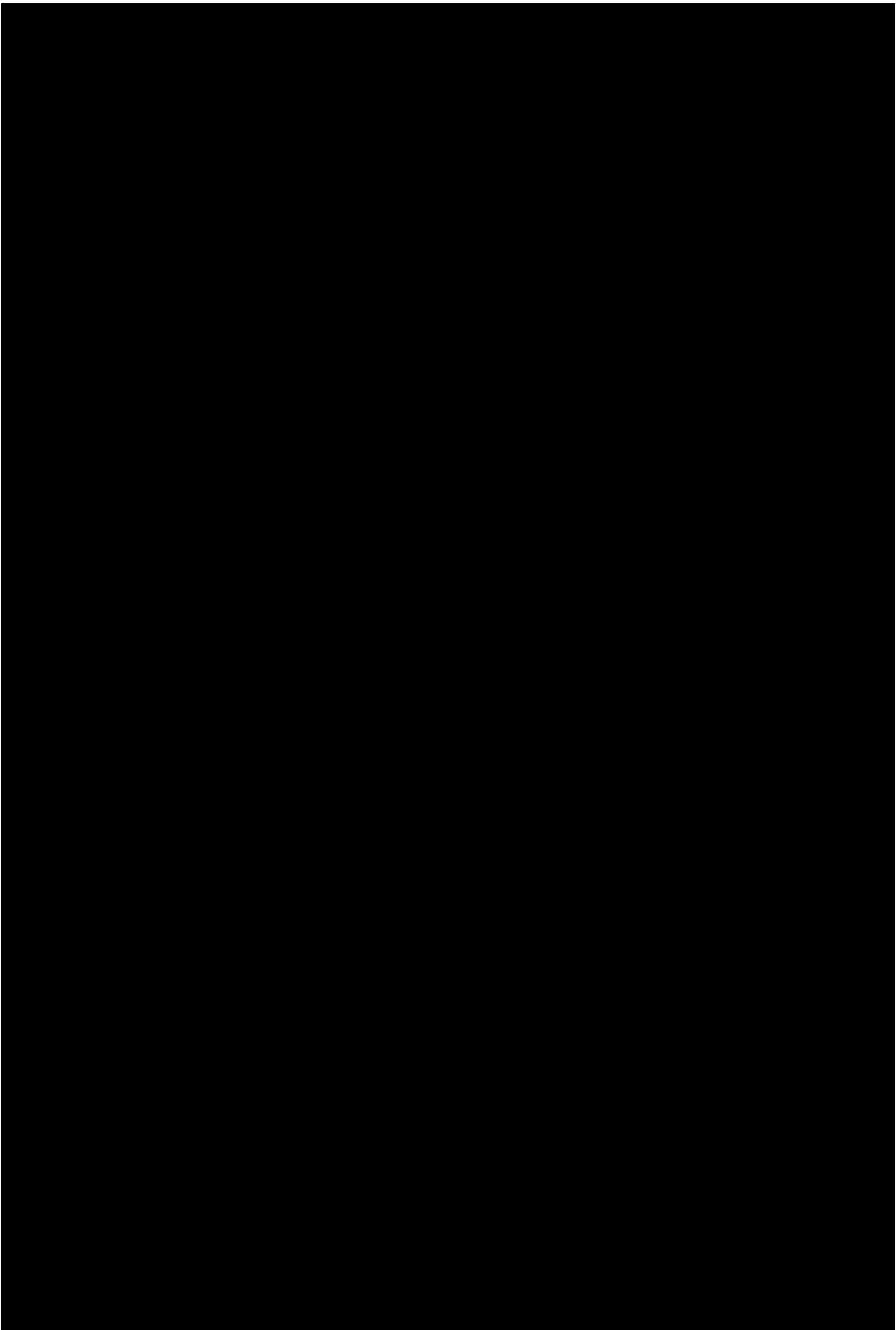
Silvertime offers no branded merchandise either for sale or as a prize.

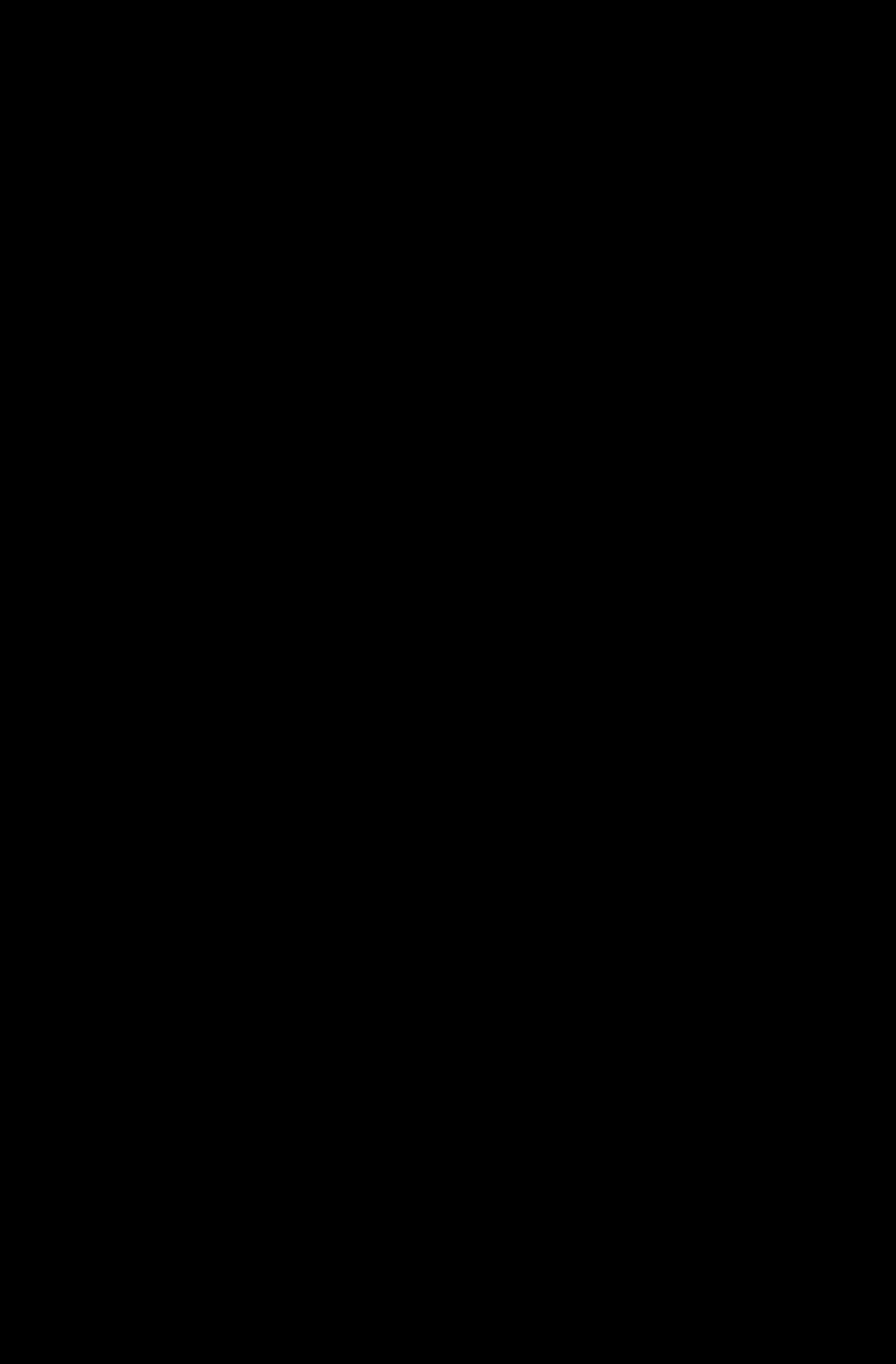


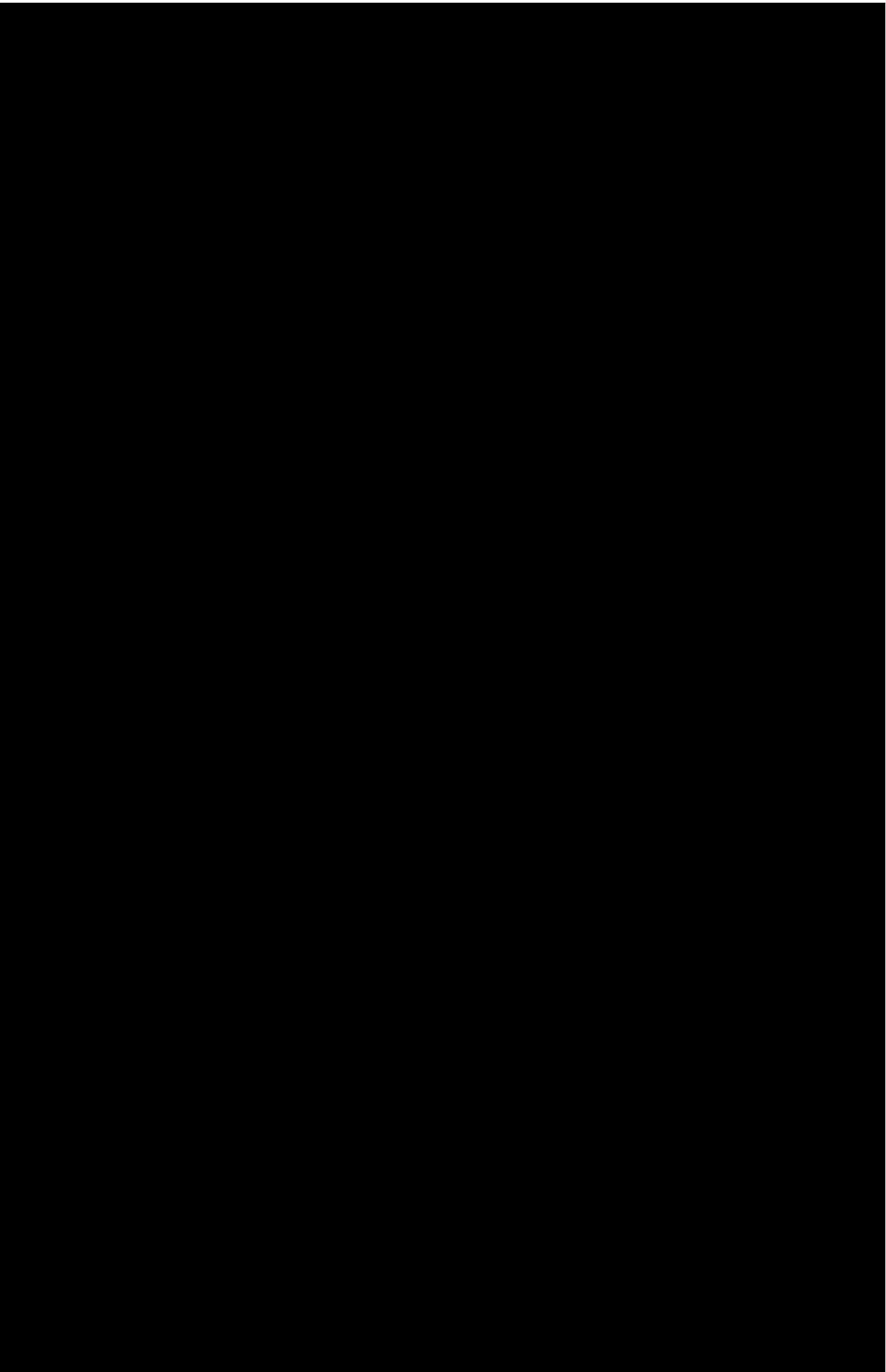


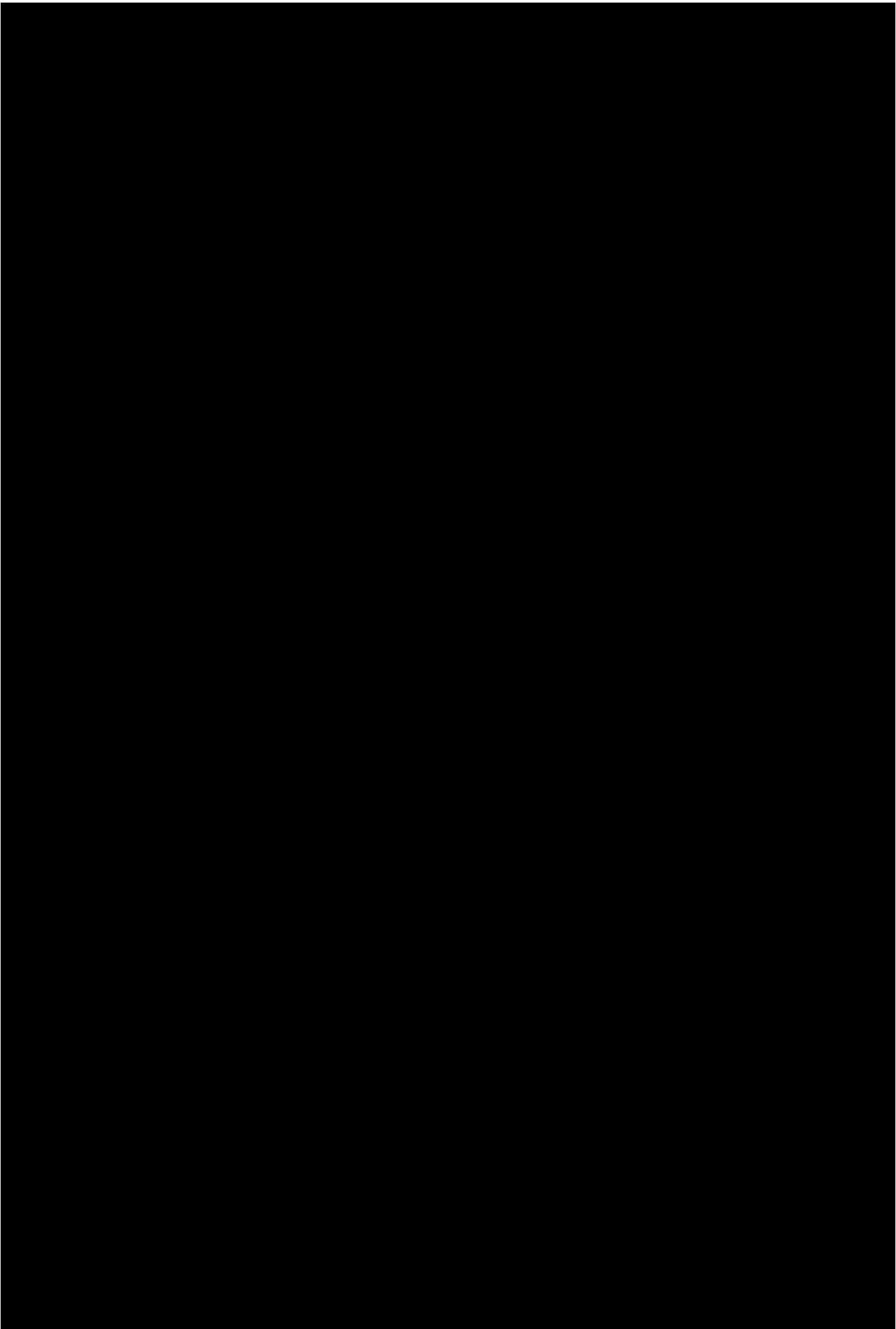


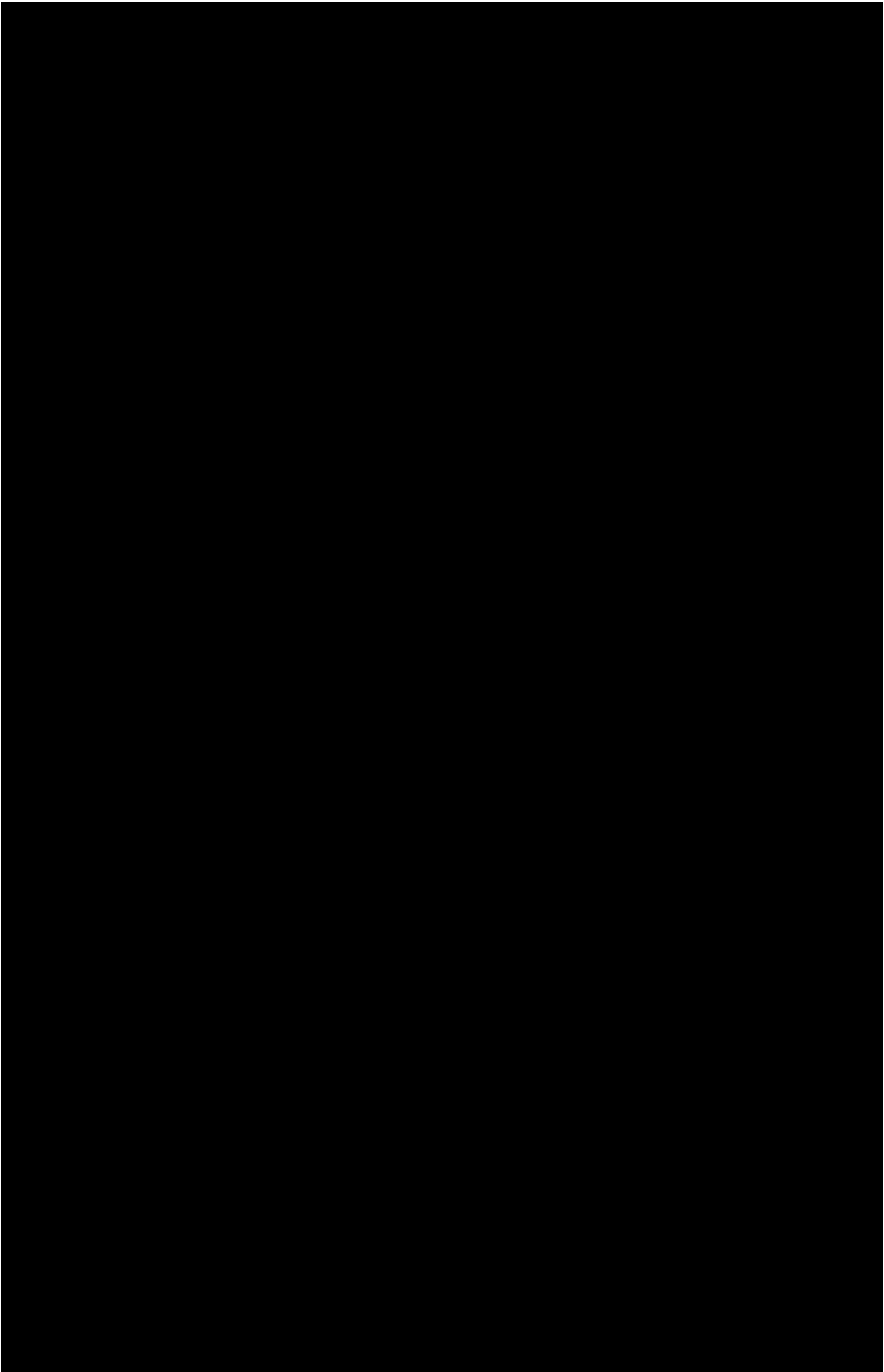


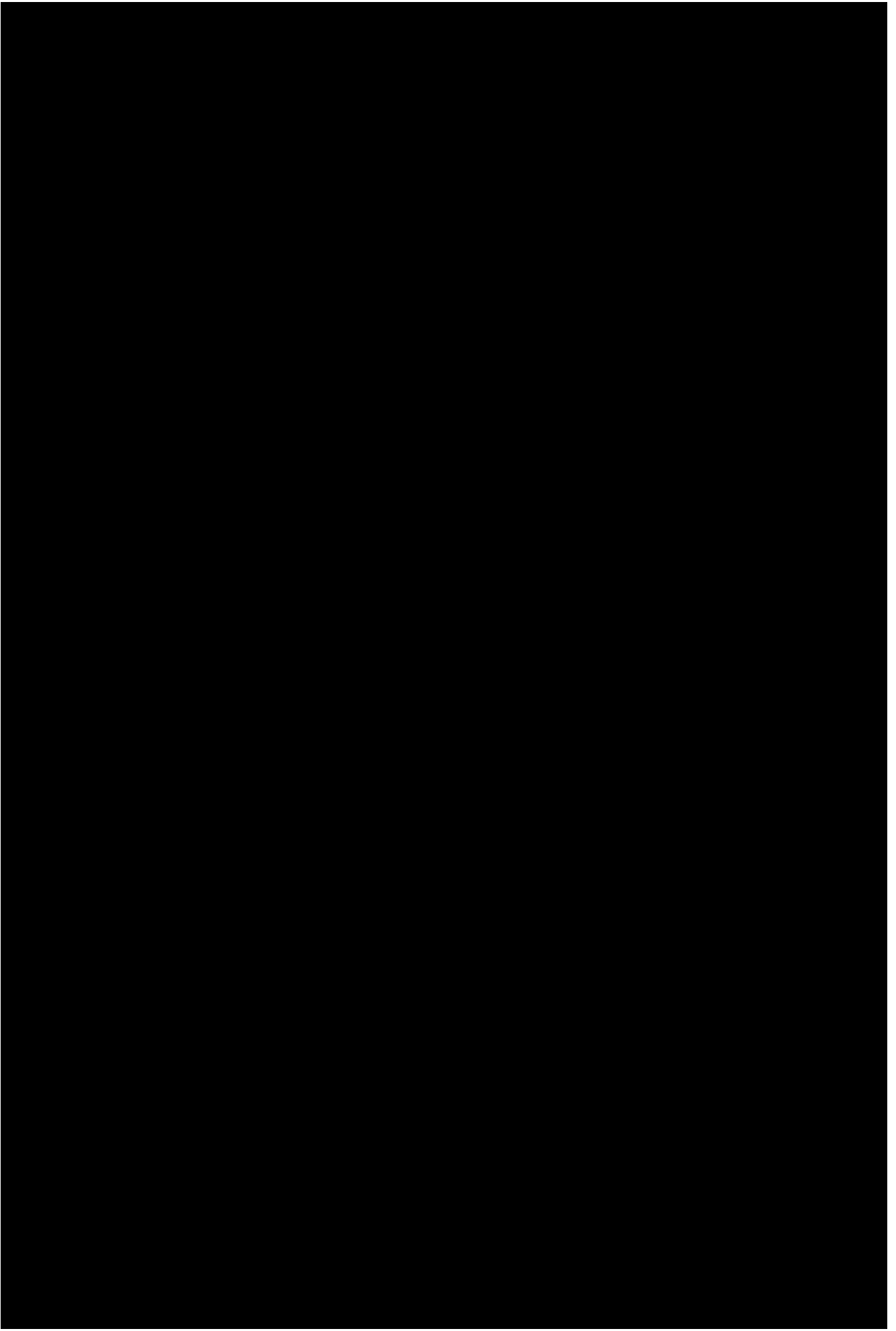


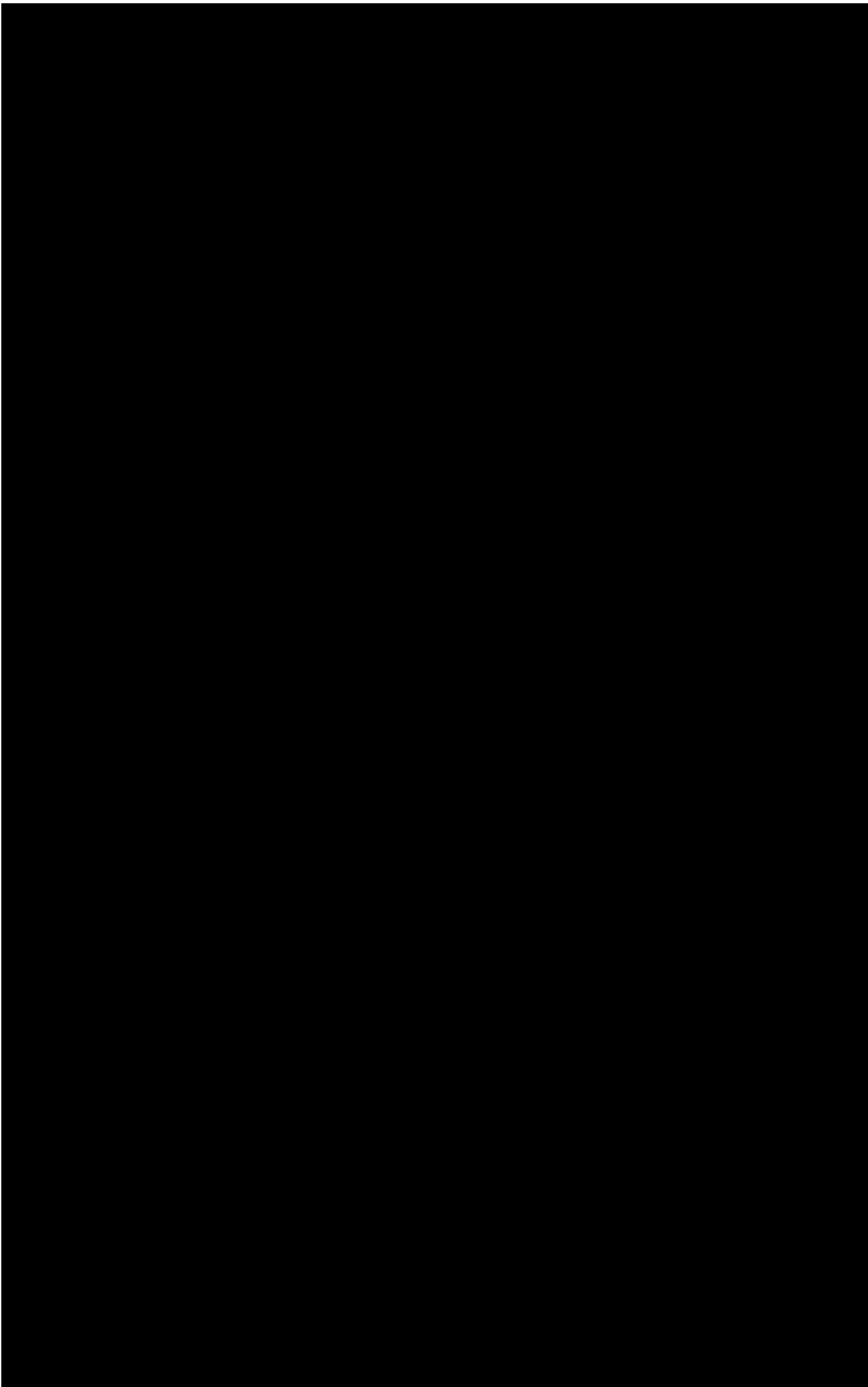


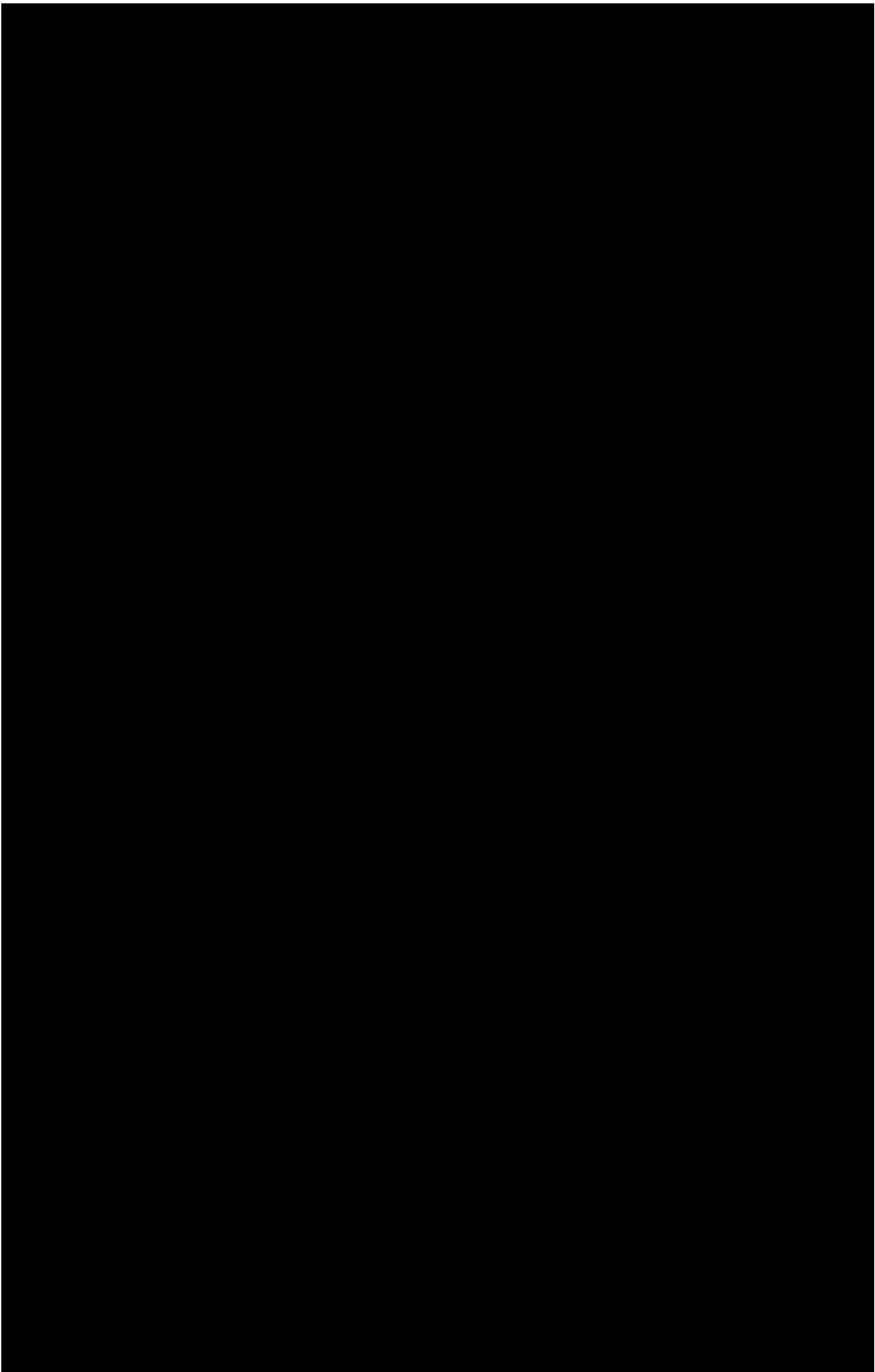


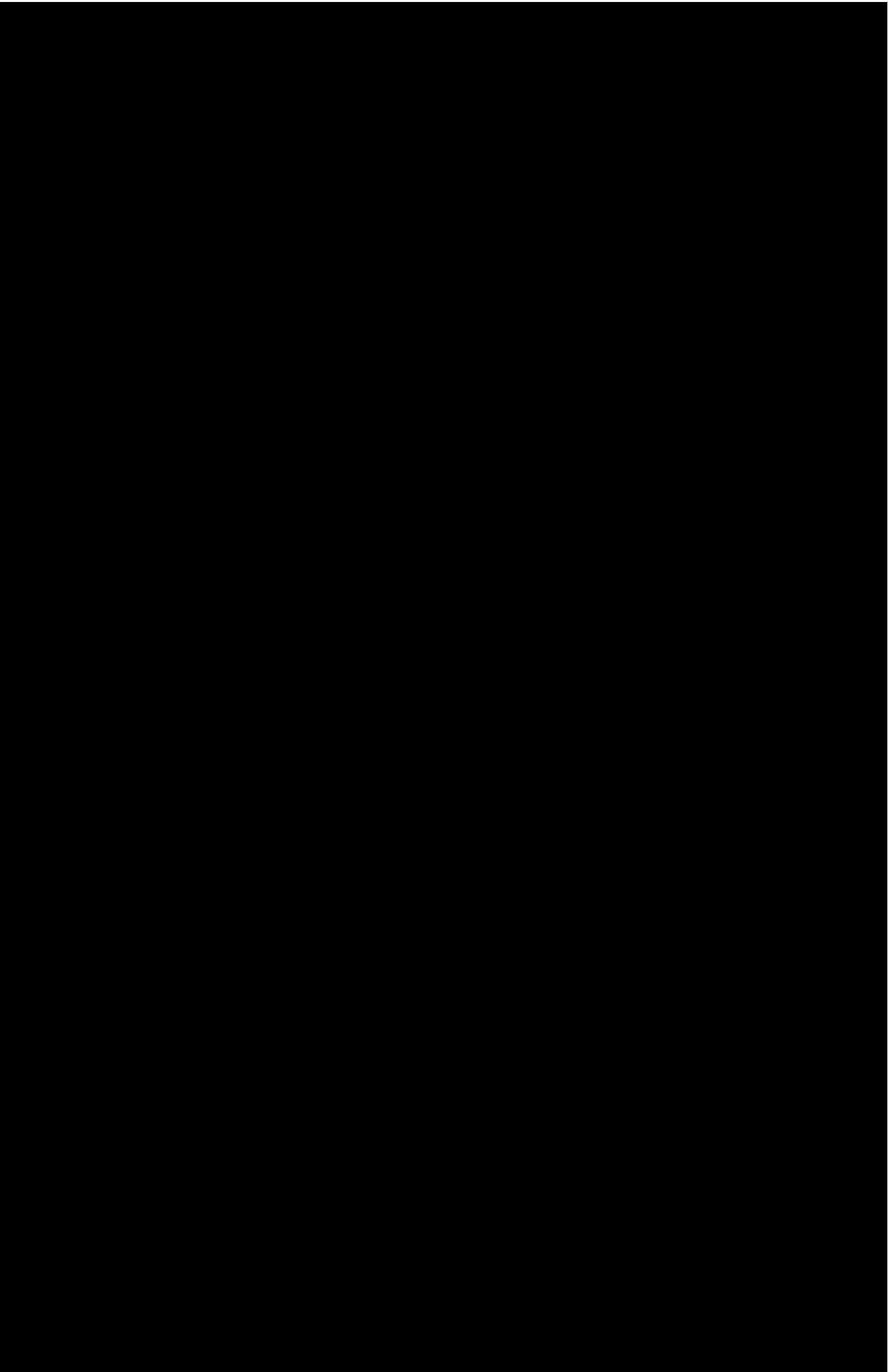


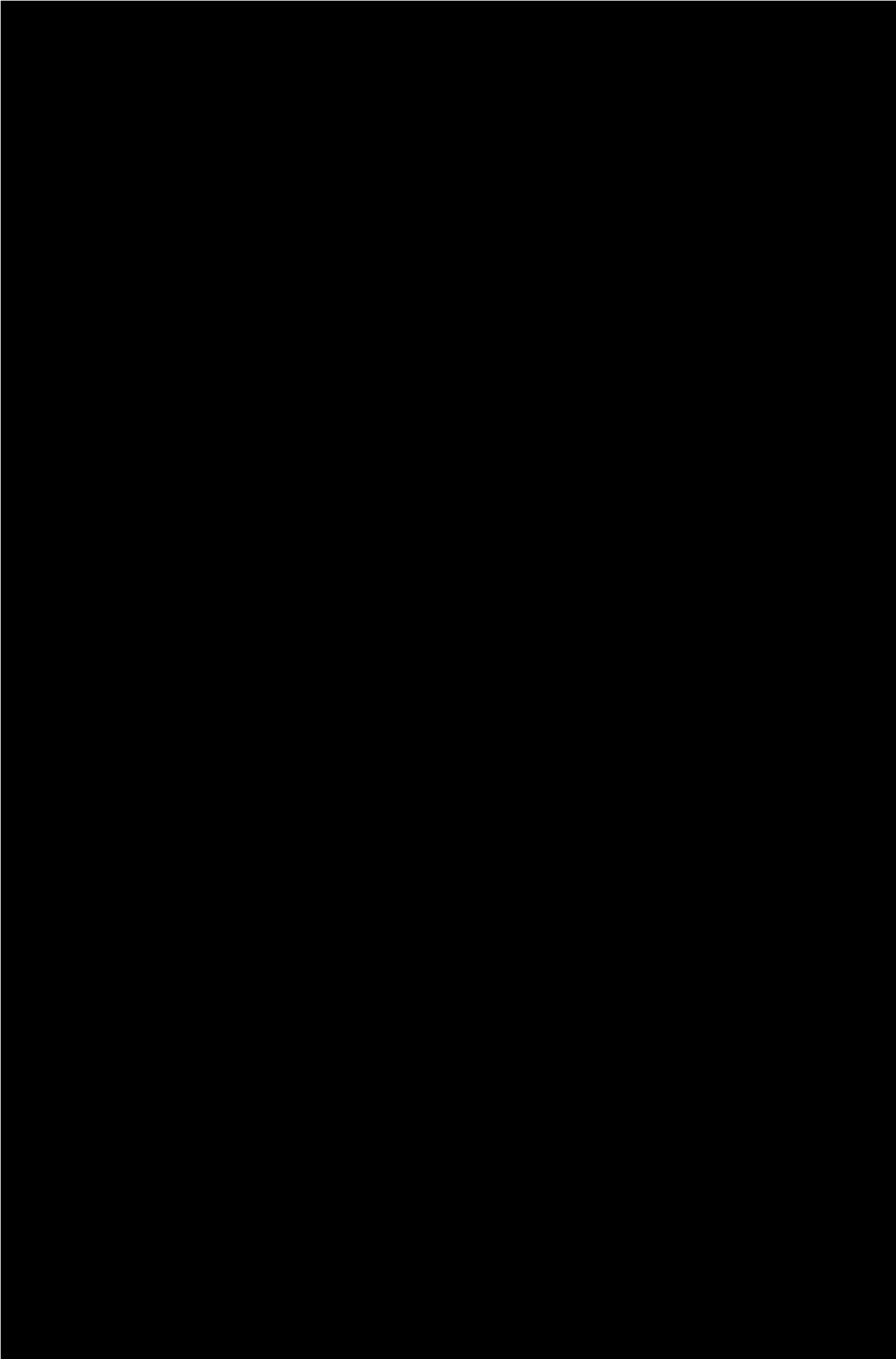


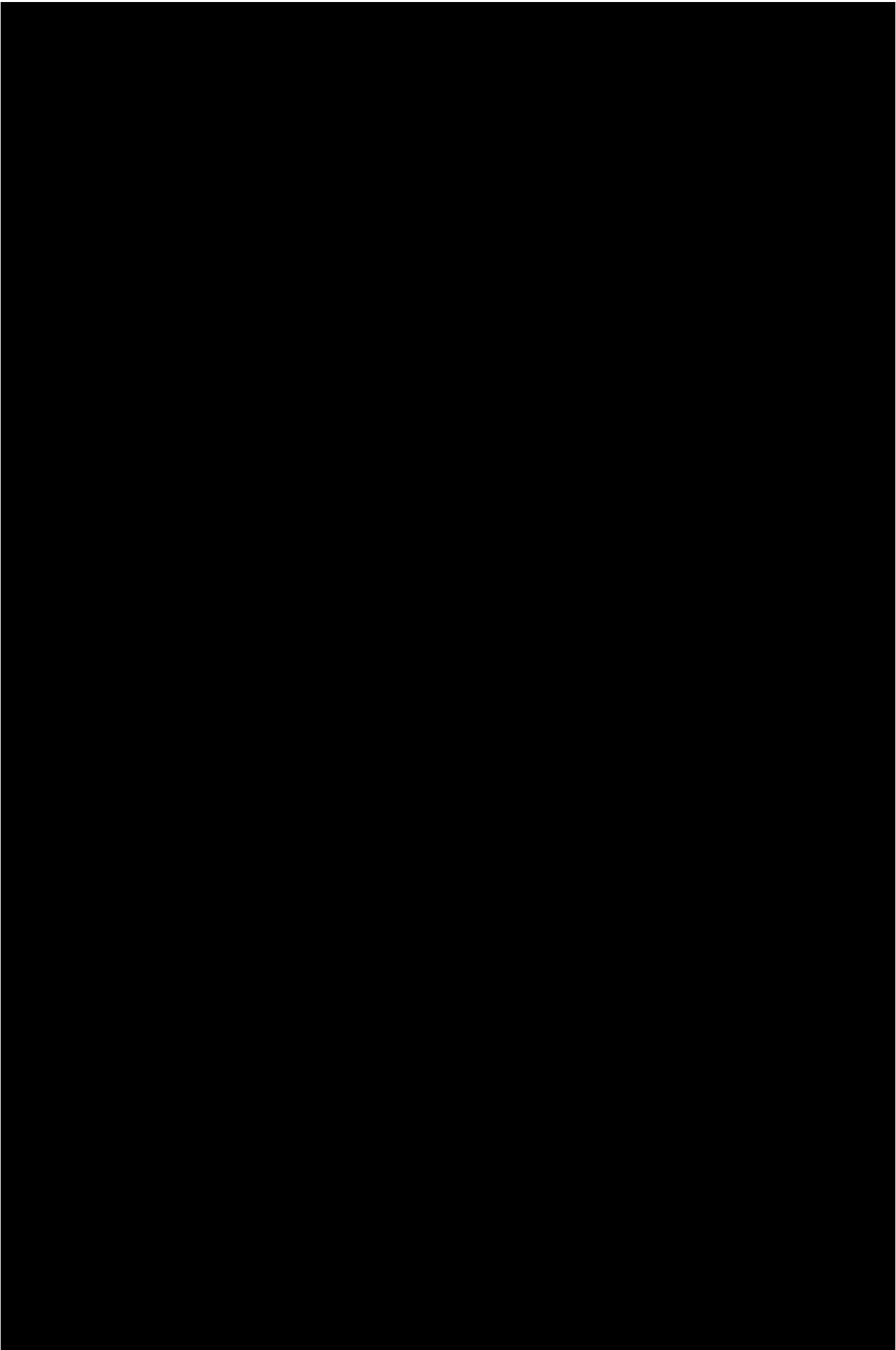


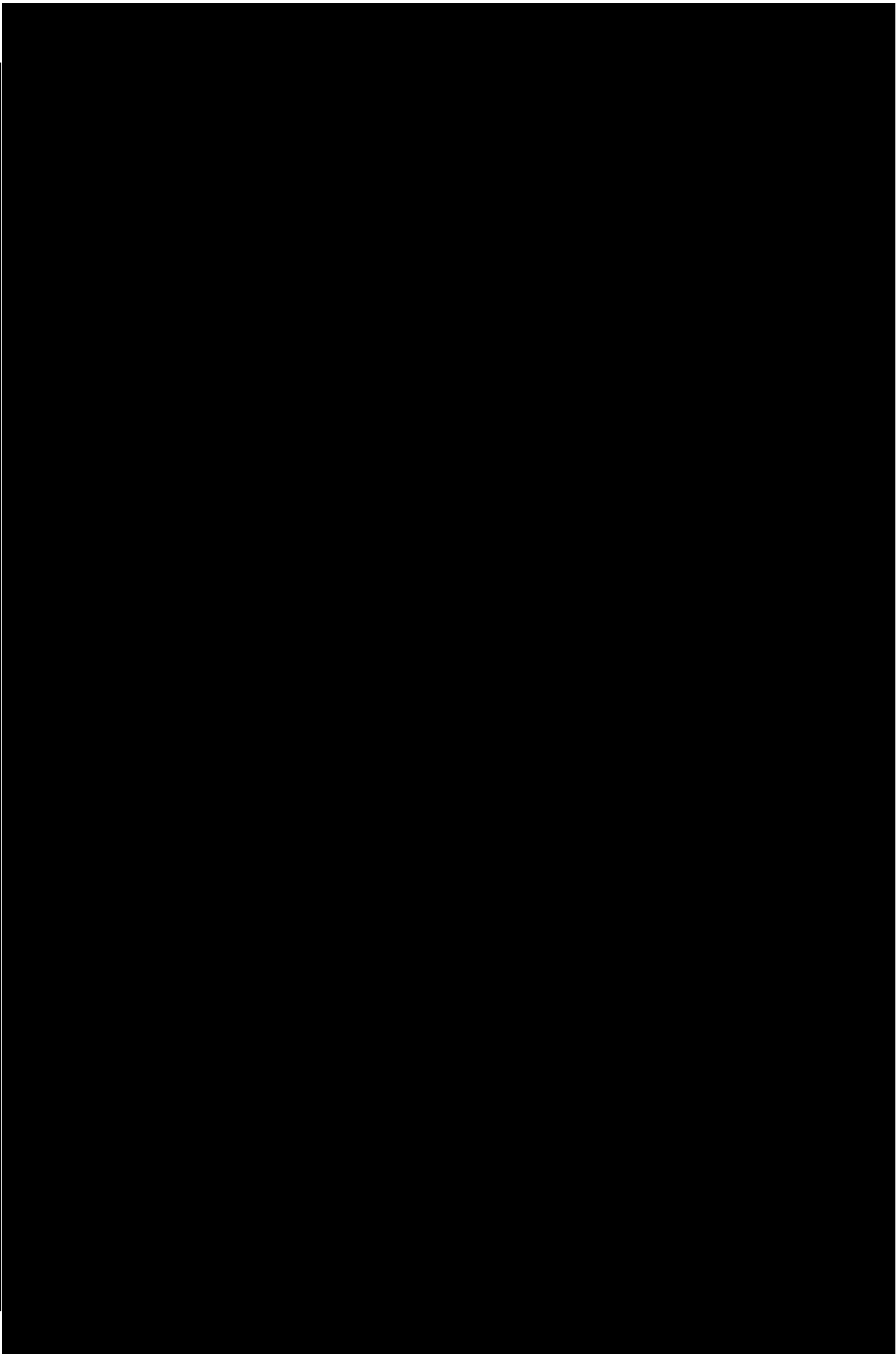


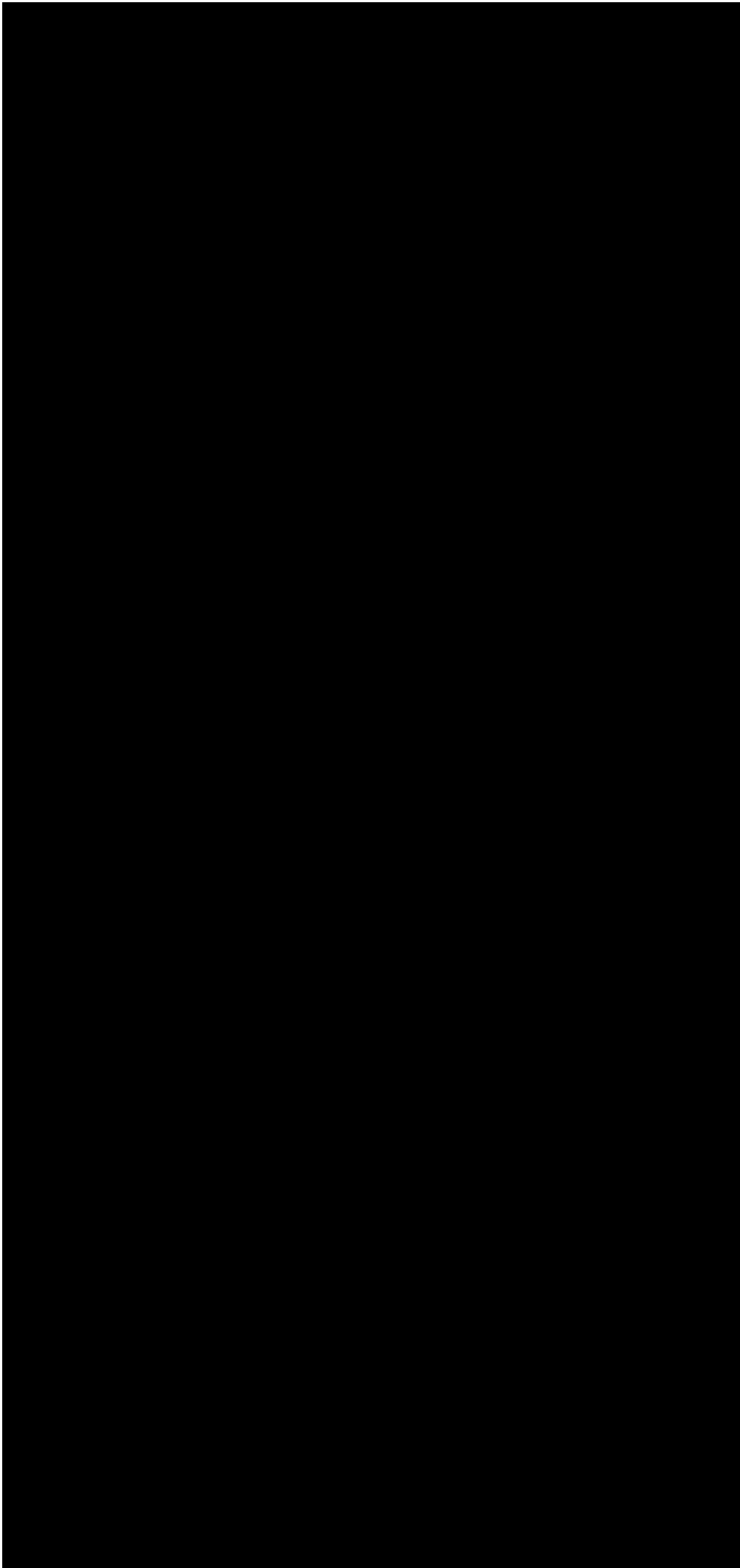




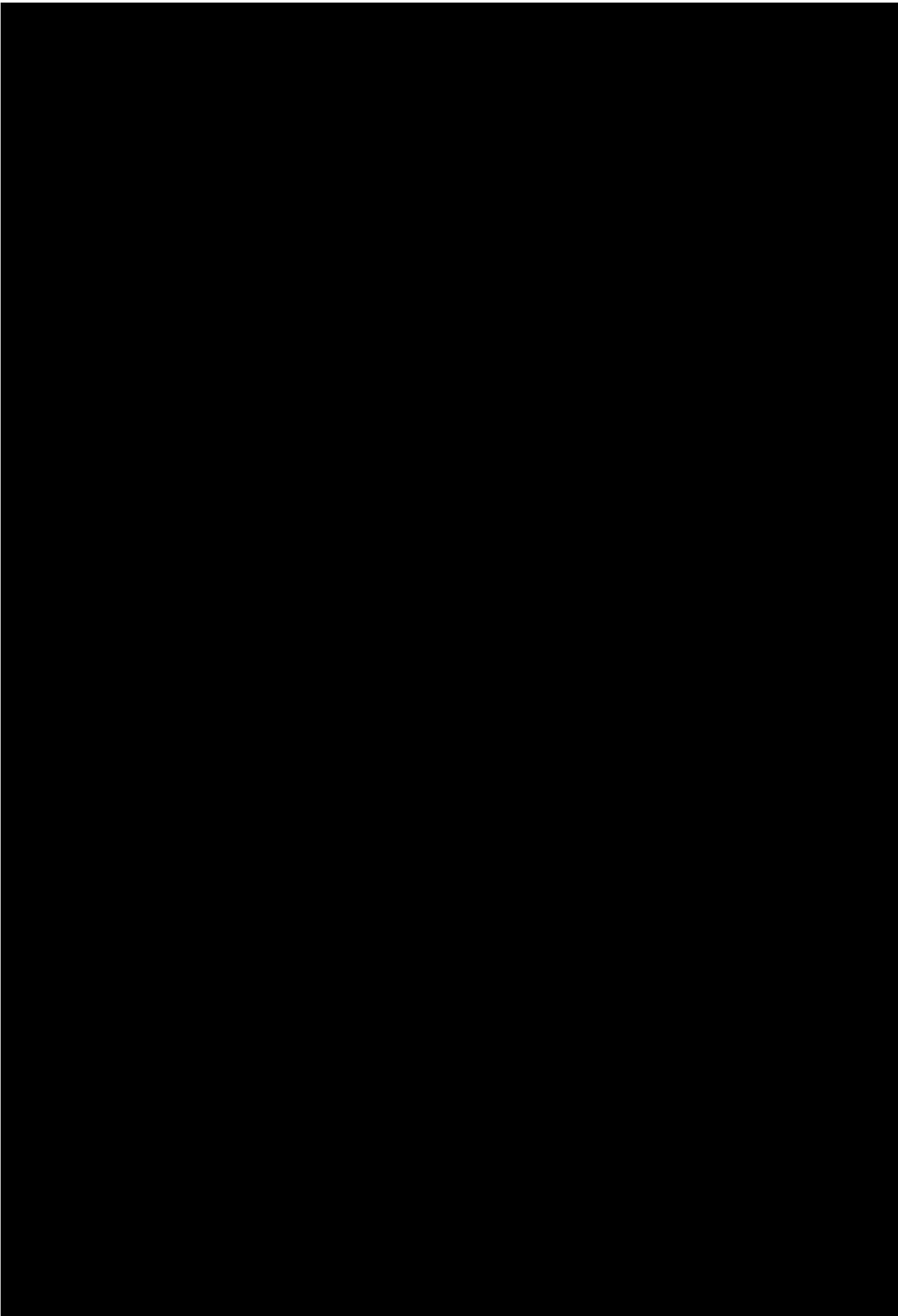


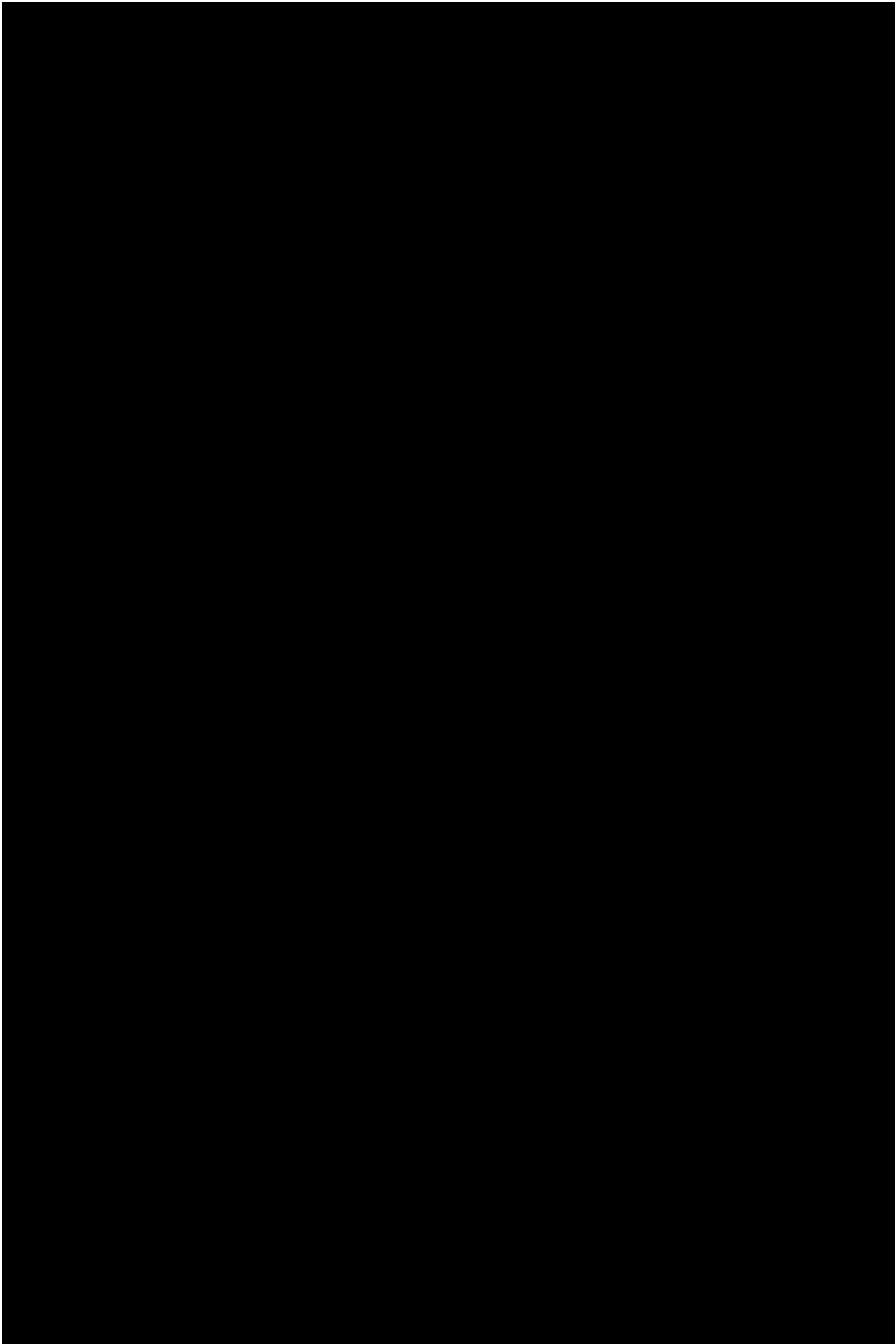


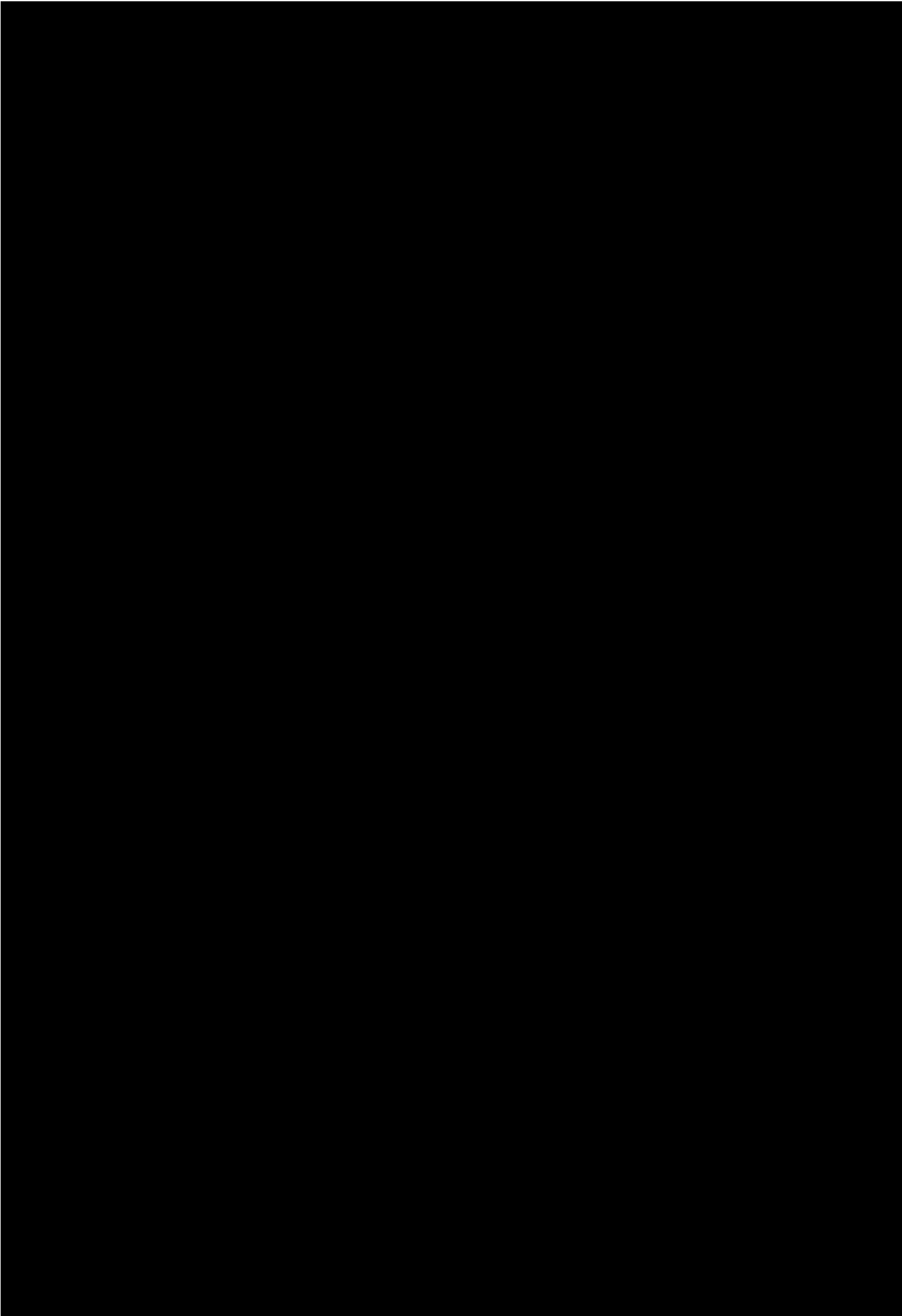


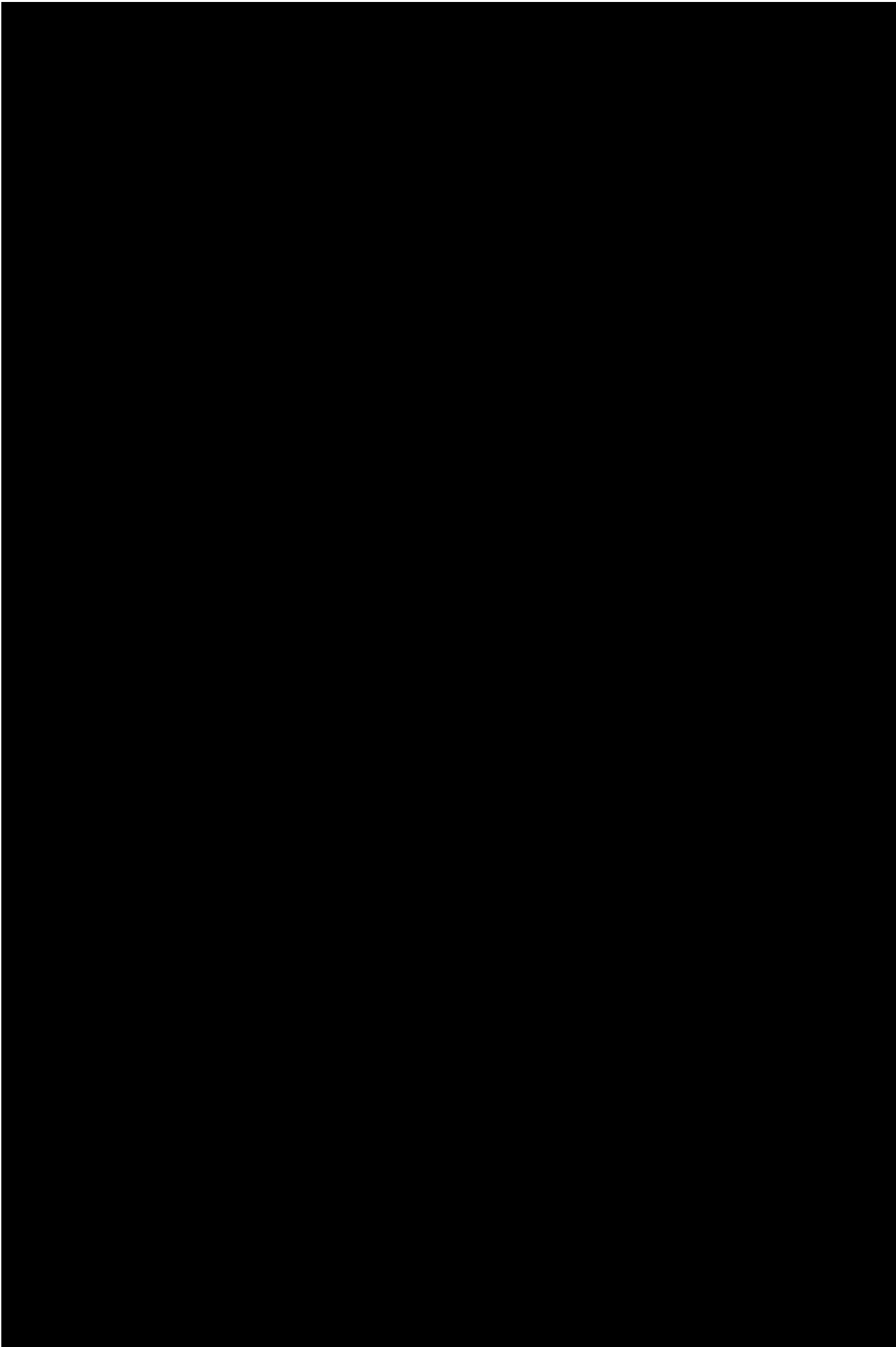


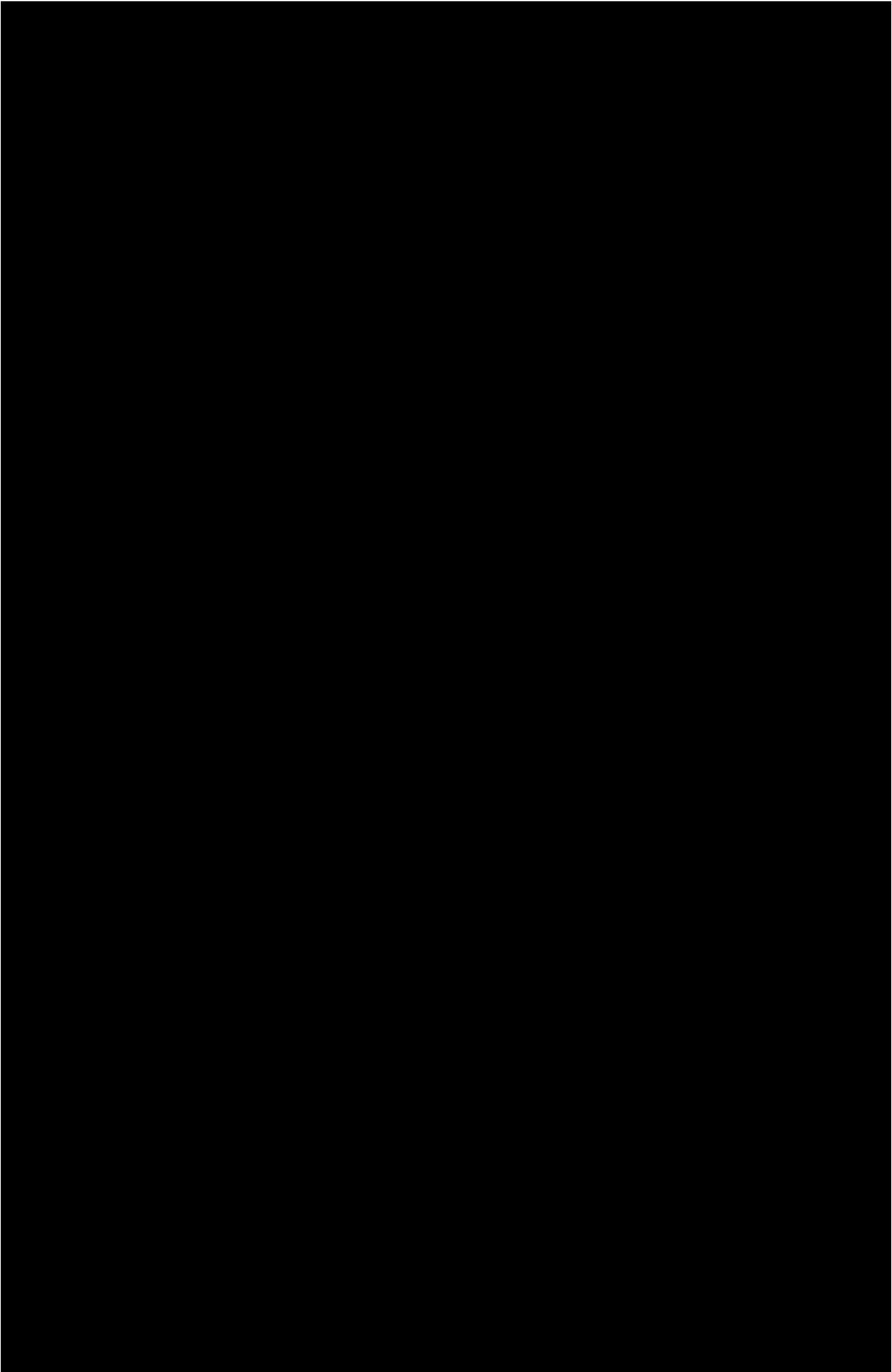
TAB 4

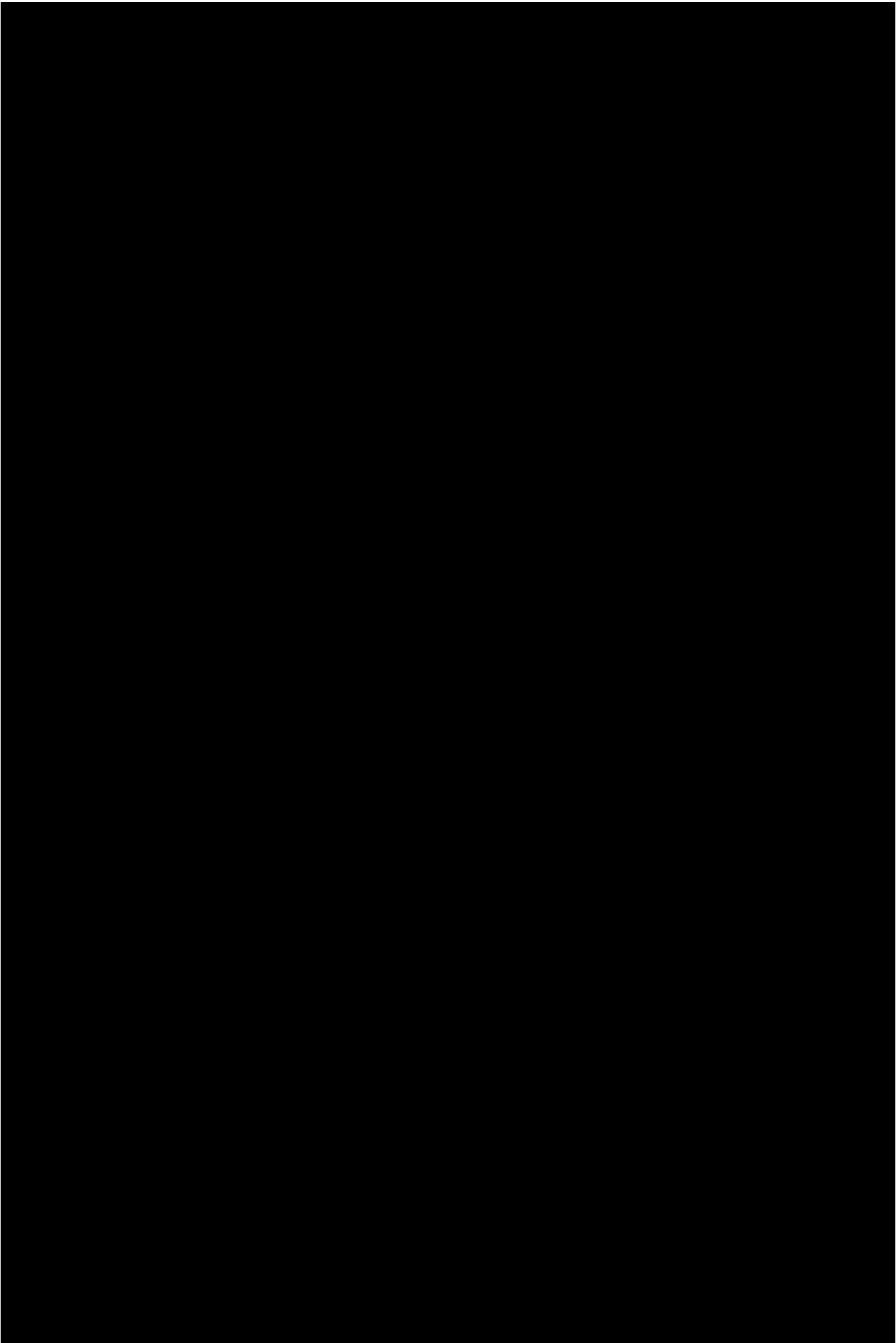


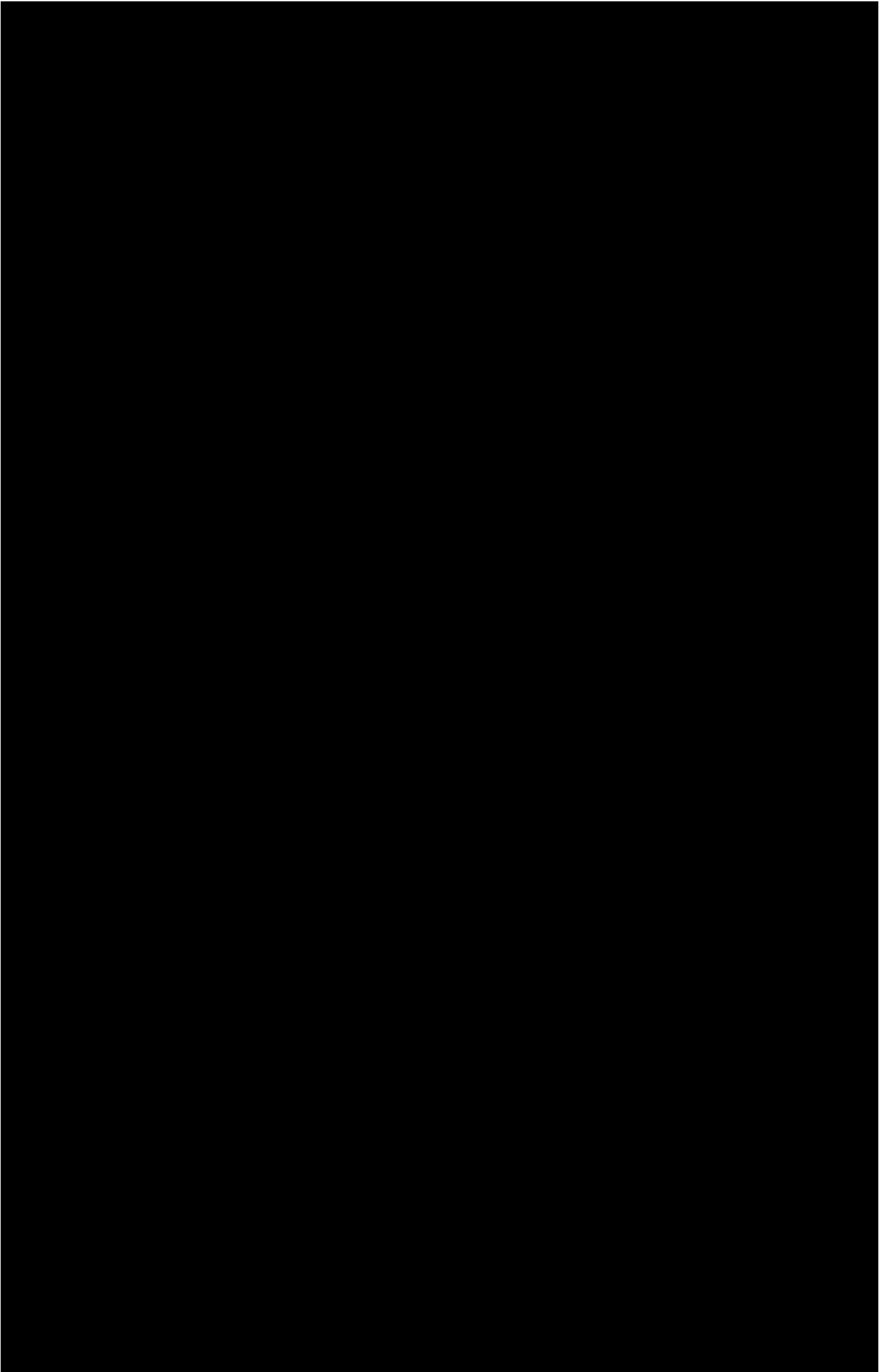


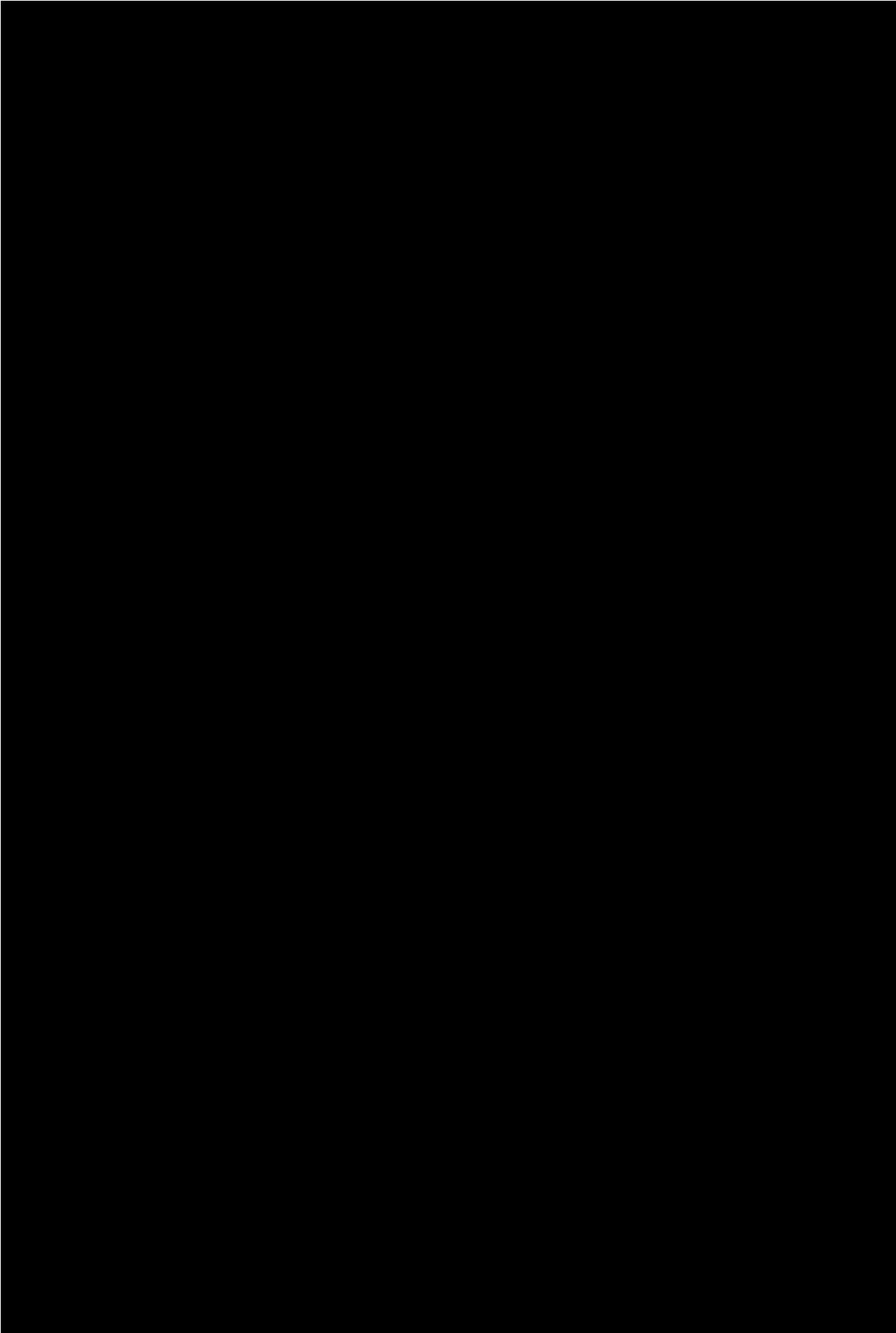


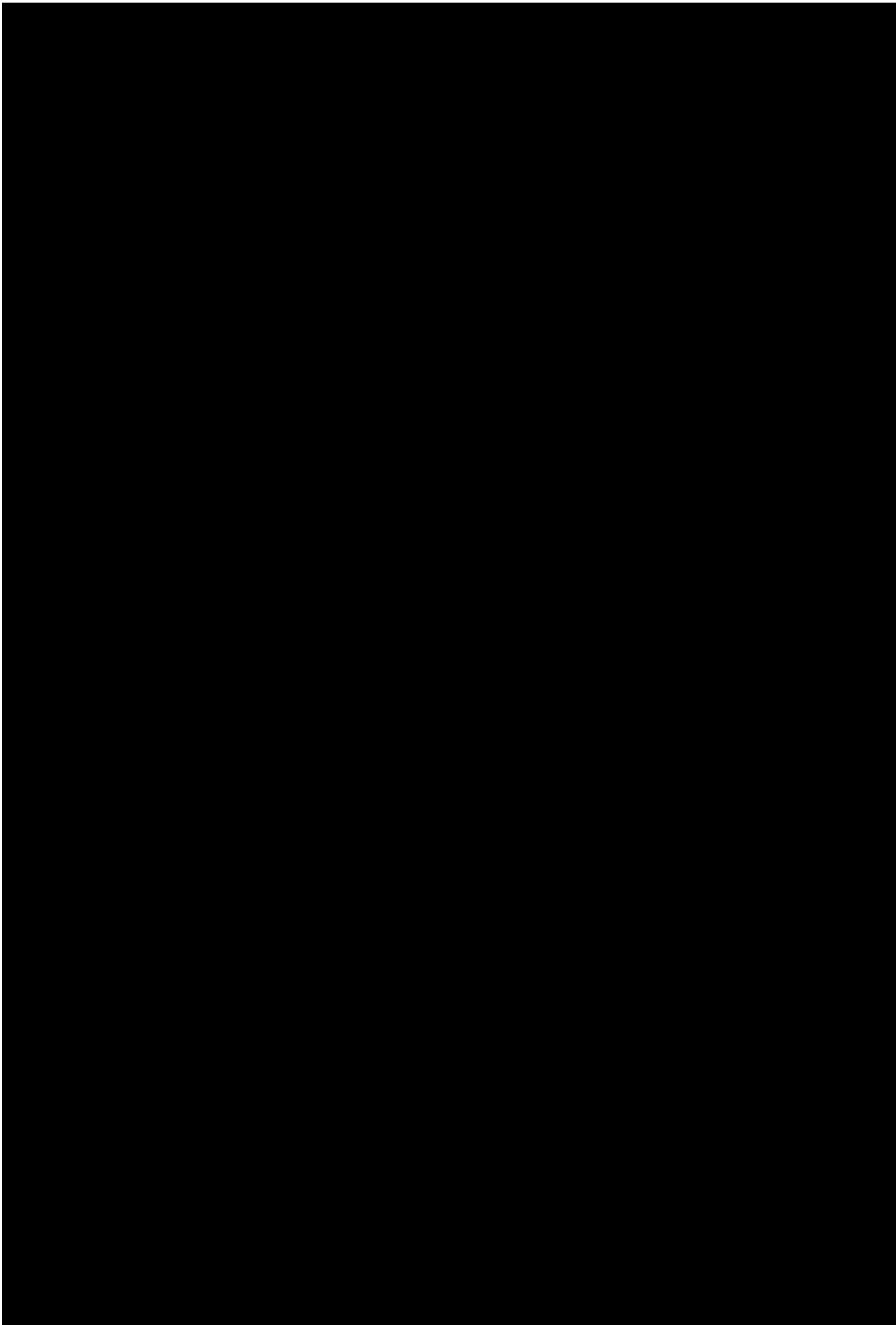


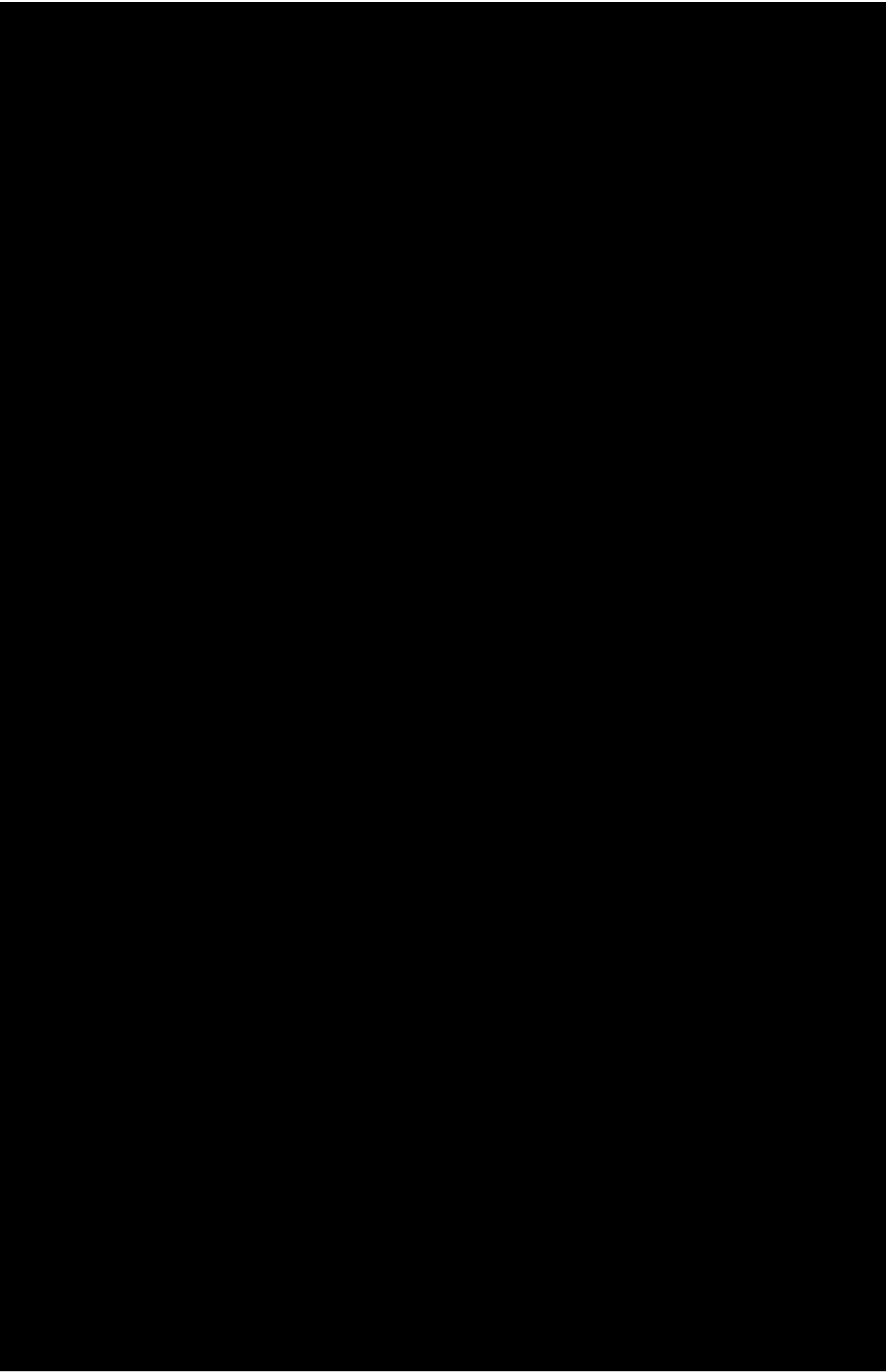


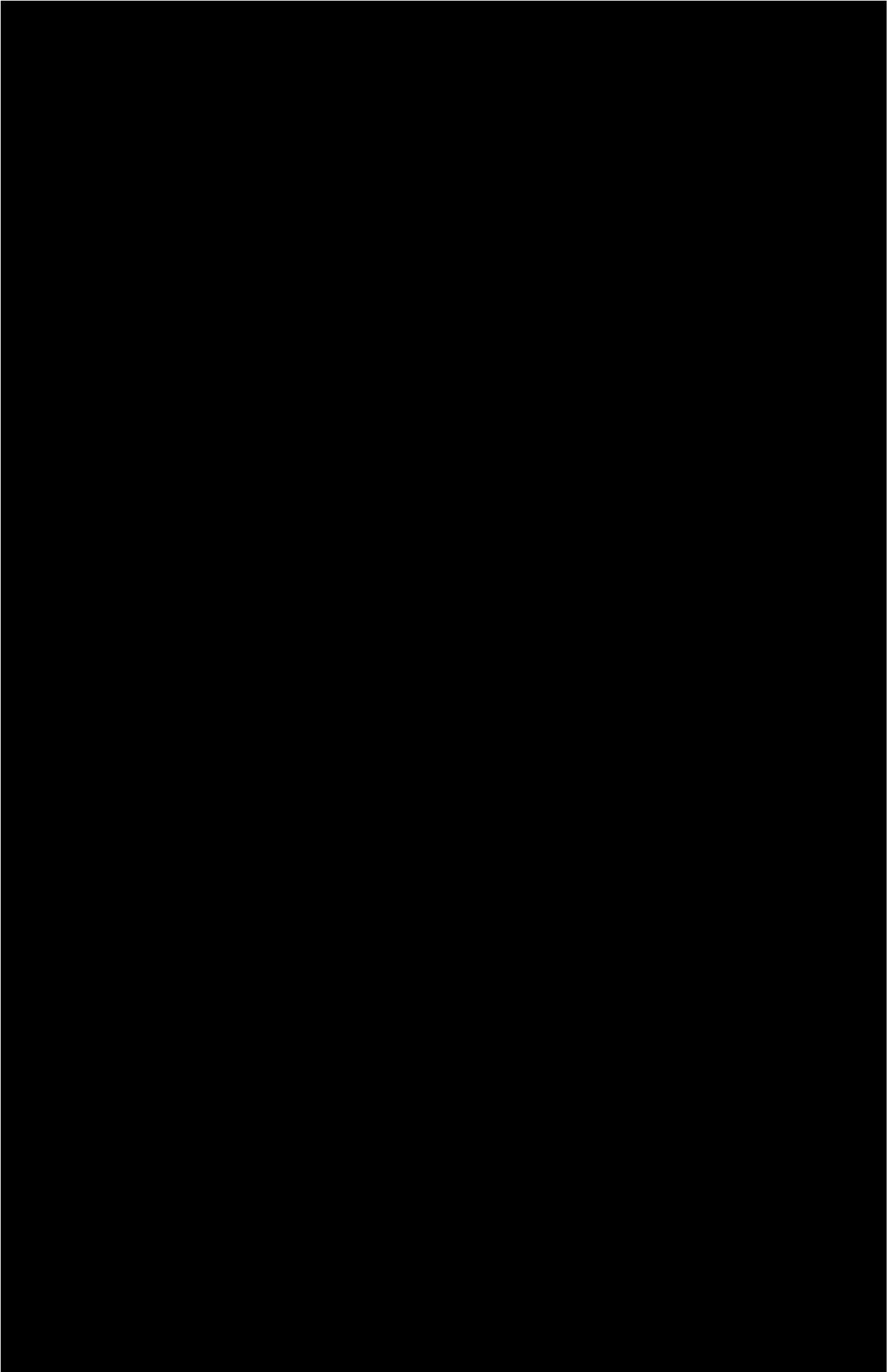


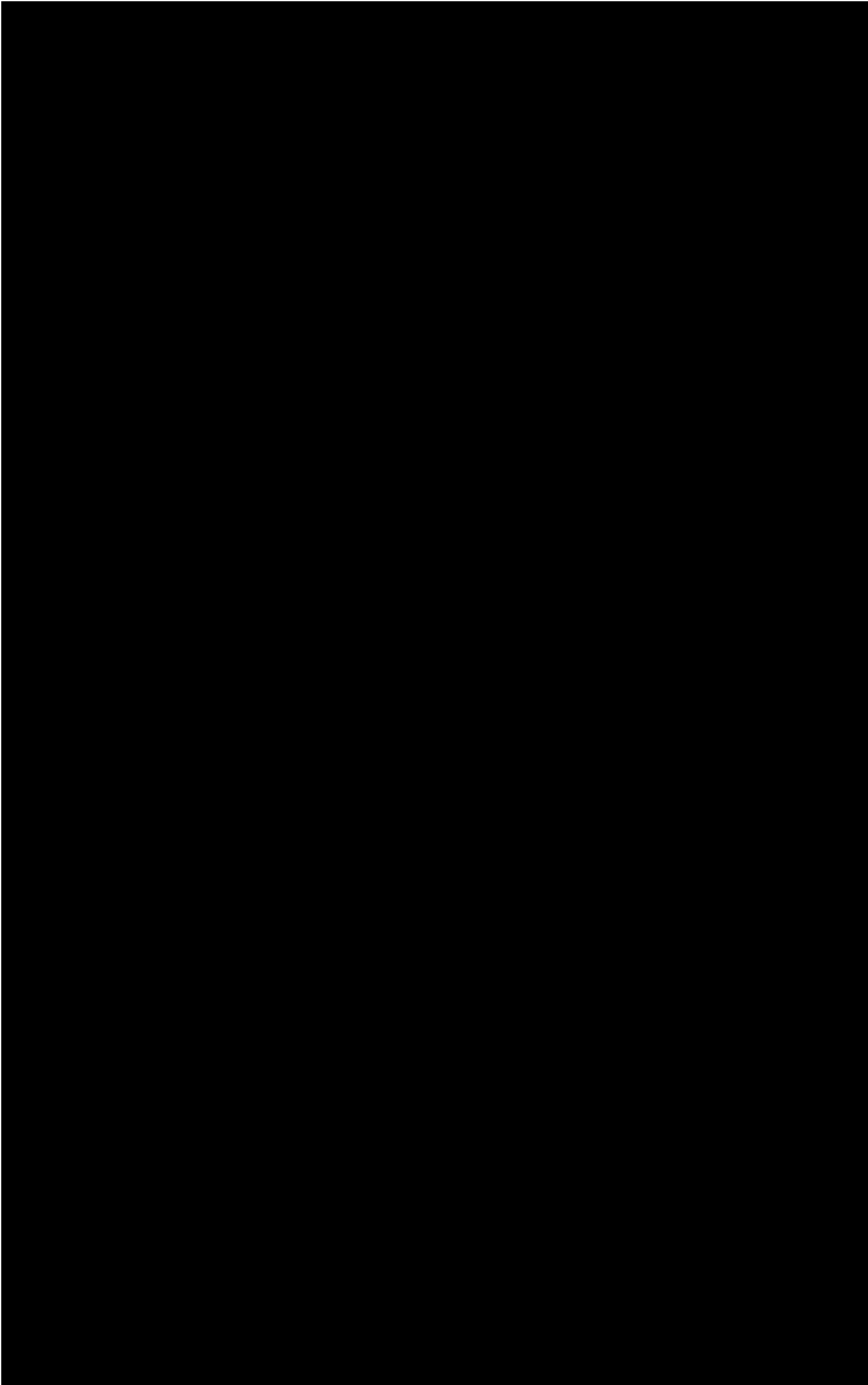


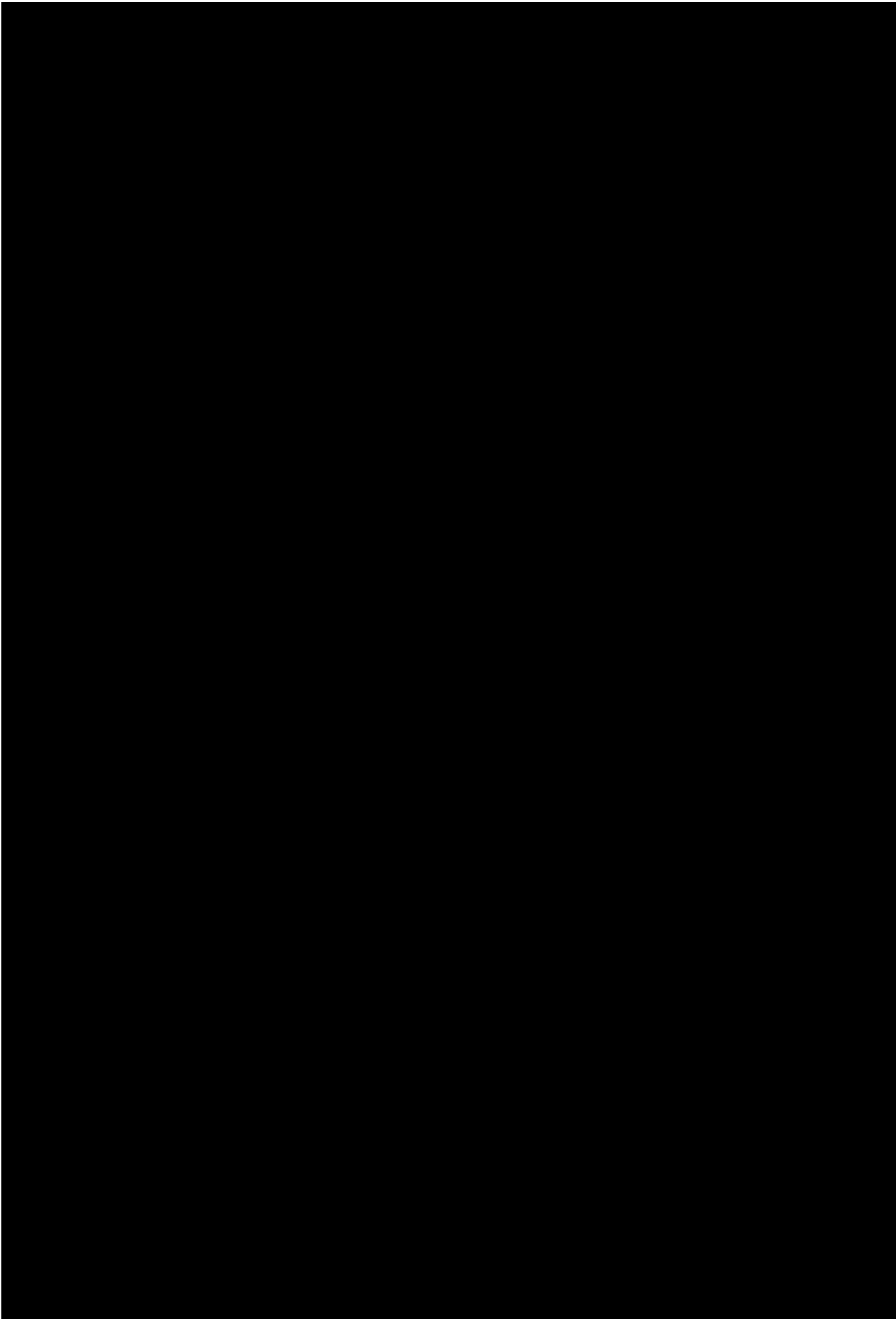


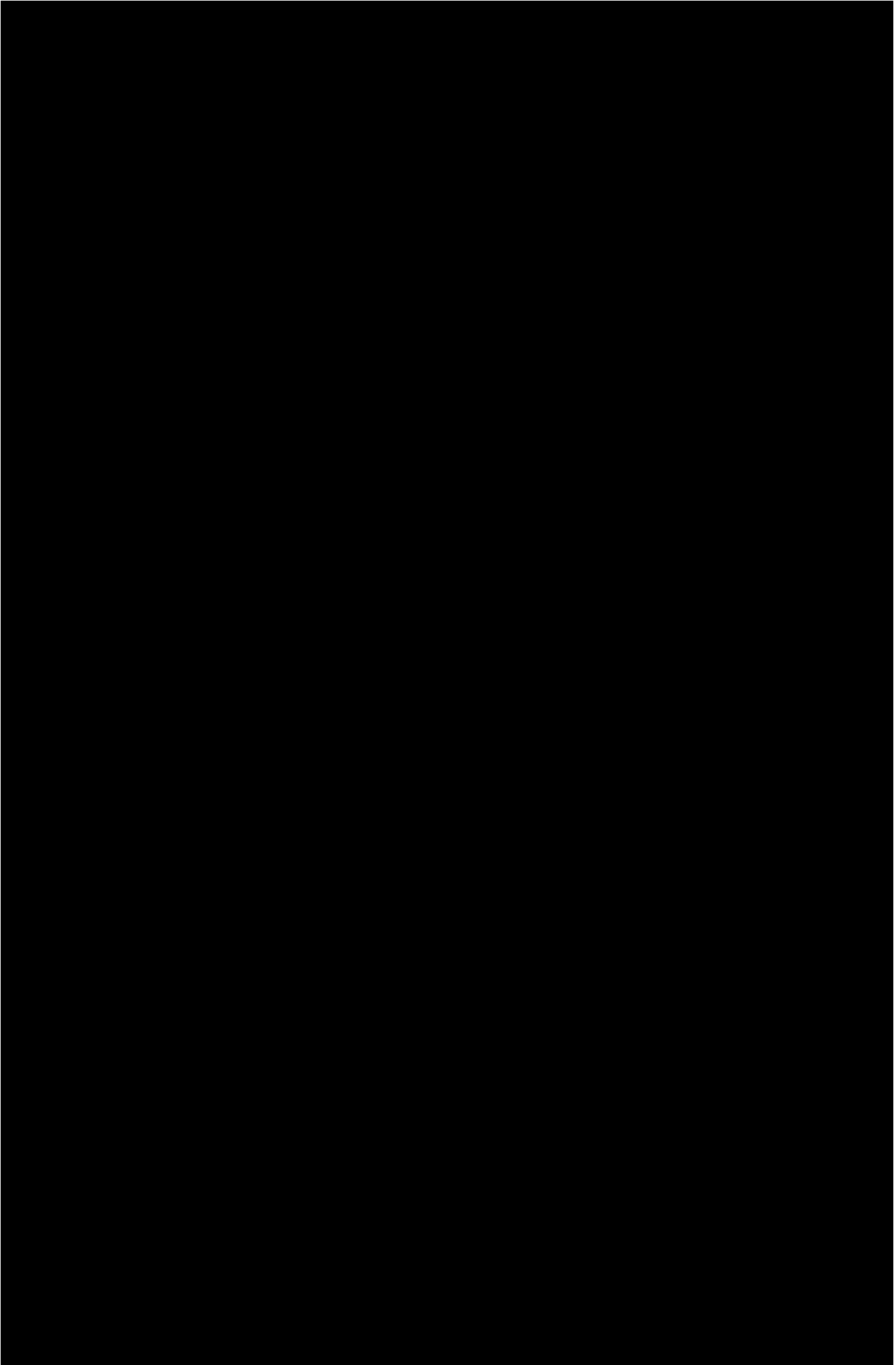


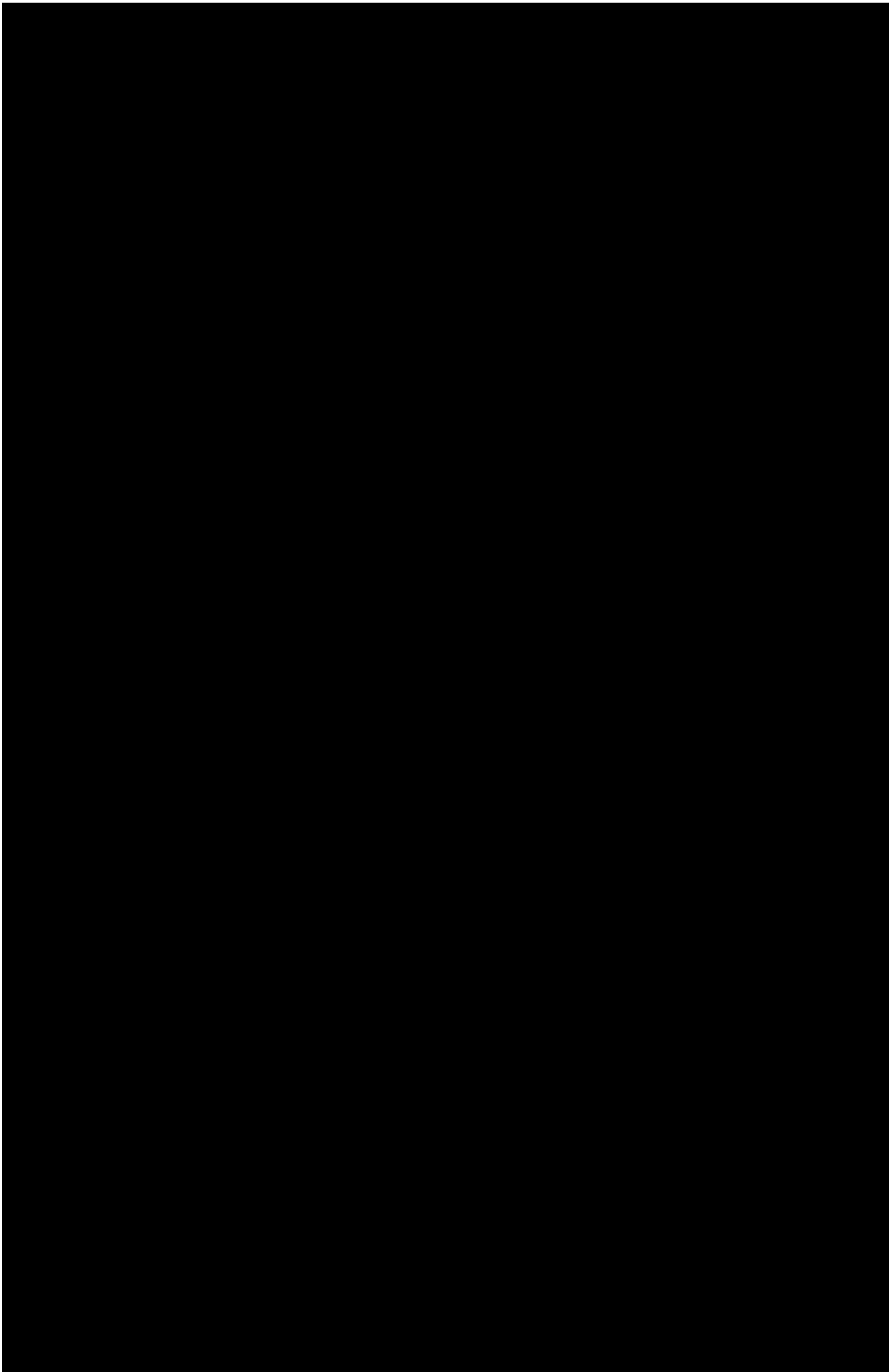


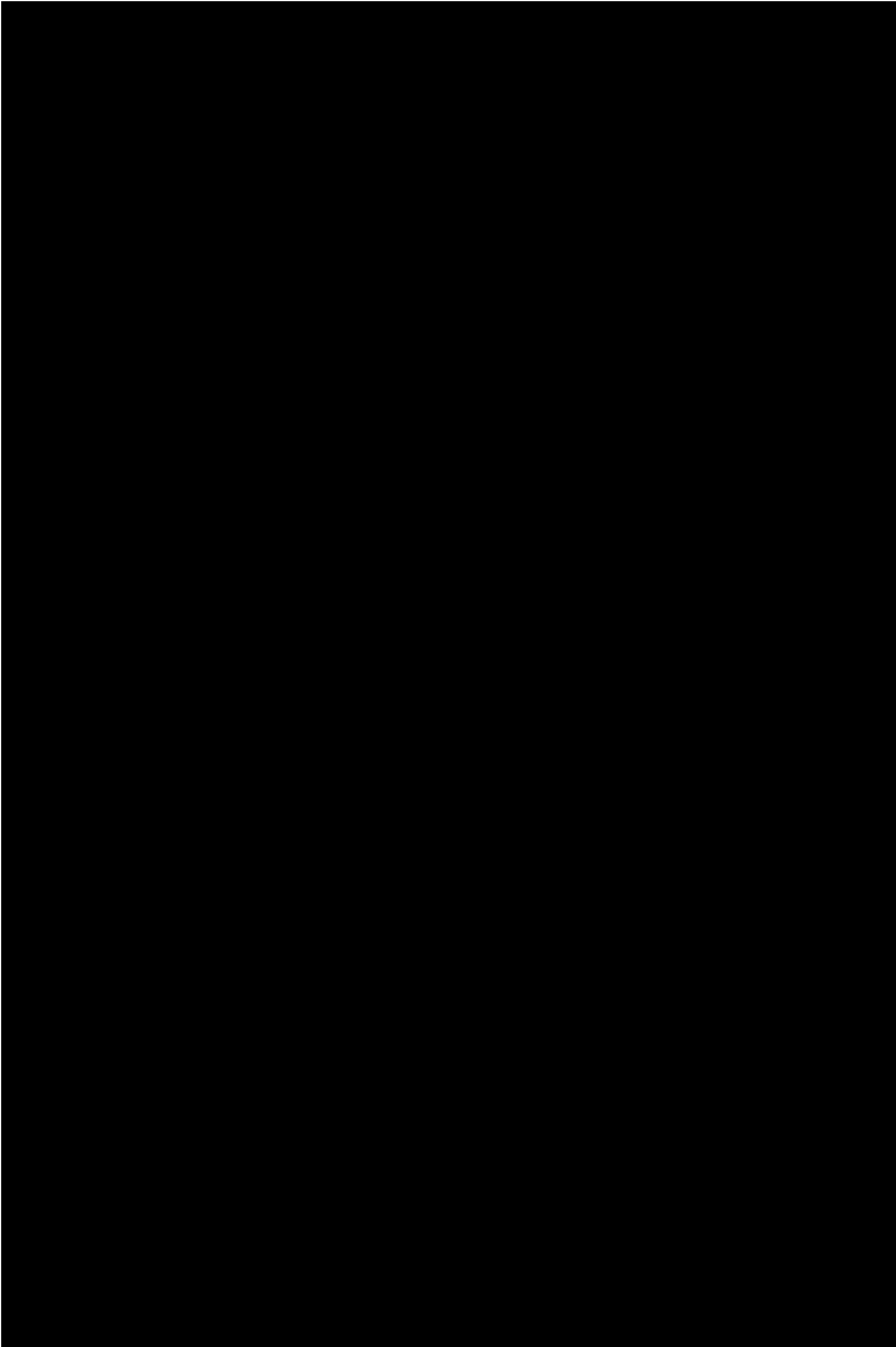


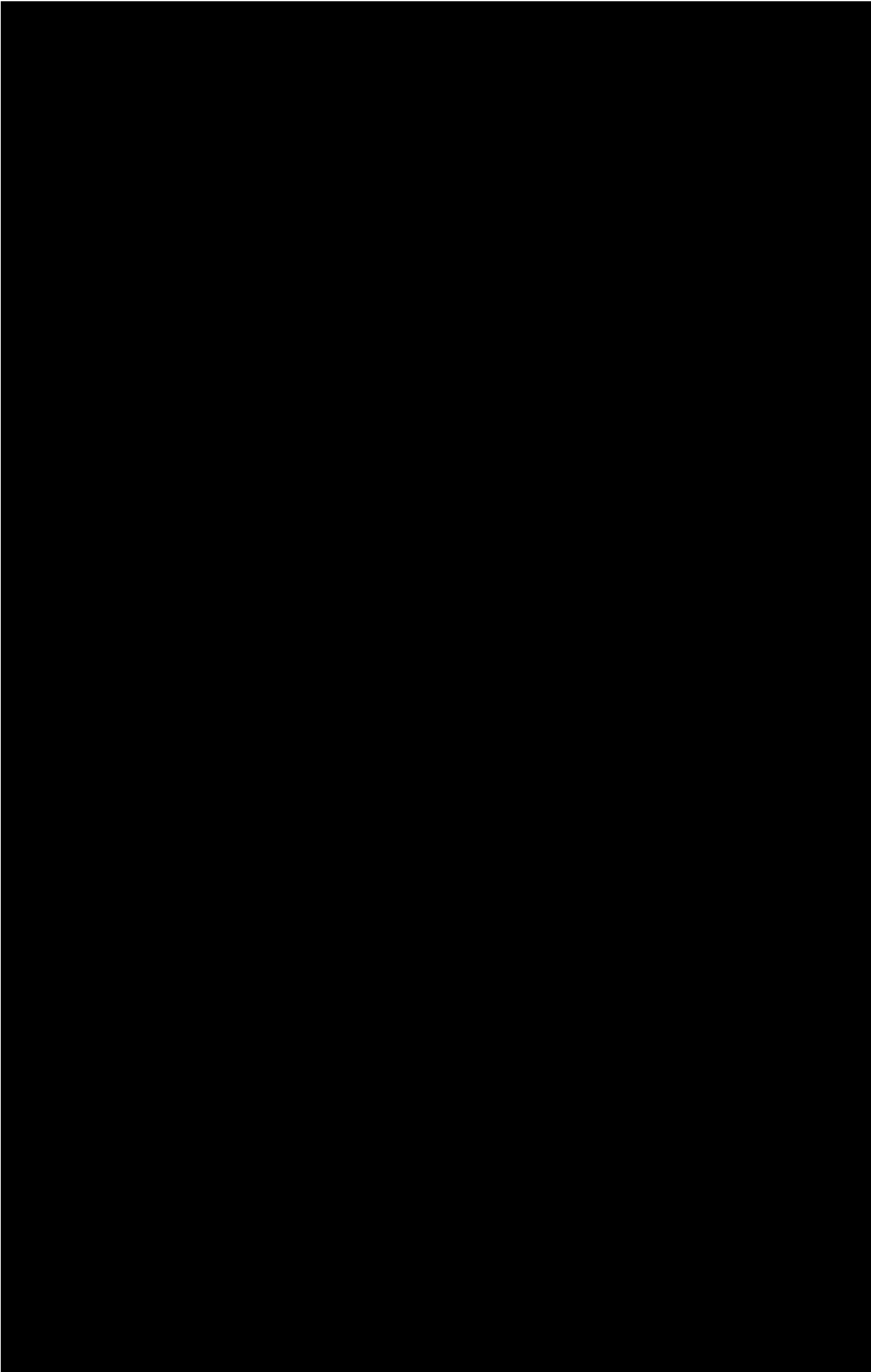


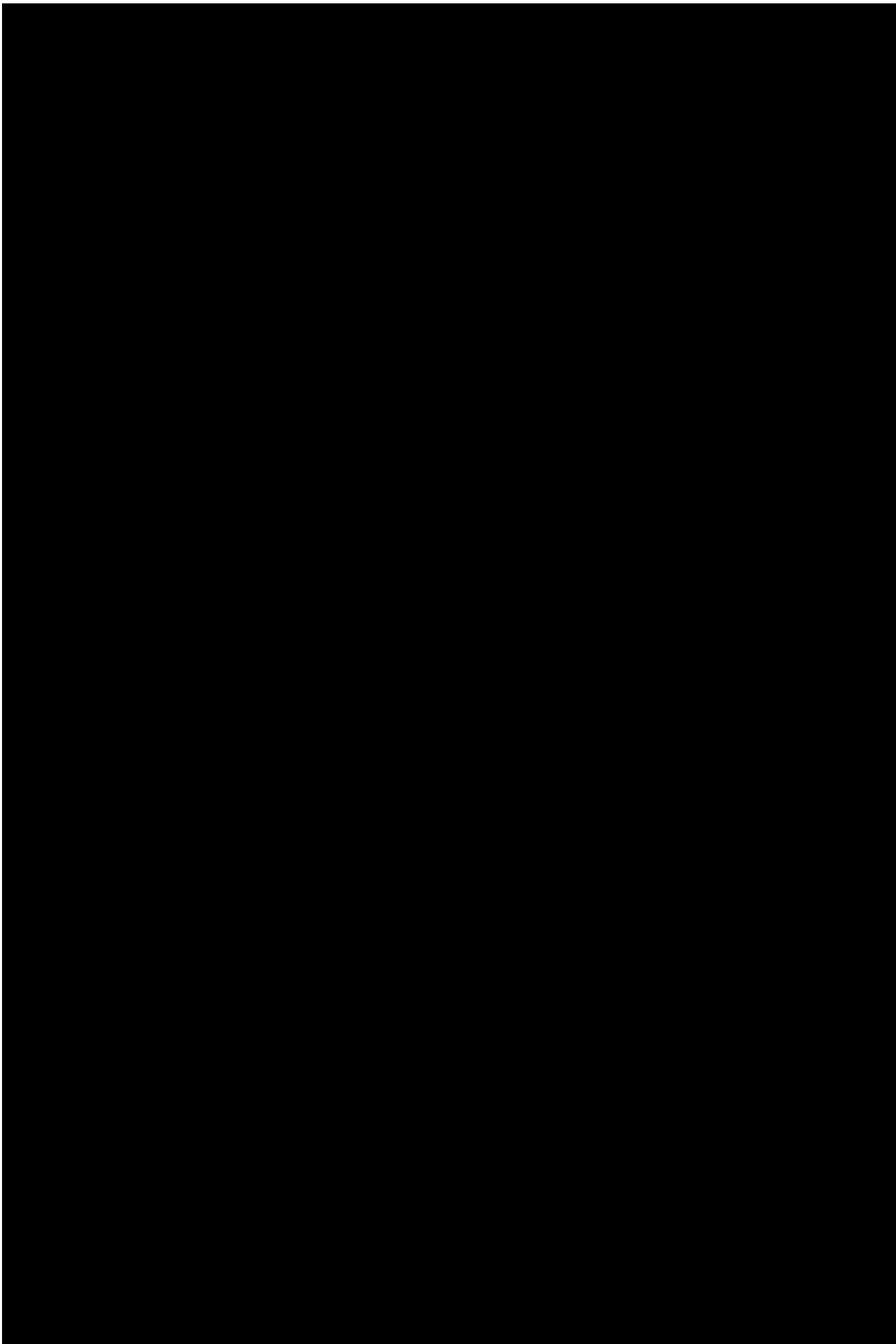


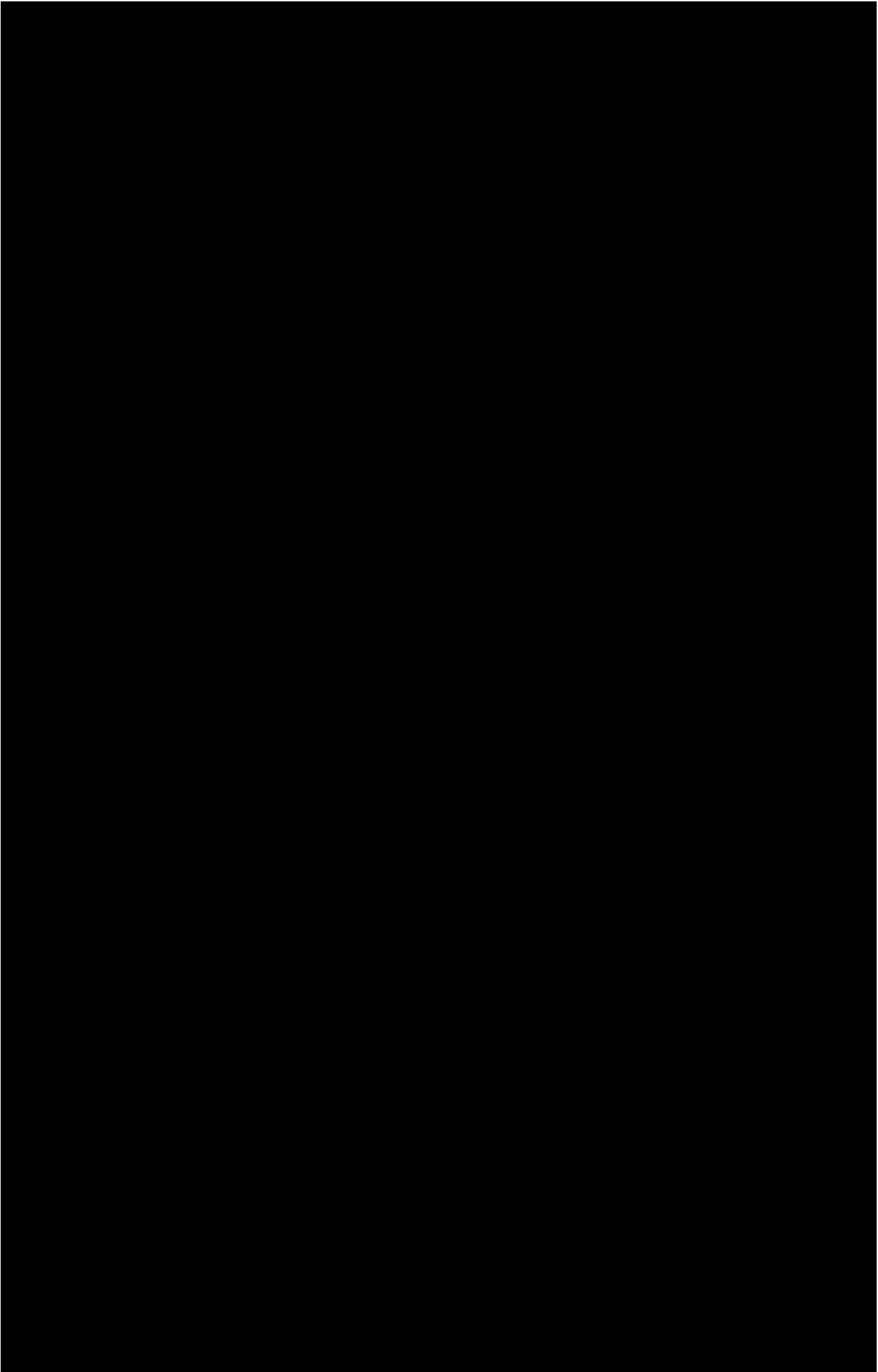


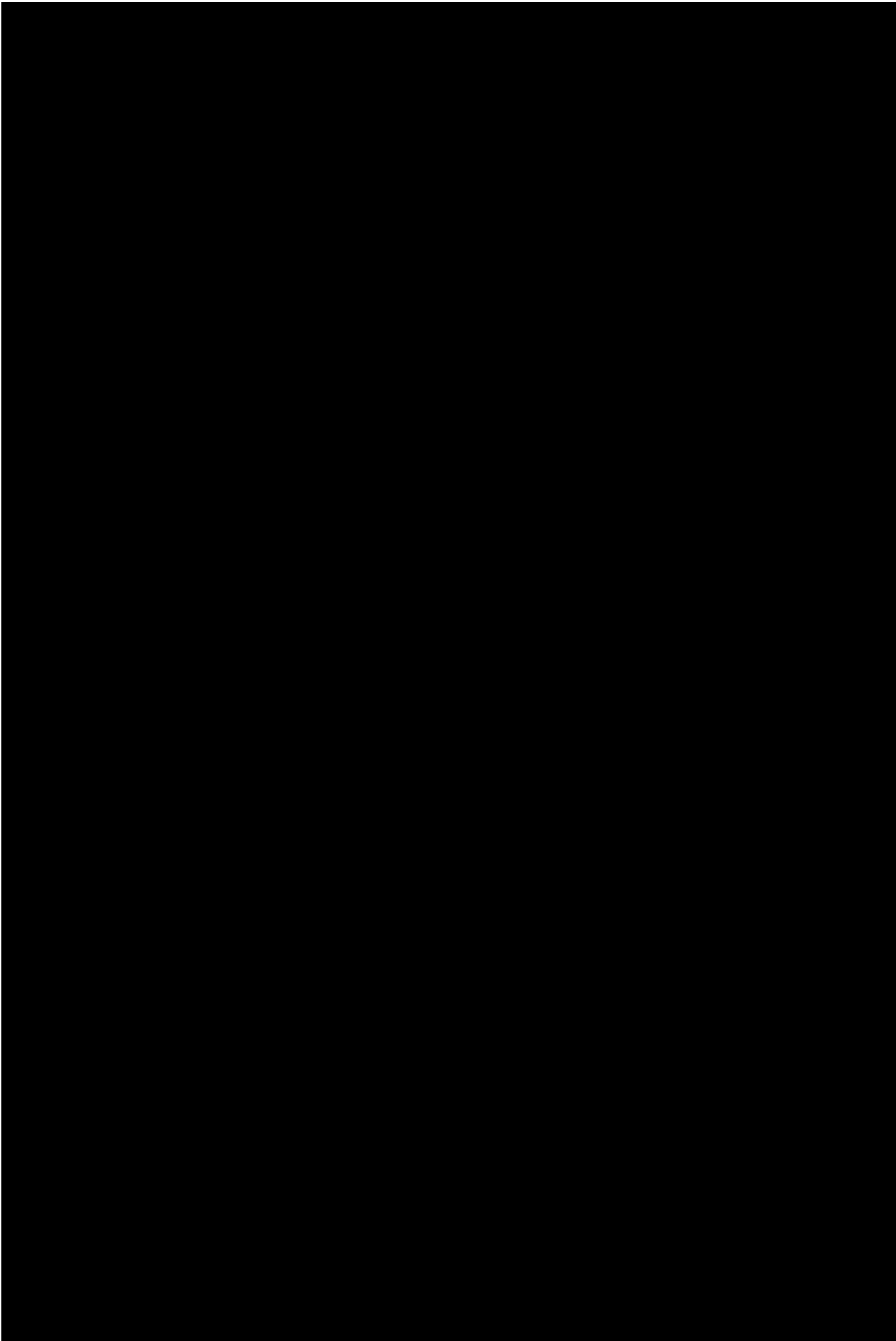


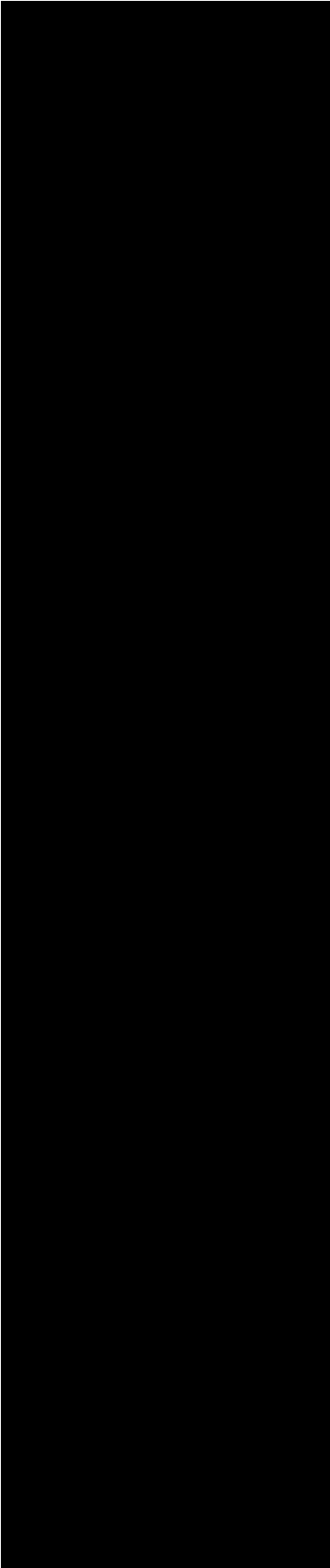












TAB 5

From: Christopher Rees-Gay
Sent: 10 July 2023 11:28
To: 'Abbott, Karyn: WCC'
Cc: 'Jackaman, Kevin: WCC'; 'Donovan, Jessica: WCC'
Subject: FW: 23/02889/LIGV-Silvertime, 32 Gerrard Street, London, W1D 6JA
Attachments: Ltr to Council - 10 July 2023-CRG2023071011101948.pdf

Morning Karyn,

I hope you are well.

With Jessica and Kevin both OOO, could you please confirm receipt of the attached.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay
Sent: 10 July 2023 11:23
To: 'Donovan, Jessica: WCC'
Cc: Jackaman, Kevin: WCC ; Abbott, Karyn: WCC
Subject: RE: 23/02889/LIGV-Silvertime, 32 Gerrard Street, London, W1D 6JA

Good Morning Jessica,

Please see attached letter in response to your email below.

I should be grateful if you could please confirm receipt.

Many thanks

Chris

Christopher Rees-Gay

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Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Donovan, Jessica: WCC [<mailto:jdonovan@westminster.gov.uk>]
Sent: 24 May 2023 15:31
To: Christopher Rees-Gay <chris@woodswhur.co.uk>
Cc: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>; Abbott, Karyn: WCC <kabbott@westminster.gov.uk>
Subject: 23/02889/LIGV-Silvertime, 32 Gerrard Street, London, W1D 6JA

Dear Sirs

I write in relation to the application submitted on behalf of Silvertime Amusements Limited for a variation of an Adult Gaming Centre for the above mentioned premises under the Gambling Act 2005 (the Act). The premises is located on 32 Gerrard Street, London, W1D 6JA.

As a Responsible Authority under the Act, the Licensing Authority has gone through this application in detail and has considered the application in relation to the principles to be applied under section 153 of the Act, the Mandatory Conditions as specified in Schedule 1 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (Mandatory and Default Conditions Regs) and the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 (Premises Licence Regs).

The premises is located just outside the vulnerability zone however, given it is in the immediate vicinity it will need to be considered.

The statement of Licensing Principles for Gambling Policy section F1 (C and D) states:

C. If the application relates to premises that are in, or within proximity to an identified gambling vulnerability hot spot and/ or a designated Gambling Vulnerability Zone the applicant must demonstrate that: 1. They have specifically assessed the relevant risks associated with that Gambling Vulnerability Hot Spot and/ or designated Gambling Vulnerability Zone within their gambling risk assessment, and, 2. Put forward sufficient control measures to mitigate or eliminate those risks being associated with the operation of the gambling premises.

D. For the purposes of Clause C: 1. A 'Gambling Vulnerability Hot Spot' is an area of the City that has been identified as being in the top half of the combined gambling vulnerability index within the Council's Local Area Profile and has not been included within a designated Gambling Vulnerability Zone as set out in the Gambling Vulnerability Zone Policy F2, and 2. 'Close proximity' means that the premises, to which the application relates is within 65 meters of a Gambling Vulnerability Hot Spot and/or a designated Gambling Vulnerability Zone.

Could the applicant confirm what additional measures they propose to address vulnerability during the extended hours.

Policy section E1 (E) states:

E. Licences for Adult Gaming Centres and Licensed and Unlicensed Family Entertainment Centres that are granted by the Licensing Authority will be required to operate to the following hours or to such other hours that have been agreed by Westminster City Council under Regulation 3(1) of Westminster City Councils Pleasure Fairs (Amusement Premises) Byelaws.

1. Adult Gaming Centres Monday to Sunday: 09:00 to 00:00

The granting of this application to the remove of condition 41 (No facilities for gambling shall be provided on the premises between the hours of midnight and 9am the following day.) and to extend the hours to 03:00 would be in breach of Westminster City Council Pleasure Fairs (Amusement Premises) Byelaw which regulates the hours during which amusement premises may be open to the public.

Pursuant to Byelaw 1(a) "These byelaws shall apply only to pleasure fairs within the meaning of Section 75(2) of the Public Health Act 1961 which are amusement premises". Pursuant to Byelaw 2(a) "Amusement premises means any place used wholly or mainly to provide..." "automatic or other machines intended for entertainment or amusement."

Adult Gaming Centres are classified as amusement premises that are subject to the provisions of the Byelaw and must consequently comply with any such requirements set out in that Byelaw.

Byelaw 3(1) provides that "The manager shall not keep the amusement premises open between the hours of **12 midnight and 9am.**"

A copy of the Pleasure Fairs (Amusement Premises) byelaws is attached for information as **Appendix A.**

The Licensing Authority looks forward to receiving further submissions to be able to assess any further relevant policy consideration.

The Licensing Authority submit this as a formal representation to this application.

Kind Regards

Jessica Donovan
Senior Licensing Officer

Public Protection and Licensing
Westminster City Council
15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Direct line: 07815665265

Contact Centre: 020 7641 6500

Email: Jdonovan@westminster.gov.uk

Team E-mail: licensing@westminster.gov.uk

Web: www.westminster.gov.uk



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All correspondence should be sent to our Leeds office

Jessica Donovan
Public Protection and Licensing
Westminster City Council
15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Our ref AW/AU/SIL002-3-2/5644

Your ref

10 July 2023

Dear Jessica,

GA 2005 - AGC Extension of Hours Variation Application- 32 Gerrard Street, London W1D 6JA

We are instructed by Silvertime Amusements Limited in relation to the above variation application and write in response to your email dated 24 May 2023.

Background

As you will know, the Adult Gaming Centre premises licence for the above site was granted on 16 February 2022 after a full hearing before the Westminster City Council Licensing Sub-Committee. There were representations from the licensing authority (Kevin Jackaman) and 20 interested parties, including the Chinese and Information Advice Centre. Many of the interested parties were represented by Richard Brown and [REDACTED] was present from the Chinese Information and Advice Centre.

The Licensing Authority at the hearing referred the Licensing Sub-Committee to the following:

- Vulnerability : *"The area is an attraction to vulnerable persons, and in particular those with problems with gambling and/or alcohol or drug abuse problems. The Licensing Authority note that there are 2 hostels within 250metres of the premises catering for vulnerable people."*

- Location and History of the Premises: reference was made to Gerrard Street being the busy Chinatown area of London and reference made to GIS mapping revealing 2 hostels, 5 faith groups and 63 licences under the Gambling Act.

The Chinese Information and Advice Centre were concerned about vulnerable persons.

The Licensing Sub-Committee were referred to a number of policies within the existing Westminster Statement of Licensing Principles.

It was acknowledged during the Licensing Sub-Committee hearing that the premises was within a sensitive area and that the applicant had undertaken and produced a detailed Local Area Risk Assessment document, which had resulted in the creation of 30 plus proposed conditions. In addition, there were gambling premises with longer hours nearby with no conditions, the Metropolitan Police did not object and the Local Area Risk Assessment and conditions were discussed in detail.

The Sub-Committee expressed concerns about the risks to vulnerable adults, how the premises would tackle vulnerable people and detailed responses were given to these questions. Mr Jackaman on behalf of the Licensing Authority and Mr Richard Brown on behalf of many who had made representations also made submissions.

In reaching its decision, the Sub-Committee noted that the conditions imposed on the premises licence were appropriate and proportionate and would promote the licensing objectives. The premises licence was granted subject to the additional conditions proposed which totalled 37. We can send a copy of the full decision notice if required.

Although there is a new Gambling Policy in place, adopted in December 2022, the Sub-Committee hearing was very detailed particularly with regard to protection of the vulnerable. Many of the measures advanced and conditions imposed were well in excess of the norm for applications of this sort, and were in anticipation of the new policy.

Planning Permission

At the time of the Licensing Sub-Committee hearing, the premises only had planning permission until midnight. On 21 October 2022, following a site visit made by the planning inspectorate on 31 August 2022, an appeal was allowed so that the planning permission for the site is now subject to the following condition:

“Customers shall not be permitted within the Adult Gaming Centre premises before 0800 or after 0300 each day.”

The application to vary the Adult Gaming Centre premises licence is to reflect those amended planning hours and no later.

The Byelaw

We note your reference to the Regulation 3(1) of Westminster City Council’s Pleasure Fairs (Amusement Premises) Byelaws and the hours set out for Adult Gaming Centres, namely: Monday to Sunday 09:00 to 00:00.

Our client currently operates Adult Gaming Centres in Westminster, in addition to this Gerrard Street site, and, along with other operators of Adult Gaming Centres in Westminster have been in communication with Westminster City Council over the byelaw. There was correspondence and discussion between Adult Gaming Centre operators and Westminster City Council during 2022 which culminated in Westminster City Council agreeing that the byelaw allows the council to extend the hours of operation by way of a resolution and that Westminster were exploring how this could be done and what the process would be. However, in the meantime the council will not pursue any formal action for noncompliance with the byelaw.

The current position is, therefore, that other Adult Gaming Centres in agreement with Westminster City Council are trading beyond those hours set out in the byelaw and many of them, including those very close to 32 Gerrard Street, are trading 24/7.

Our clients’ position with the byelaw is as per the other operators and our client will (as presumably will all operators) work with Westminster City Council on this particular point.

In addition, and as has been accepted by Westminster, the byelaw has been approved under a separate statutory regime – the interaction between the byelaws and a premises licence is similar to the interaction

between the planning and licensing regimes. We are reaching out to Kevin Jackaman to discuss the byelaw position further.

The premises have been open for 9 months and during that time, our clients have been complying with the conditions on the premises licence and promoting the licensing objectives. Our clients have also ensured that the new Westminster City Council Gambling Policy and the requirements of that policy are complied with, which includes measures set out below.

Our clients are fully aware that the premises are located just outside the West End Gambling Vulnerability Focus Area and that, under the Gambling Policy, their site is within the proximity of an identified Gambling Vulnerability Area. Our clients understand the requirements to comply with the Gambling Policy section F1(C and D). In the light of this, we set out below the current control measures being taken and further controls that are being implemented not just during the existing trading hours, but also during any extended hours. As you will see, this includes new safeguarding policies and procedures which have been sent to Kevin Jackaman for approval.

The conditions attached to the premises licence following the grant of the premises licence and the control measures instigated during the first few months of trading, together with the further control measures represent the total measures that are in place to address vulnerability.

Appendix 1 of the current LARA sets out the local area profile for gambling risk within Westminster for 32 Gerrard Street. Also within Appendix 1 there is a copy of the West End (East) and its supporting commentary. Since the application was submitted a recent visit of the surrounding area has been undertaken:

- There is a Soup Kitchen at WC2H 7BX, approximately 500ft from the premises. This being the Notre Dame de France Church at 5 Leicester Place, London.
- There is a Drug and Alcohol Addiction Treatment Centre at W1D 6QT within 300ft from the premises (Turning Point at 32a Wardour St, London W1D 6QT). The Westminster Local Area profile map is incorrect, as it stated there was a Drug and Alcohol Addiction Treatment Centre at W1D 5NF
- There are no pay day loan shops, pawn brokers or cash chequing locations within a 250m Radius. The Westminster Local Area profile map is incorrect, as it stated there was a Pawn Broker at 29 Frith Street, W1D 5LG. This premises is a now a fast food premises
- There are no Westminster Housing Projects within a 250m Radius.

Our client has visited the sensitive locations listed above (Turning Point and Notre Dame de France Church) and spoken with them to see if they had any concerns about their operation: there were none. Turning Point were extremely receptive, being impressed with our client's policies regarding vulnerable persons, alcohol and drug awareness training and are interested in attending one of our client's training days. They also provided our client with further literature to be displayed within the AGC relating to the Drug & Alcohol Well Being Service. Similarly the Church was equally receptive. They were aware of our client's venue. Our client offered to donate towards the Saturday sandwiches for the Homeless. They said that they would visit our client's premises and deliver leaflets.

The concerns set out within the WCC Gambling Policy - Spatial Policies F2.14 -16 West End (East) can be summarised from the text as follows:

- Those within temporary accommodation properties and supported housing for young adults who are suffering homelessness.

- The proximity to the four payday loan shops.
- The proximity to a pharmacy dispensing opiate substitutes or offering needle exchanges.
- The proximity to two pawn shops.
- The proximity to non-residential addiction centres and Gamblers Anonymous/GamCare meeting locations.
- The proximity of a youth club to the south of Great Portland Street tube station.

The operator takes the protection of children and other vulnerable persons from being harmed or exploited by gambling very seriously. From their experience of operating previously within Westminster at their Edgware Road site for eight years, as well as their experience from operating the premises for the past 9 months; the following measures (as seen in the LARA) in relation to the local area have been considered to ensure that this licensing objective is promoted at all times.

Existing Control Measures

- A meeting for local residents and residents associations and local associations takes place every 6 months to discuss the operation of the premises. Residents and associations are notified of the meeting date at least 2 weeks before the meeting (PL Cond 7). This is to understand if there are any issues in relation to children and other vulnerable persons within the community.
- Third party testing by (Check Policy) on age restricted sales systems takes place by testing both the morning shift and afternoon shift on a monthly basis. This is far in advance of the condition on the premises licence, because of the importance of this licensing objective.
- Staff receive an acoustic alert on the opening and closing of the entrance door which is monitored by SIA door staff (PL Cond 19).
- The total number of staff and licensed door supervisors is at all times a minimum of 3 (PL Cond 21). This is above and beyond all other AGC operators in Westminster. One member of staff is of assistant manager grade or above. This is in line with WCC Policy G4.5, G4.7 and G4.20.
- There is a policy to refuse entry to customers who appear to be under the influence of alcohol or drugs (PL Cond 24).
- Our client ensures that the customer toilets are checked every hour for evidence of drug taking. These toilet checks are documented stating the time and member of staff who made the checks. Toilets remain locked at all times with access being provided by staff (PL Cond 27).
- Prominent GamCare documentation is displayed at the premises. These notices are provided in English and both simplified and traditional Chinese (PL Cond 28).
- Induction and refresher training is undertaken by every member of staff at least every 6 months. The training includes drug and alcohol awareness training to include homeless and street drinking as well as risks to the members of the Chinese community. This training is formally recorded on each member of staff's training record, which again is available for presentation to the Licensing Authority immediately upon request (PL Cond 29).

- At least one member of staff on duty at the premises has a minimum of 6 months experience working in a licensed Adult Gaming Centre and all remaining members of staff have a minimum of 3 months experience working for a Licensee (PL Cond 31).
- As an operator our client takes all responsible steps to prevent street drinking of alcohol outside the premises and ban from the premises those who do so (PL Cond 32).
- There is a visible notice from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises (PL Cond 33).
- Our client has contacted the local homeless hostels/shelters, Chinese community centre and Chinese information and advice centre offering to provide information on problem gambling, support services and how their residents and members can self-exclude from their premises (PL Cond 39).
- Staff are trained to identify and interact with any customers who are identified as playing more than one gaming machine, including tablet machines, at the same time (PL Cond 40).

Further Controls

- In line with the new WCC policy, Silvertime management have designated Mr Phil Wheeler with the responsibility for championing the protection of children, including safeguarding and child sexual exploitation, as well as other vulnerable persons from harm. He is also the point of contact for concerns in relation to Adult Safeguarding.
- Our client will implement safeguarding training to ensure that staff have the basic awareness of safeguarding children and other vulnerable adults.
- All staff are aware of the Gambling Commission and WCC definition of vulnerable persons, it being “it will, for regulatory purposes, assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs”.
- Our client is aware that Westminster have expanded on this definition, whereby they believe the perceived vulnerable to include: young people, unemployed and constrained economic circumstance, area deprivation, homeless, mental/ill health, substance abuse/misuse, personality traits/cognitive distortions, problem gamblers seeking treatment. All staff will be made aware of this.
- Our client is aware of child truancy during school times, i.e. being aware that:
 - (a) Children should not be in the premises.
 - (b) The school day is between 0830 - 1530 and staff should be extra vigilant during these periods. Currently there is no issue with this: should there be then our client will engage with local schools.

Management controls will be implemented to ensure that staff are trained in relation to the risk indicators set out below:

- (a) Developing relationships between a child and an older person.
- (b) Children in the company of a group of older persons.
- (c) Children regularly attending premises and meeting with a number of different older persons, particularly where older persons may be facilitating gambling for children.
- (d) Children outside of licensed premises developing relationships with an older person, particularly an older person facilitating gambling for children.
- (e) Children leaving the locality of the premises with older persons, particularly with a group of older persons.

(f) Children looking uncomfortable in the company of, or leaving with, older persons, particularly groups of older persons.

In this context, you will in any event have noted that our client's AGC is an over 18 premises only.

In addition and in line with the new WCC Gambling Policy, new Safeguarding Policies and Procedures have been drafted for both Adults and for Children, copies whereof have been provided to Kevin Jackaman. Please do let me know if you would like further copies.

Summary

Silvertime Amusements Limited is a well-established AGC operator in Westminster which has a real understanding of the local areas in which it operates. At the licensing sub-committee hearing in February 2022, the application was heavily scrutinised by the members. The application was granted with an extensive operating schedule that focused on vulnerability, as covered in the conditions set out above. For these reasons the operator does not believe that the extra hours being sought will have any negative effect and the licensing objectives will continue to be promoted as they have been.

Should there be anything further that we can assist with please do let us know.

Yours sincerely

Woods Whur

Chris Rees-Gay
Woods Whur

TAB 6

From: Christopher Rees-Gay
Sent: 17 August 2023 17:09
To: 'Jackaman, Kevin: WCC'
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Afternoon Kevin,

I have just left a message again.

Can you please let me know a good time to discuss the byelaw position. Happy to call, Zoom or meet in person.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay
Sent: 4 August 2023 15:37
To: 'Jackaman, Kevin: WCC'
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Afternoon Kevin,

I have just tried to call and left a message.

Can you please let me know a good time to discuss the byelaw position. Happy to call, Zoom or meet in person.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay
Sent: 28 July 2023 07:39
To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good morning Kevin,

Can you please let me know a good time to discuss the byelaw position. Happy to call, Zoom or meet in person.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay

Sent: 18 July 2023 10:49

To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good Morning Kevin,

I hope you had a good break, could you please let me know a good time to have a call or Zoom meeting on the byelaw please.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay

Sent: 10 July 2023 10:34

To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good Morning Kevin,

I hope that you are well, could you please let me know a good time to call, or have a Zoom with you please, to discuss the WCC's current position on the byelaw.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]

Sent: 6 June 2023 09:55

To: Christopher Rees-Gay <chris@woodswhur.co.uk>

Cc: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>; Licensing: WCC <Licensing@westminster.gov.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Hi Chris

Sorry about that, Please see attached the rep from the Chinatown Stakeholders (██████████).

With regards to the rep from (██████████), this consisted of the two letters from (██████████). I have contacted (██████████) to ascertain in what capacity she has provided the representations from (██████████), however the representations have been accepted as coming from (██████████). I will update you further as soon as I have a response.

Kind regards

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: Christopher Rees-Gay <chris@woodswhur.co.uk>

Sent: Tuesday, June 6, 2023 9:36 AM

To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>

Cc: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>; Licensing: WCC <Licensing@westminster.gov.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Morning Kevin,

Many thanks for this, on reading over the attached, it states 'Objection' - 'see attached' for (██████████) and (██████████)

Do you please have the attachments or are those the reps from (██████████)?

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]

Sent: 6 June 2023 09:27

To: Christopher Rees-Gay <chris@woodswhur.co.uk>

Cc: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>; Licensing: WCC <Licensing@westminster.gov.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Hi Chris

Sorry for the delay in responding.

Dear Peter.

Following the close of the consultation period, I confirm that we have received representations in respect of this application. I note that you have already received the representation from the Licensing Authority however for completeness, a copy of the representations are attached.

You will note that there are representations from:

Licensing Authority
3 Interested Parties

Westminster encourage mediation between the parties. If you would like to provide a response to the interested parties I will be happy to forward this on.

As representations have been received, if the matter cannot be mediated, the application will need to be determined by the Licensing Sub Committee.

Kind regards

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: Christopher Rees-Gay <chris@woodswhur.co.uk>
Sent: Monday, June 5, 2023 11:45 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Cc: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>; Licensing: WCC <Licensing@westminster.gov.uk>
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good Morning Kevin,

I have called and left a message, if you could please let me know if any further representations were received in relation to this application.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay
Sent: 2 June 2023 09:45
To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>
Cc: 'Abbott, Karyn: WCC' <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>; 'Licensing: WCC' <Licensing@westminster.gov.uk>
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good Morning Kevin,

Apologies for following up, but could I please ask that you let me have any further representations in relation to the above application.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay

Sent: 1 June 2023 10:18

To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>

Cc: 'Abbott, Karyn: WCC' <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>; 'Licensing: WCC' <Licensing@westminster.gov.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Importance: High

Good morning Kevin,

I understand that you are in Committee hearings today. Could I please ask that when you are clear you let me have any further representations, if there are any to the above application.

By way of reminder, I have received Jessica Donovan's.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay

Sent: 30 May 2023 10:03

To: 'Licensing: WCC' <Licensing@westminster.gov.uk>

Cc: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>; 'Abbott, Karyn: WCC' <kabbott@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>

Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good Morning Mary,

If you could please let me know please if any further representations were received.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay

Sent: 26 May 2023 08:49

To: 'Licensing: WCC' <Licensing@westminster.gov.uk>
Cc: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>
Subject: Silvertime, 32 Gerrard Street, London W1D 6JA - AGC Variation Application - 23/02889/LIGV

Good Morning Mary,

Yesterday was the last day for representations for the above application.

I have the representation from Jessica Donovan, can you please confirm if there are any others.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Kirstan Woodbridge
Sent: 9 May 2023 09:54
To: 'Licensing: WCC' <Licensing@westminster.gov.uk>
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA

Hi Mary

The reference number is 23/02889/LIGV

Kind regards
Kirstan Woodbridge
Woods Whur
Tel: +44 (0)113 234 3055

kirstan@woodswhur.co.uk
Woods Whur, St James House, 28 Park Place, Leeds LS1 2SP.

From: Licensing: WCC [<mailto:Licensing@westminster.gov.uk>]
Sent: 9 May 2023 09:39
To: Kirstan Woodbridge <kirstan@woodswhur.co.uk>
Subject: RE: Silvertime, 32 Gerrard Street, London W1D 6JA

Dear Kirstan,

I refer to your email below. Please can you provide a valid reference number so that we can identify the application.

Many thanks,
Mary

Mary Pring
Senior Licensing Officer
Licensing Team
Public Protection & Licensing
Westminster City Hall
15th Floor
64 Victoria Street

London
SW1E 6QP
Telephone (for general enquiries): 020 7641 6500
Direct line: 07816218581
Payment Enquiries: 0114 551 3834 ext 1019
E-mail: mpring@westminster.gov.uk
Web: www.westminster.gov.uk/licensing



From: Kirstan Woodbridge <kirstan@woodswhur.co.uk>
Sent: 05 May 2023 17:03
To: Licensing: WCC <Licensing@westminster.gov.uk>
Cc: Christopher Rees-Gay <chris@woodswhur.co.uk>
Subject: Silvertime, 32 Gerrard Street, London W1D 6JA

Good afternoon

We write further to our correspondence dated 28 April 2023 and now enclose a copy of the Westminster Extra newspaper containing a copy of the statutory public notice at page 15 in respect of the variation to the premises licence in respect of the above named premises.

We would be obliged if you would acknowledge safe receipt of this letter and enclosure.

Kind regards
Kirstan Woodbridge
Woods Whur
Tel: +44 (0)113 234 3055

kirstan@woodswhur.co.uk
Woods Whur, St James House, 28 Park Place, Leeds LS1 2SP.

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Woods Whur 2014 Limited is authorised and regulated by the Solicitors Regulation Authority (the SRA), details of which can be accessed on the SRA website (<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=http%3a%2f%2fwww.sra.org.uk%2fsolicitors%2fcode%2dof%2dconduct.page&umid=ad547362-6bcc-4c6c-812c-3ac34c382a62&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-ee39a666f309ccf666bd71ef35956f4f8c45e368>) . SRA number: 613288.

COVID-19 VACCINATIONS

The COVID-19 vaccine is our first line of defence against coronavirus. The vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For information about vaccine centres and how to book your appointment, visit: www.westminster.gov.uk/vaccinations

FREE EARLY EDUCATION AND CHILDCARE

15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks

per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fbit.ly%2fwccfis&umid=ad547362-6bcc-4c6c-812c-3ac34c382a62&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-fc9d623745a5188233865ad148743f90d38db472>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

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Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

Find out more at: <https://bit.ly/wccfis>

Westminster City Council switchboard: +44 20 7641 6000.

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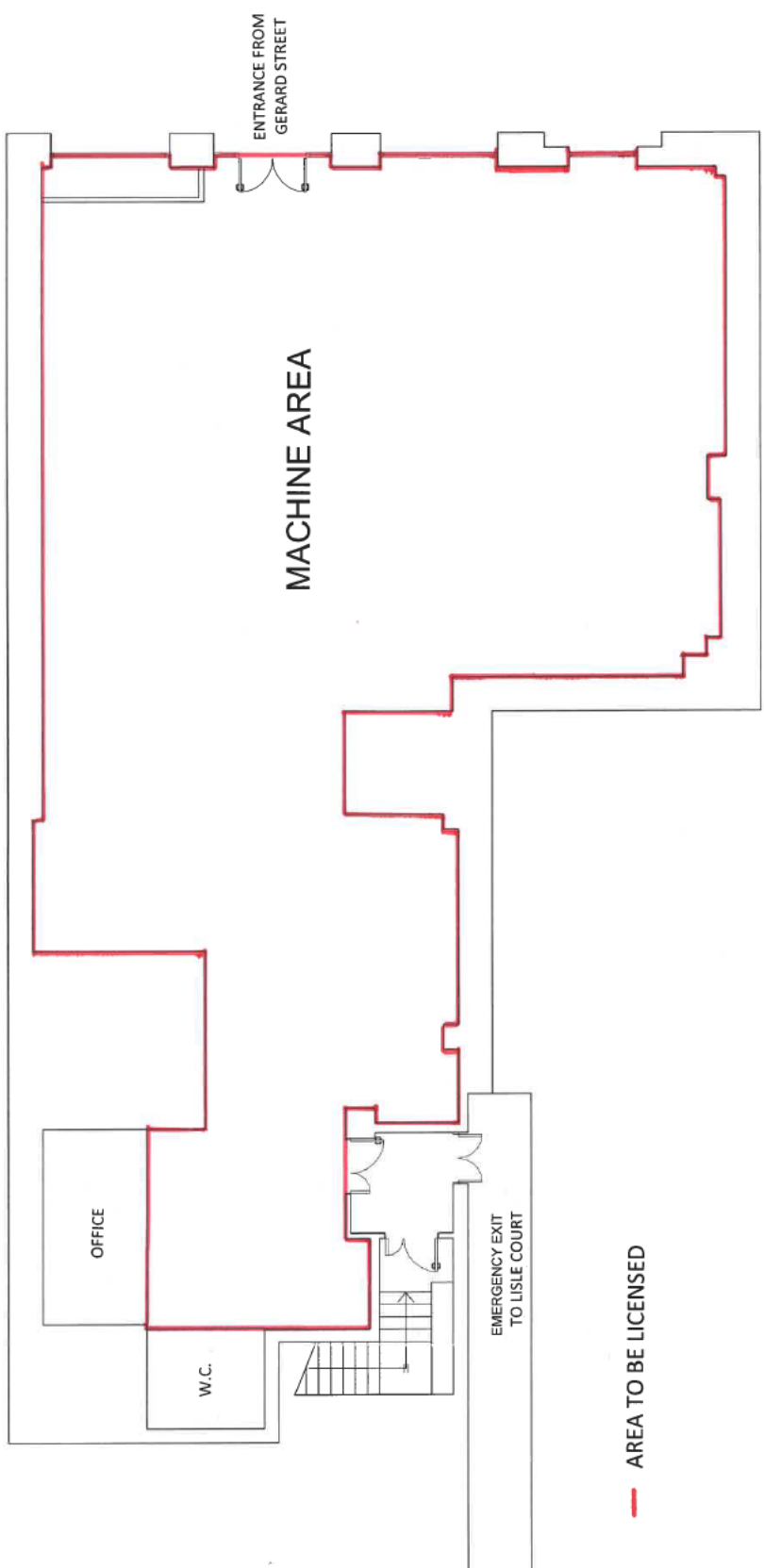
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DATE: 01/08/21
 FOR INFORMATION
 REV: 001
 DATE: 01/08/21
 DESCRIPTION: amendment

Monmouth Planning Ltd
 30a Monmouth Street
 Newport, NP23 5EJ
 T: 01493 350000
 E: info@monmouthplanning.co.uk
 P: 01493 350000

PROJECT NO: 1109/04/15/00/00/01
 DRAWING NO: 002
 SHEET NO: 002



TAB 8



Full Observation Report

Nick Mason – Licensing Consultant

Leveche Associates Limited

Silvertime Chinatown

**32 Gerrard Street
London W1D 6JA**

Executive Summary

1. Observations were conducted on Silvertime Chinatown premises at 32 Gerrard Street London W1D 6JA and the surrounding area on three occasions between 19:00 hrs on Thursday 13th July and 03:30hrs on Friday 14th July 2023, between 19:00 hrs on Friday 4th August and 04:00hrs on Saturday 5th August 2023 and between 20:00hrs on Saturday 2nd September and 03:30hrs on Sunday 3rd September 2023.
2. Silvertime have an existing Adult Gaming Centre Licence under the Gambling Act 2005 allowing them to operate the premises from 09:00hrs to 00:00hrs 7-days a week. The timing of these observations was relevant to the application to grant a Bingo Licence to allow the premises to open from 09:00hrs to 03:00hrs 7-days a week.
3. A number of covert visits were made to the Silvertime Chinatown premises. Observations showed the premises to be well run and operating correctly with no issues. Staff demonstrated compliance with the Challenge 25 policy and the use of the premises Maglock was witnessed.
4. For comparison purposes covert visits were also made to the following premises:
 - i. On Friday 14th July 2023 from 02:06hrs – 02:17hrs - Play 2 Win AGC 32 Wardour Street W1D 6QR.

- ii. On Friday 4th August 2023 from 20:10hrs to 20:30hrs - Play 2 Win AGC 32 Wardour Street W1D 6QR.
 - iii. On Friday 4th August 2023 from 20:33hrs to 20:52hrs – Little Macau AGC 3-5 Wardour Street W1D 6PB.
 - iv. On Friday 4th August 2023 from 22:00hrs to 22:21hrs – Little Vegas AGC 3-5 Wardour Street W1D 6PB.
 - v. On Saturday 5th August 2023 from 02:16hrs to 02:30hrs - Play 2 Win AGC 32 Wardour Street W1D 6QR.
5. Silvertime Chinatown premises was operating to a high standard in terms of staff appropriately supervising customers using the premises ensuring the venue was a safe and pleasant place to be.
 6. Chinatown is a vibrant cultural enclave with a thriving night time economy and the presence of a correctly regulated premises such as Silvertime contributes positively to the local economy providing an entertainment venue for local persons employed in the restaurant and bar industry to go to after they have finished their work.
 7. From the observations it is clear that operating the Silvertime Chinatown premises from 09:00hrs - 03:00hrs 7 - days a week will not increase anti-social behaviour or any other crime and disorder that would have a negative impact on nearby residents, the environment, local infrastructure or wider local community. Customers seen leaving the Silvertime premises did so quietly in couples or alone as compared to local pubs and bars that required the control of security teams to prevent anti-social behaviour and obstruction of the roads.

Introduction

8. We are instructed to conduct independent observations at the Silvertime Chinatown premises at 32 Gerrard Street London W1D 6JA and the surrounding area.
9. Silvertime have an existing Adult Gaming Centre Licence under the Gambling Act 2005 allowing them to operate the premises from 09:00hrs to 00:00hrs 7-days a week. There is an application for a variation of a Gambling Act premises licence to extend the opening times to 03:00hrs 7-days a week.
10. The premises come under the jurisdiction of Westminster City Council.

Personal Summary – Nicholas Mason

11. I am a Director of Leveche Associates Limited, an independent company dealing with Licensing and Security in the private sector. I am a former Police Officer having retired from the MPS upon completion of over 30 years exemplary service.

12. Throughout my police career the majority of my service was as a Detective at different ranks. I attained the rank of Detective Chief Inspector with responsibility for the risk assessment and management of intelligence led operations by covert means, including the disruption of organised crime groups infiltrating the licensing industry.
13. For a number of years, I performed the role of 'On Call Senior Investigating Officer' for the MPS Serious Crime Directorate with responsibility for advising 'fast time' best practice and investigation strategy in the most serious of incidents.
14. As a senior Detective of the MPS Crime Reporting & Investigation Bureau I had responsibility for the strategic overview of all recorded crime for London and the Management of Investigations transferred into MPS through other UK crime authorities / Police forces.
15. I have worked as an Independent Consultant in the Licensing and Security Industry for the last 5 years.
16. I am the holder of the Chartered Management Institute level 5 Certificate in Police Management.
17. I am a Registered Close Protection Operative - Level 3 Certificate (Security Industry Authority - SIA).
18. I hold the UK Award for Personal Licence Holders (APLH) under the Licensing Act 2003.

Public Representations

19. A number of concerns have been raised in relation to the application for a variation of a Gambling Act premises licence to extend the opening times for Silvertime Chinatown to 03:00hrs 7-days a week which can be summarised as follows:
 - i. Extended opening time will encourage criminal acts linked to gambling;
 - ii. Operating hours between 00:00hrs and 03:00hrs will attract people who are vulnerable including young people or those who have been drinking.
20. Due consideration to these concerns was given during observations of Silvertime Chinatown, other Adult Gaming Centres and the surrounding area, this is addressed in the summary of this report. In my experience, having visited numerous Adult Gaming Centre premises across the UK managed by a number of different operators they do not attract the concerns outlined in the representations.

Observations

21. There were three separate periods of observations carried out at the Silvertime Chinatown premises at 32 Gerrard Street London W1D 6JA and the surrounding area:

- i. Between 19:00 hours on Thursday 13th July and 03:30hrs on Friday 14th July 2023 – Images Appendix A.
 - ii. Between 19:00 hours on Friday 4th August and 04:00hrs on Saturday 5th August 2023 – Images Appendix B.
 - iii. Between 20:00 hours on Saturday 2nd September and 03:30hrs on Sunday 3rd September 2023 – Images Appendix C.
22. The Silvertime premises previously operated as a Betfred Bookmakers and is housed within the former British Telecom Telephone Exchange building. Gerrard Street generally runs east to west and is a wide pedestrianised area with Macclesfield Street directly opposite the Silvertime premises leading to Shaftesbury Avenue.
23. The area is the heart of London’s Chinatown with multiple restaurants along Gerrard Street serving Asian food creating a busy and vibrant atmosphere. The area is well lit and illuminated from street lighting and shop front lights.
24. Boundaries of observations were set along Gerrard Street from Newport Place to the east and Wardour Street to the west and also included other local Adult Gaming Centres. The area has a diverse community, predominantly Asian with a large transient tourist community as you would expect in London’s busy West End.
25. During observations I concentrated on the pedestrian footfall, signs of criminality, begging, anti-social behaviour including any additional noise, vulnerable persons, other persons at risk and the general environment.
26. East of and immediately adjacent to the premises is the Everwell Chinese Medicine Shop whilst to the west and immediately adjacent is the China Exchange a charitable cultural centre providing a venue for music, exhibitions and other entertainment. Though the focus for Gerrard Street is restaurant premises there were other some other retail premises including a hair and nail salon and an HSBC Bank.
27. There were other gambling premises in the area including Adult Gaming Centre’s (AGC’s) and Bookmakers that closed at different times:
- i. Play to Win (AGC) 32 Wardour Street W1D 6QR – The premises operating times are advertised as opening 7-days a week 24hrs a day.
 - ii. Little Macau (AGC) 3-5 Wardour Street W1D 6PB – The premises operating times are advertised as opening 7-days a week from 09:00hrs to 02:00hrs.
 - iii. Las Vegas (AGC) 89/91 Wardour Street W1F 0UB – The premises operating times are advertised as opening 7-days a week from 11:00hrs to 01:00hrs.

- iv. Paddy Power Bookmakers 40 Gerrard Street W1D 5QE - opening times Monday to Saturday 07:00hrs - 022:00hrs and Sunday 08:00hrs – 22:00hrs.
 - v. Coral Bookmakers 1-3 Newport Place WC2H 7JR – opening times Monday to Saturday 07:00hrs – 22:00hrs and Sunday 08:00hrs – 22:00hrs.
 - vi. Betfred Bookmakers 39 Wardour Street W1D 6PS - opening times Monday to Saturday 07:00hrs – 22:00hrs and Sunday 08:30hrs – 22:00hrs.
28. These premises can be divided into two main types:
- i. Betting premises not licensed to serve alcohol.
 - ii. Gaming premises – Adult Gaming Centres (AGC) and Bingo Premises not licensed to serve alcohol.
29. Play to Win AGC Wardour Street, Little Macau AGC Wardour Street and Little Vegas AGC Wardour Street have a similar business model to Silvertime Chinatown premises though each venue operates later into the early hours of the morning whilst Silvertime Chinatown currently closes at midnight.
30. The area is well served by public transport with a variety of day and night bus routes, taxis and nearby London Underground Stations at Leicester Square and Piccadilly Circus. These transport mediums allow the public to arrive and leave the area safely and quickly.
31. Car parking was available in the nearby pay 'Q' Park located in Newport Place to the east of the Silvertime Chinatown premises. There was restricted residents parking and other pay and display parking in the side roads. Gerrard Street is restricted as a Pedestrian Zone with vehicles only allowed 07:00hrs – 11:00hrs Monday to Sunday for loading / unloading.
32. There are numerous pubs and bars in this area the most significant of those in relation to these observations being the O'Neill's Bar at 33-37 Wardour Street W1D 6PU advertised as operating Monday to Wednesday 11:00hrs – 02:00hrs, Thursday to Saturday 11:00hrs – 03:00hrs and Sunday 11:00hrs – 00:30hrs. During observations this was operating as a late night music venue closing at 03:00hrs. The venue attracted many people and there was evidence of anti-social behaviour in its vicinity. None of this was connected to the Silvertime Chinatown premises which was located some distance away, well east of Wardour Street.
33. Photographic images of what was seen during the observations were taken to support findings and are documented in Appendices A, B and C.

Covert Observations

Deployment One

34. The first period of covert observations commenced at 19:00hrs on Thursday 13th July and concluded at 03:30hrs on Friday 14th July 2023, the weather was warm with some light rain during the observation period.
35. Initial observations monitored the Silvertime Chinatown premises, the immediate area around it and the pedestrian footfall.
36. The premises had a smart corporate and professional looking frontage that was well maintained and clean. Located to the front was an old BT telephone box that had been refurbished and displayed a note stating it would be used for art displays in the future. Additionally, there were two refurbished telephone exchange boxes protected by a red rope barrier that ran in front of the premises. The initial impression was that the rope barrier was deployed to control the entry of customers to the premises though clearly that was not the case as at no time were the premises busy enough for a queue to form - Image A5.
37. The main exterior doors of the premises were open for the initial period of observations. There was an additional set of double doors within the premises that were closed and opened automatically on the approach of customers.
38. Either side of the main external entry doors for customers to read were electronic signs reproduced in different languages that stated:
 - i. No persons under the age of 18 to enter.
 - ii. The golden rules of staying in control while gambling.
 - iii. CCTV in operation.
 - iv. Challenge 25 in operation.
 - v. No consumption of alcohol on premises.
 - vi. No smoking on premises.
 - vii. Warning that any person found in possession of drugs will be reported to the police.
39. Throughout the observations there was a large amount of pedestrian traffic passing the premises that was varied dependent on the time of the day. Later in the evening, as the local restaurant premises closed, pedestrian traffic reduced markedly – Images A1, A2, A3, A4.
40. Customers could be seen entering and leaving the Silvertime premises though it did not appear to be particularly busy. At 19:21hrs a male wearing a white shirt, black trousers and displaying a Security Industry Authority (SIA) badge came out of the premises and was clearly a member of staff. He stood on the pavement near Macclesfield Street for a few minutes looking up and down Gerrard street and then returned inside the premises. There were no persons queuing outside the premises looking to enter.

41. At 19:26hrs a street band was observed setting up in Gerrard Street opposite the junction with Macclesfield Street and went on to play music to passing pedestrians. This did not cause any unnecessary disturbance or anti-social behaviour and was enjoyed by passers-by – Image A6.
42. At 19:32hrs the car park in Newport Place to the eastern end of Gerrard Street was quiet – Image A7.
43. At 19:36hrs the Paddy Power Bookmakers at 40 Gerrard Street was open and trading with pedestrians passing by. A customer was smoking outside the premises and returned inside after finishing his cigarette. There were no queues of people looking to enter the premises – Image A8.
44. At Gerrard Street junction with Wardour Street the area was busy with pedestrians, a street musician was playing in Wardour Street – Image A9, A10, A11.
45. At 19:49hrs the area outside the Coral Bookmakers in Newport Place was busy. The premises was open and trading, there were no queues of people looking to enter the premises. The eastern end of Gerrard Street at the junction with Newport Place was busy with pedestrians – Images A12, A13.
46. At 20:30hrs at Wardour Street junction with Gerrard Street a musician was playing a guitar in the middle of the road. The presence of him and his equipment caused an obstruction. A police van was unable to pass and the musician was required to move his equipment though no further action was taken by police and he continued to play his music once they had left. Gerrard Street remained busy with customers seated outside restaurants enjoying the evening – Image A14.
47. At 21:00hrs pedestrian traffic continued to pass the Silvertime Chinatown premises, as it did so for all of the observation period. Customers were seen to enter the premises but never in large groups and generally either as couples or alone – Image A15, A16.
48. At 21:33hrs the member of staff from Silvertime Chinatown premises seen earlier wearing a white shirt and displaying an SIA badge came out of the premises, stood outside looking up and down Gerrard Street.
49. At 21:49hrs the street band that had previously set up in Gerrard Street opposite the junction with Macclesfield Street finished playing their music, packed away their equipment and left the area.
50. By 22:00hrs most of the restaurants had closed or were looking to close and were not busy. Paddy Power Bookmakers just east of the Silvertime premises closed at 22:00hrs without any issues. None of the customers or staff walked from the Paddy Power premises and into the Silvertime premises.
51. At 22:34hrs as the restaurants had closed and removed their front displays and seating areas the presence of rubbish was noted in Gerrard Street. This had been

packaged and clearly left for overnight collection as was witnessed later during observations – Images A17, A18.

52. At 22:43hrs Uber Eats Dispatch Riders were seen in Macclesfield Street opposite Silvertime Chinatown premises. This appeared to be a meeting point for them as they were observed at this location at different times during the observations – Image A19.
53. At 22:46hrs pedestrian traffic had reduced in the area – Image A20.
54. Between 23:00hrs and 23:33hrs I conducted a covert visit to the Silvertime premises Gerrard Street. As I approached, the external main entrance doors were open and the internal double doors opened automatically – Image A21, A22.
55. The premises was located on one level, carpeted with a variety of gaming machines of various types throughout the floor area. Directly in front of the entrance was a small reception desk where the member of staff previously seen outside was standing. Behind the desk was a display screen clearly used to monitor the premises CCTV.
56. Towards the rear of the premises was a reception area for preparing soft drinks, tea and coffee, this was clean and tidy and on the wall the Premises Licence was displayed. Standing behind the reception desk was a female member of staff and in front was another female member of staff who was cleaning the area with a cloth. Both the female members of staff were smartly dressed in Silvertime corporate clothing, a red t-shirt bearing the company logo and black trousers. Both displayed 'Challenge 25' badges pinned to their shirts. There were toilets located at the rear of the premises and soft piped music was being played.
57. The premises were not busy but there were a number of different customers in different locations. To the left three men aged approximately 65 years old were playing a gaming machine and appeared to be together, all three were dressed casually but smart. In this area there were an additional five other customers, four men and one woman all playing separate machines. These customers varied in age but were all over forty years old and dressed in smart casual clothing.
58. Towards the rear of the premises there were three other customers seated and playing machines. I selected a machine to play and sat down. Almost immediately the female member of staff that had been stood behind the reception desk approached, welcomed me and asked if I needed any help or wanted a drink. I asked if I could get a beer and was told they only provided hot or cold soft drinks. I accepted the offer of a coffee which was brought to me a short time later.
59. I continued to play the machine, while I did so some customers entered but only as single people. Whilst inside the premises I felt safe, the staff were friendly, polite, informative and I found the premises clean and tidy. I was not pressurised or encouraged to spend money. I saw staff completing a low-profile patrol checking on customers' needs and making sure they weren't underage or vulnerable. This was the case for all of the visits I made to the Silvertime premises.

60. At 23:17hrs I asked the member of staff that had served my coffee if I could use the toilet facilities. The door was locked but she unlocked it for me and I entered. The toilets were clean and tidy with a toilet inspection sheet mounted on the door that showed the toilets were checked on an hourly basis. Think 25 and Safeguarding literature were displayed on the wall – Images A23, A24, A25.
61. Once I had visited the toilet area I returned to the main floor where I continued to use another machine and observe the premises where I could now see six customers. At 23:20hrs the staff were moving around the floor vacuuming and wiping down the machines prior to closing.
62. At 23:33hrs I left the premises, as I went out the front of the premises the security staff member locked the front double doors behind me deploying the Maglock. There was no one loitering outside or looking to gain entry. There was no anti-social behaviour inside, or in the vicinity of the premises. During the period of observations customers arriving went straight into the premises and customers leaving left the area straight away.
63. At 23:47hrs the last of the customers left the premises. At 23:50hrs the staff from the Silvertime Chinatown premises put out the rubbish for collection. At 00:05hrs the lights were turned off and staff exited the premises, locked the front door and walked away west in Gerrard Street.
64. With the Silvertime premises now closed there were still pedestrians walking past though there was no anti-social behaviour and nobody approached the premises in an attempt to gain entry – Images A26, A27.
65. At Gerrard Street junction with Wardour Street the area was still busy with people queuing to gain access to O'Neill's bar where live music was being played. Outside O'Neill's bar there were a number of security staff displaying SIA badges, supervising the entry of customers and searching bags. Passing pedestrian traffic was busy and there were pedicab riders offering lifts to different venues – Images A28, A29.
66. At 00:18hrs local refuse collectors attended the area and removed the rubbish that had been placed outside the various premises in Gerrard Street – Image A30.
67. At 00:56hrs a street cleaner was working in Macclesfield Street close to the Silvertime Chinatown premises in Gerrard Street. At this time pedestrian traffic close to the premises was light – Images A31.
68. At 00:58hrs Gerard Street had little pedestrian traffic though the area adjacent to O'Neill's Bar in Wardour Street continued to be busy with more pedicab riders looking to collect people leaving the venue. A male was begging south of O'Neill's Bar – Images A32, A33, A34.
69. From 01:00hrs the area around Silvertime Chinatown premises was quiet with only a few pedestrians passing by – Images A35, A36, A37, A38.

70. At 02:05hrs a male was sat on the floor outside the Play 2 Win AGC at Wardour Street junction with Gerrard Street, he appeared to be sleeping, crowds continued to be present outside O'Neill's bar – Images A39, A40.
71. Between 02:06hrs and 02:17hrs I conducted a covert visit to the Play to Win AGC located at 32 Wardour Street. As I approached the premises the external main entrance doors were open and I entered. I saw a security guard standing in the centre floor area of the premises wearing black trousers, a white shirt, a fluorescent waist coat and displaying an SIA licence on his left arm – Image A41.
72. As with the Silvertime Chinatown premises the venue was located on one level and had a carpeted flooring. This was a smaller premises but had a variety of gaming machines of various types located around the outer walls and through the centre. As I walked around the premises I could see that there were no other staff on duty and supervision of both the main door and the customers inside was the responsibility of the one security guard.
73. I noted that at the time of my entry there were seven other customers in the premises with an age range between 40 to 60 years, six men and one woman. Three of the customers were clearly together while the others were using the gaming machines alone.
74. I selected a machine to play near the rear of the premises. From here I had a view of what appeared to be a kitchenette area. This did not appear to be in use but was clean and tidy. I was not offered any refreshments – Image A42.
75. Whilst I was playing the machine the security guard walked past and I asked if I could use the toilet, he stated that there were no toilet facilities available. He walked through a door at the rear of the premises and out of sight returning about one minute later.
76. Around the premises there were different displays advertising various promotions. Additionally, close to the entrance the Premises Licence was displayed along with the house rules, no persons under the age of 18 to enter; CCTV in operation; Challenge 25 in operation; No consumption of alcohol on premises; No smoking on premises. In this area there was also a hand sanitiser station – Image A43.
77. At 02:17hrs I left the premises, there was no one loitering outside looking to gain entry. Opposite, at O'Neill's bar there was some noise and while I stood in the road I was approached by a male on a Pedicab who asked if I he could take me somewhere and asked if I wanted girls, I declined his offer – Image A44.
78. Further along Gerrard Street it was quiet outside the Silvertime Chinatown premises with a few pedestrians walking past – Images A45, A46, A47.
79. At 02:44hrs in Wardour Street south of Gerrard Street three uniformed police officers carried out a stop and search on a female – Image A48.

80. At the same time I noted two males seated under scaffolding south of O'Neill's bar who were begging - Image A49.
81. At 02:49hrs, O'Neill's bar was closing and customers were leaving the premises which continued to be supervised by SIA door security staff. There was the continued presence of the street pedicabs offering a ride on to other venues though the area was quieter. None of O'Neill's customers appeared to migrate towards the Play 2 Win premises and left the area generally walking north or south in Wardour Street – Images A50, A51.
82. Gerrard Street towards the Silvertime Chinatown premises was quiet. Some pedestrians from O'Neill's walked along Gerrard Street but none approached or took any interest in the Silvertime premises – Image A52.
83. At 03:02hrs I noted customers exiting 'The Experimental Cocktail Bar' 13A Gerrard Street W1D 5PT east of the Silvertime Chinatown premises. The customers of these premises were smartly dressed with the men in dinner suits and the woman in dresses. Some stood on Gerrard Street talking, though there was no anti-social behaviour – Image A53.
84. At 03:11hrs customers continued to leave O'Neill's bar with crowds standing in Wardour Street. Three uniformed police officers monitored the crowd but there was no anti-social behaviour at this time and the customers from O'Neill's walked away from the premises. Whilst Wardour Street was busy, very few people walked along Gerrard Street – Images A54, A55.
85. At 03:17hrs customers from The Experimental Cocktail Bar walked along Gerrard Street past the Silvertime Chinatown premises towards Wardour Street. There was no anti-social behaviour and they did not approach the premises – Image A56.
86. At 03:30hrs this period of observations concluded.

Deployment Two

87. The second period of covert observations was from 19:00hrs on Friday 4th August 2023 and 04:00hrs on Saturday 5th August 2023, the weather was warm and mild.
88. Initial observations monitored the Silvertime Chinatown premises, the immediate area around it and the pedestrian footfall. The premises were as previously described with its smart corporate and professional looking frontage, well maintained and clean. The rope barrier deployed across the front of the building observed previously was in place and the main exterior doors of the premises were open. The additional set of double doors within the premises closed and opened automatically on the approach of customers. As observations commenced a female member of staff wearing a red shirt was standing at the front of the premises – Image B1.

89. Gerrard Street was very busy with numerous pedestrians passing and using the multiple restaurant facilities available in this area. The pedestrian traffic reduced later in the evening as restaurant premises closed – Image B2.
90. Newport Place to the eastern end of Gerrard Street was also busy with pedestrians making their way to and from Gerrard Street – Images B3, B4.
91. There are a number of Adult Gaming Centres in this area and for the purposes of this report covert visits were carried out for comparison purposes. At 19:13hrs Little Macau AGC 3-5 Wardour Street W1D 6PB was open and trading but did not appear particularly busy though numerous pedestrians passed by heading north and south in Wardour Street– Image B5.
92. In Wardour Street at the junction with Gerrard Street and outside the Play 2 Win AGC the area was very busy with pedestrian traffic – Images B6, B7.
93. Pedestrians continued to pass the Silvertime premises and a street band, previously observed on 13th August had returned and set up in front of the Silvertime premises – Image B8.
94. Between 19:27hrs and 20:05hrs I conducted a covert visit to the Silvertime premises Gerrard Street. As I approached the external main entrance doors were open – Image B9. As I approached the internal double doors they opened automatically.
95. Internally the premises were as previously described. Two female members of staff, both wearing red liveried Silvertime shirts were standing behind the main reception desk. The male member of staff I had seen on my previous visit to the premises was also in the main floor area wearing a white shirt, black trousers and displaying an SIA badge on his left arm – Image B10.
96. There were other customers at the premises but it was not busy. There was an elderly male and female couple, another male and female couple aged about 38 years and near the front of the premises a couple, approximately 28 years of age with the female sitting on the lap of the male. All three couples were playing the gaming machines. Over the period of the visit as both male and female customers arrived and left there were never more than fourteen people in the premises.
97. I selected a machine and sat down to play. After a short while, at 19:31hrs I entered the toilet area which was opened by a female member of staff at my request. I found it to be clean and tidy with the Safeguarding literature produced in different languages in place. The toilet check sheet recorded that the area had been checked by a member of staff at 19:00hrs – Images B11, B12.
98. Having visited the toilet area observations continued in the main entertainment area. There was background music being played and I was not pressured to spend money. The male member of staff made regular patrols around the premises and monitored the front door. The female members of staff spoke to customers and assisted them where need be and cleaned the machines after they had been used, I was not offered any refreshments as had been the case

during my previous visit. There were no underage or vulnerable persons in the premises and the visit concluded at 20:05hrs.

99. As I left the premises there were no queues of people seeking to gain entry and no anti-social behaviour in the vicinity. The street band continued to play outside in Gerrard Street.
100. At 20:06hrs a male was seated and begging in Gerrard Street west of and opposite to the Silvertime premises. He did not approach the premises and was not connected to it in any way – Image B13.
101. Between 20:10hrs and 20:30hrs I conducted a covert visit to the Play to Win AGC located at 32 Wardour Street. As I approached the premises the external main entrance doors were open and I entered. When I had previously visited these premises a Security Guard was present but he was not there at this time. Other than that the premises were as previously described – Image B14.
102. The premises were not busy with an elderly couple seated together playing a machine and another six middle aged men playing various machines around the premises. I selected a machine to the left of the drink's reception counter where two female members of staff were standing and sat down to play. Both staff members were wearing lanyards around their necks that showed the name 'Game' on it and had a badge attached which I believe was an Identification badge though I was unable to read the detail. On the staff shirts were displayed 'Think 25' badges. I was approached by a female member of staff who offered me a coffee which I accepted and was brought to me while I played the machine.
103. Inside the premises, with the front access doors being open it was noisy because of the crowds outside and music being played in Wardour Street. There was no anti-social behaviour within the premises and I was not pressurised to spend money.
104. At the conclusion of the visit I left the premises. Wardour Street and Gerrard Street were busy with pedestrians and there were street musicians playing. A male was sat leaning against the window of the premises but there was no one queuing to enter – Image B15.
105. O'Neill's Bar opposite the Play 2 Win AGC was busy with security staff on the door carrying out bag searches and controlling customer entry and exit. Gerrard Street opposite O'Neill's front doors was busy with pedestrians – Images B16, B17, B18.
106. Between 20:33hrs and 20:52hrs I conducted a covert visit to the Little Macau AGC 3-5 Wardour Street Chinatown W1D 6PB. The premises are located at the southern end of Wardour Street with vehicular traffic able to pass the front on a two-way carriageway. There is a taxi rank opposite and south of the premises and parking is restricted by double yellow lines. Large numbers of pedestrians were passing the premises as I approached.

107. At the front of the premises there were two entry doors, as I entered one of these was closed allowing entry through one single door. Entry was controlled by a male security guard wearing a white shirt, black tie and black trousers. Around his neck was a lanyard that displayed an SIA badge and he greeted me as I walked through the door.
108. The premises was located on one level, carpeted with a variety of gaming machines of various types throughout. To the right was an area for preparing hot and cold drinks that was clean and tidy. An additional member of staff was also present in the floor area, a bearded man wearing a black shirt and trousers and a lanyard with the premises name upon it.
109. I selected a machine to play on the right hand side of the premises and from here could see that there were six other male customers. Three were approximately thirty years old and the other three, were older about fifty five years and dressed casually. None of them appeared to be together and all were quietly playing machines. There were no young or apparently vulnerable people in the premises. I was approached by the second male member of staff who offered me a coffee which I declined.
110. After playing the machine I asked the member of staff if there was a toilet that I could use and was directed to the rear of the premises. The entrance to the toilet was located at the rear, opposite the fire exit and the door was unlocked. Inside the toilet area documents were displayed on the wall that I had seen in other premises visited, a toilet check sheet and Staying in Control Gambling literature in English and other languages – Images B19, B20.
111. During the visit to the Little Macau AGC premises I was not pressurised to spend money, the staff were friendly and polite and there was no evidence of anti-social behaviour. When I left there was no one loitering outside or looking to gain entry – Image B21.
112. As part of the work carried out by Leveche Associates Limited different Adult Gaming Centres are visited for comparison purposes when preparing reports. Previously visited was the Hippodrome Casino off Leicester Square, WC2, the entrance to the premises being in Leicester Court – Image B22.
113. On attending this location at the time of these current observations it was found that these premises were no longer in operation as an Adult Gaming Centre and now formed part of the much larger Hippodrome Casino. Being a larger premises the Hippodrome operate a different Operational Management Plan to the much smaller Silvertime premises and it was not therefore appropriate to compare the two – Image B23.
114. At 21:05hrs Gerrard Street was still busy with transient pedestrian traffic but there were no persons queuing or loitering outside the Silvertime premises – Images B24, B25.
115. Between 22:00hrs and 22:21hrs I conducted a covert visit to the Las Vegas AGC 89/91 Wardour Street W1F 0UB. The premises are divided into two areas with a

basement advertised as American Pool and Arcade games and in the upper area an Adult Gaming Centre in the same form as Silvertime premises – Image B26.

116. The premises are located at the northern end of Wardour Street with vehicular traffic able to pass the front on a one way carriageway. Parking is restricted by a pedestrian crossing immediately outside the premises and then double yellow lines. At the time of this visit there was still a large amount of transient pedestrian traffic in this part of Wardour Street.
117. At the front of the premises there were two entry doors and to the right of these were signs stating no persons under 18, CCTV in operation, no alcohol, and no smoking. Both doors were open and I entered the premises. As I entered I saw three male members of staff were to my left, one was a security guard wearing black trousers, white shirt a green illuminous gilet and displaying an SIA badge on his left arm. The other two members of staff were wearing black trousers and grey check shirts. All three were focused on a gaming machine that appeared to have a fault issue and none acknowledged my entering the premises – Image B27.
118. As with the other Adult Gaming Centres in this area the entertainment area was located on one level and was carpeted with a variety of gaming machines of various types throughout the premises. To the right was an area for preparing hot and cold drinks that was clean and tidy.
119. I selected a machine to play on the right hand side of the premises and from here could see that there were seven other middle aged male customers in the premises, all dressed casually. None of them appeared to be together and all were quietly playing machines. There were no vulnerable people in the premises.
120. After playing the machine I asked the security staff if there was a toilet that I could use and was told there was no toilet inside this part of the building but there was one available in the arcade next door and downstairs. The security staff then spoke into his radio stating there was a customer going to the arcade to use the toilet facilities.
121. I left the building and went to the arcade. As I walked downstairs I noticed that it was very busy and noisy with various people playing pool, video games and table air hockey. With a customer base of people in their early twenties the demographic was very different to the lounge style of the Adult Gaming Centres.
122. The entrance to the toilet was at the rear of the premises and the door was opened by a different security staff member. I entered the toilet area which was clean and tidy though there was no safeguarding literature and no toilet check sheet – Images B28, B29.
123. I returned upstairs to the entertainment area and the Adult Gaming Centre part of the premises. Displayed on a wall near the entrance to the premises were the house rules and Premises Licence – Image B30. The premises were quiet as I sat down to play a machine. With only four other customers in the premises there was little to observe – Image B31.

124. During the visit to the Little Vegas AGC premises I was not pressurised to spend money, the staff were friendly and polite and there was no evidence of anti-social behaviour. When I left there was no one loitering outside or looking to gain entry – Image B32.
125. At 22:25hrs O’Neill’s bar located in Wardour Street at the junction with Gerrard Street was busy with security staff controlling entry and carrying out bag searches. The doors to the Play 2 Win AGC were open and crowds of pedestrians were passing along both Wardour Street and Gerrard Street though few people entered and the Play 2 Win premises was quiet inside – Images B33, B34, B35.
126. At 22:29hrs Uber Eats delivery Drivers were gathered in Macclesfield Street opposite Silvertime Chinatown. This is a pedestrianised area and as such members of the public were able to easily pass.
127. In various parts of Gerrard Street as restaurant premises closed for the evening piles of rubbish were placed outside of premises for collection by the local authority – Image B36.
128. At 22:47hrs the rubbish bins in Gerrard Street near the junction with Wardour Street were full and overflowing onto the pavement – Image B37.
129. At 23:02hrs Gerrard Street was still busy with members of the public – Image B38.
130. Between 23:12hrs and 23:25hrs a further covert visit was made to the Silvertime premises Gerrard Street. As I approached the male member of staff seen on previous visits was standing outside the front of the premises. The external main entrance doors were open and the internal double doors opened automatically.
131. Internally the premises were as previously described with the same members of staff on duty. A group of six young people five men and a woman all approximately 24 years of age had entered the premises and were stopped by staff who challenged their age and requested identification. The group appeared to provide the information requested, were granted entry and all gathered around one machine in the middle of the entertainment floor – Image B39.
132. There were twelve other customers in the premises all playing different machines, some as couples, others alone. None appeared vulnerable in any way. At 23:18hrs two males with American accents entered the premises, were heard to comment “It’s all slots”, turned around and immediately left.
133. I selected a machine and sat down next to a middle aged couple. There was no anti-social behaviour and the customers present appeared to enjoy their time within the venue. The background music continued to be played with staff making regular patrols and cleaning the machines after use.
134. At 23:25hrs the male member of staff was controlling the front access door of the premises using the maglock as I exited. There were no queues of people seeking to gain entry and no anti-social behaviour in the vicinity.

135. At 23:25hrs the group of young people who had previously had their age checked by Silvertime staff exited the premises. They stood in a group talking for a few minutes then walked off towards Newport Place. They were quiet and there was no anti-social behaviour.
136. At 23:30hrs the male member of staff removed the rope barriers positioned across the front of the Silvertime premises and took them inside as staff prepared for closing.
137. At 23:35hrs the front double doors of the Silvertime premises were closed though customers continued to exit under the control of the staff.
138. At 23:41hrs customers were queuing to enter the premises known as 'The Experimental Cocktail Bar' 13A Gerrard Street W1D 5T. These premises are located about 20 metres east of the Silvertime premises. The queuing customers were all smartly dressed and access to the premises was controlled by door security staff. There was no anti-social behaviour and no evidence of any vulnerable people. None of these people had been seen to enter or exit the Silvertime premises – Image B40.
139. At 23:52hrs staff from the Silvertime premises exited, placed a rubbish bag on the pavement outside and locked the front door leaving the premises closed with the internal lights turned off.
140. From 23:56hrs Gerrard Street was still busy with pedestrian traffic though this was focused closer to the junction with Wardour Street rather than the area occupied by the Silvertime premises – Images B41, B42.
141. At 00:42hrs the Little Macau AGC in the south end of Wardour Street was open and trading. There was no evidence of anti-social behaviour connected to the premises and no crowds outside obstructing the footway.
142. At 00:45hrs there was a queue of people entering O'Neill's Bar in Wardour Street though they were being effectively supervised by the door security staff. At the same time the crowds in Gerrard Street had reduced and it was quiet outside the Silvertime premises – Images B43, B44.
143. At 00:46hrs local authority waste collectors were seen removing the rubbish bags left by the various businesses in Gerrard Street – Image B45.
144. At 01:45hrs Wardour Street outside O'Neill's was busy with numerous Pedicab riders offering lifts to passing pedestrians and customers leaving O'Neill's bar - Image B46.
145. From 02:13hrs pedestrian traffic in the Gerrard Street area had reduced greatly though some customers from O'Neill's Bar were still standing outside the premises where Wardour Street meets Gerrard Street – Images B47, B48.
146. Between 02:16hrs and 02:30hrs I conducted a further covert visit to the Play to Win AGC located at 32 Wardour Street. As before, when I approached the

premises the external main entrance doors were open and I entered. There were two male members of staff in the premises both of whom wore lanyards around their necks identifying them. The premises were as previously described.

147. It was not busy with only two other customers present, both of whom were male casually dressed and aged around 40 years old. They were playing separate machines. I selected a machine on the left side of the premises near to the drinks reception counter and began to play. While seated here I could hear noise from the road outside the premises and the sound of bottles being broken though this was not prolonged.
148. There was no anti-social behaviour within the premises and I was not pressurised to spend money. I was able to hear noise from the street as the premises doors were open.
149. There was nothing else significant to note in this visit and I exited the premises where I could see O'Neill's customers standing outside the premises though they were supervised by the security team.
150. From 02:38hrs the eastern end of Gerrard Street at the junction with Newport Place was quiet – Images B49, B50.
151. At 03:04hrs O'Neill's Bar closed and customers exited onto Wardour Street where waiting pedicab drivers approached them offering lifts out of the area. Generally the customers from O'Neill's bar dispersed north and south along Wardour Street though a few walked eastbound along Gerrard Street towards the Silvertime premises. I did not see any of the O'Neill's customers leave the bar and walk into the Play 2 Win AGC opposite – Images B51, B52, B53.
152. At 03:19hrs Little Macau AGC Wardour Street was open though the premises appeared quiet and there were no persons looking to enter.
153. At 03:29hrs outside The Experimental Cocktail Bar in Wardour Street and east of the Silvertime premises there was an apparent incident of assault by one male on another. Police were called and spoke with both parties. The police appeared to take details of the incident and both parties went their separate ways. This incident was not connected to any of the Adult Gaming Centres in the area – Image B54.
154. The area in Gerrard Street near the Silvertime premises remained relatively quiet. A few passing members of the public walked along Gerrard Street but none made an attempt to approach and enter the Silvertime premises.
155. At 04:00hrs this period of observations concluded.

Deployment Three

156. The third period of covert observations was from 19:58hrs on Saturday 2nd September and 03:30hrs on Sunday 3rd September 2023, as with the previous visits the weather was warm and mild.

157. For this period of observations the Silvertime Chinatown premises was the focus almost in its entirety with three separate covert visits made to the premises in the observation period and longer periods of time spent observing the external area of the premises. The premises were as previously described with its smart corporate and professional looking frontage, well maintained and clean. The rope barrier deployed across the front of the building and observed previously was in place and the main exterior doors were open. The additional set of double doors within the premises closed and opened automatically on the approach of customers.
158. Gerrard Street was much busier than the previous observation periods and this can be attributed to the fact that it was a Saturday night in the West End of London – Images C1, C2.
159. The Lotus Garden Restaurant situated opposite the Silvertime premises in Gerrard Street at the junction with Macclesfield Street was very busy and had external tables for customers located in both Gerrard Street and Macclesfield Street, something that had not been seen during previous observations – Image C3.
160. Macclesfield Street from Shaftesbury Avenue to Gerrard Street was busy with a large pedestrian footfall – Image C4.
161. At Wardour Street and the western end of Gerrard Street there were large crowds of people making their way north and south in Wardour Street and along Gerrard Street passed the Play 2 Win AGC – Images C5, C6, C7.
162. As previously observed O'Neill's bar had a security team on the door that monitored customers entering and exiting the premises – Image C8.
163. At 20:10hrs a group of Hare Krishna supporters were chanting in Gerrard Street near the junction with Newport Place. Music was being played and passing members of the public were dancing with the group in a good natured atmosphere – Image C9.
164. At 20:19hrs the Little Macau AGC Wardour Street was viewed. The front door was open, it did not appear busy inside and there were no crowds loitering on the pavement outside.
165. At 20:24hrs Wardour Street was busy with pedestrians and pedicabs – Image C10.
166. At 20:29hrs the Las Vegas AGC Wardour Street was viewed. The front door was open but as with the Little Macau AGC, it did not appear busy inside and there were no crowds loitering on the pavement outside – Image C11.
167. At 20:40hrs the group of Hare Krishna supporters had made their way west along Gerrard Street and were now chanting outside the Silvertime premises at the junction with Macclesfield Street. Again the group were good natured with

members of the public joining the chanting and dancing while members of the group handed out Hare Krishna information leaflets – Image C12.

168. At 20:46hrs the group of Hare Krishna supporters continued their walk west along Gerrard Street – Image C13.
169. At 20:49hrs a group of Uber Eats delivery riders were gathered in Macclesfield Street near the junction with Gerrard Street – Image C14.
170. Members of the public continued to walk along Gerrard Street passed the Silvertime premises while customers were seen entering. There was no anti-social behaviour or additional noise that could be attributed to the Silvertime premises.
171. Between 21:00hrs and 21:34hrs I conducted a covert visit to the Silvertime premises Gerrard Street. As I approached the external main entrance doors were open. As I approached the internal double doors they opened automatically – Image C15.
172. Internally the premises were as previously described. Upon entry there was a female member staff standing at the forward reception desk who greeted me. She was wearing a red fleece style jacket with a 'Think 25' badge affixed to it and another badge with her name on it. Behind the reception counter to the right and towards the rear of the premises was a male member of staff wearing a red collared shirt who had a name badge on it that identified him as Dragan. I sat down at a machine to the right and began to play. Within a minute the female member of staff approached and asked I would like a soft drink. I asked for a coffee that was brought to me a short time later.
173. At 21:04hrs a young male and female couple approximately 25 years of age entered the premises. The male staff member came from behind the counter and approached the couple clearly checking their ages and asking for identification which was produced without issue. The male member of staff checked the documents that were shown to him and the young couple were allowed to move on through into the main floor having clearly satisfied the staff member that they were old enough to be on the premises.
174. There were nine other customers, six of whom were middle aged men, all casually dressed and playing various machines. There were two males and a female aged approximately 28 years seated at a gaming machine and they were clearly together as a group. Generally the premises was quiet with both members of staff circulating the floor area to assist customers where required.
175. At 9.30pm I was aware of an additional member of staff in the premises, a male wearing a white shirt with an SIA badge on his left arm. This was the same male who had been seen on previous observations and visits to the premises and ensured there were three members of staff on the premises as required by their operating license.

176. As with previous visits background music was being played and there was no pressure to spend money. All of the staff made regular patrols around the premises and monitored the front door. There were no vulnerable persons in the premises.
177. At 21.34hrs I left the premises. As I exited the internal door was opened for me by the staff member in a white shirt who pushed the door release button to my right. As I left, there were no queues of people seeking to gain entry and no anti-social behaviour in the vicinity. Gerrard Street and Macclesfield Street leading to Shaftesbury Avenue were still busy with pedestrian traffic – Images C16.
178. From 21:34hrs observations were maintained outside of the Silvertime premises and a number of photographic images obtained showing the pedestrian traffic in the area. There was no anti-social behaviour or noise that related to the premises – Images C17, C18, C19.
179. Between 22:00hrs and 22:34hrs I conducted the second covert visit of the evening to the Silvertime premises Gerrard Street.
180. On entering the premises the same staff members were present that had been observed earlier. The staff member with the white shirt on was sitting at the forward reception desk viewing the screen on the desk at this location that allowed access to the premises CCTV cameras footage. The female member of staff was behind the rear reception desk and the male member of staff was standing in front.
181. The three customers aged approximately 28 years that I had seen earlier were still playing a gaming machine. The premises were quiet with only four other customers on the premises. There was no excessive noise, anti-social behaviour and no persons on the premises that would be considered vulnerable.
182. I sat down at a machine to the right of the floor which I started to play. At 22:09hrs two middle aged females with American accents entered the premises and were greeted by the staff member in the white shirt. They walked around and selected a machine which they played together. A short time later two smartly dressed males entered and started playing two separate machines to my right. There were no incidents of note during this period of observations and I left the premises at 22:34hrs.
183. From 22:34hrs observations were maintained outside of the Silvertime premises. There was no anti-social behaviour or additional noise that related to the premises.
184. At 22:52hrs uniformed police officers were in the area and went to the Lotus Garden restaurant opposite the Silvertime premises where they spoke at length with staff from the premises and a pedicab rider. There was no obvious incident that the police were attending to and pedestrian traffic continued to pass the Silvertime premises – Image C20.

185. Between 23:04hrs and 23:32hrs I conducted the third covert visit of the evening to the Silvertime premises Gerrard Street prior to its scheduled closing at midnight.
186. On entering, the premises were as previously described with the same staff members in the venue. I walked to the rear and went in the toilet facilities. The toilet check sheet was in place and signed and the facilities were clean and tidy. I returned to the main floor and started to play a machine – Image C21.
187. The female member of staff had removed her fleece jacket from earlier in the evening and was now wearing a black t-shirt. She was in the process of wiping down and cleaning various machines. There were ten customers in the venue of varying ages but no large groups, no anti-social behaviour and a relaxed atmosphere.
188. At 23:30hrs the female member of staff approached me and stated that the premises would be closing in 15 minutes which I acknowledged. This member of staff then walked around speaking to other customers clearly informing them that the premises would be closing for the night.
189. At 23:32hrs I made my way to the exit to leave. Both the doors were now under the control of the staff member in the white shirt. As I approached the internal doors the staff member pressed the button to the right allowing the doors to open. The external doors were closed and clearly the Maglock was in operation. This was released by the staff member and I was able to leave. Again, there were no incidents of note that caused me concern during this period of observations. There were no queues of people seeking to gain entry and no anti-social behaviour in the vicinity – Images C22, C23.
190. Observations continued on the front of the Silvertime premises where customers were seen leaving quietly without any fuss prior to the premises closing. At 23:58hrs staff left placing a bag of rubbish on the pavement outside for overnight collection. The doors were locked and staff walked away leaving the premises closed with the internal lights turned off.
191. From midnight the area was still busy with pedestrians though the numbers had decreased as the restaurants had closed – Image C24.
192. At 00:30hrs local refuse collectors were seen in operation removing the discarded rubbish bags placed on the street by the businesses in Gerrard Street – Image C25.
193. At 00:32hrs the Little Macau AGC Wardour Street was open and trading though quiet inside. There were no crowds of people seeking to gain entry and no anti-social behaviour in its vicinity.
194. At 00:34hrs O'Neill's bar was still busy. The security team was controlling access and exit, there was a lot of noise in the area – Image C26.

195. At 00:35hrs the Play 2 Win AGC in Wardour Street at the junction with Gerrard Street was quiet. None of the crowds of people outside O'Neill's bar migrated from the bar to this venue – Image C27.
196. At 00:35hrs pedicabs in Wardour Street at the junction with Gerrard Street were touting for business – Image C28.
197. At 00:39hrs the Las Vegas AGC Wardour Street was trading. There were large volumes of pedestrians in this area but none appeared connected to the AGC premises and appeared to be from the local pubs, restaurants and clubs – Image C29.
198. From 00:44hrs pedestrians were walking past the Silvertime premises in Gerrard Street but there was no additional noise or anti-social behaviour.
199. At 02:04hrs the area outside the front of Silvertime Chinatown premises was quiet with few pedestrians walking past – Image C30.
200. At 02:07hrs the Little Macau AGC Wardour Street was open and trading. The premises and its immediate vicinity were quiet and there was no evidence of anti-social behaviour.
201. At 02:09hrs the queue to enter O'Neill's bar in Wardour Street had reduced as had the number of pedestrians outside of the premises – Image C31.
202. At 02:13hrs the Las Vegas AGC Wardour Street had shut its doors and appeared to have closed for the night. The area was still busy with passing pedestrians and noise with people making their way along Wardour Street – Image C32.
203. From 02:18hrs observations of Gerrard Street in the vicinity of the Silvertime premises showed it to be quiet with minimal pedestrian traffic passing the front doors – Images C33, C34, C35.
204. At 03:02hrs the Little Macau AGC Wardour Street was open and trading. The premises and its immediate vicinity were quiet. A member of staff stood at the front door controlling access but there were no customers looking to enter at this time.
205. At 03:04hrs O'Neill's bar was closing and customers exiting the premises. The Play 2 Win AGC opposite was open but none of the customers exiting O'Neill's approached the AGC, dispersing north and south along Wardour Street and in some cases along Gerrard Street – Image C36.
206. At 03:07hrs the Las Vegas AGC Wardour Street was closed though the area was still busy with pedestrians – Image C37.
207. From 03:11hrs the vicinity of the Silvertime premises was quiet – Images C38, C39.
208. At 03:30hrs these observations concluded.

Summary

209. The public concerns raised regarding the extension of opening times for Silvertime Chinatown to 03:00hrs 7-days a week were not evident. I saw no evidence of criminal acts linked to any of the Adult Gaming Centre premises visited during the course of these observations. None of the clientele were especially young people and there was no evidence of any drunk or other vulnerable people linked to any of the Adult Gaming Centres.
210. During the observation periods there was evidence of anti-social behaviour, noise and begging. None of this was linked to any of the Adult Gaming premises and when it did occur was not in the vicinity of, or in any way linked to Silvertime Chinatown in Gerrard Street.
211. There was evidence of litter in the streets but this was attended to by overnight street cleaners and refuse collectors.
212. The Silvertime premises had a smart, well-lit, and professional looking frontage. The premises were carpeted, with music playing in the background and the atmosphere was relaxed and welcoming.
213. People entering the Silvertime premises were vetted immediately upon entry to ensure drunken or other vulnerable people didn't gain access. Evidence of staff adhering to 'Challenge 25' was witnessed.
214. At the time of my visits to the Silvertime premises I saw no evidence of crime and disorder, anti-social behaviour, littering, street drinking, drug dealing, begging or groups of youths hanging around that could be linked to the premises.
215. It is clear the presence of the Silvertime premises at Gerrard Street does not lead to or result in people, who have been on a night out, staying in the area any longer than they had planned to with numerous travel options to take them away from the area when required.
216. Silvertime Chinatown takes safer gambling seriously. This can be evidenced with the use of safeguarding programs such as:
- i) Challenge 25 Policy – Strict Over 18 Policy. The venue operates a Challenge 25 Policy whereby photographic ID is required to gain entry, this was seen during observations. This work is supported with a record held by the premises recording all age verification checks of which there are numerous.
 - ii) In View Tools – Staying in control is a key part of messaging in the Silvertime venues. Leafleting and posters such as BeGambleAware and GamCam, can be found in the venues main area and in private places such as toilets.
 - iii) Staff Training – Induction training is provided to all staff working at the premises and refresher training to every member of staff at least every six months. This training includes conflict management, the specific local risk

to the licensing objectives and drug / alcohol awareness training to include the issues that present for those who are homeless and / or street drinking.

- iv) Premises Incident Register – There are no recorded incidents at the venue for the period of this review. Historically dating back to September 1st 2022 only four incidents are recorded that related to excluded customers, two friends arguing and a none customer that wished to use the toilet facilities.
- v) There is engagement with local community through training sessions held at the Silvertime Gerrard Street premises.

217. Covert visits to Silvertime Chinatown premises found professional and attentive staff managing them. The premises are well run and there are clearly defined systems in place to ensure the premises operate in support of the gambling objectives.

218. The demographic is much older and doesn't attract young people or vulnerable persons. The environment is very different to a loud busy arcade, it is a low-key carpeted style lounge with no more than a handful of mature customers in at any one time. None of the customers at the Silvertime premises were pressurised or encouraged to spend money. Should they wish, employees of local businesses who work late in the evening may choose to use these premises as an entertainment option after finishing their work.

219. Customers seen leaving the Silvertime Chinatown premises did so quietly in couples or alone as compared to local pubs and bars that required the control of security teams to prevent anti-social behaviour and obstruction of the roads.

220. In conclusion, it is correct to say that the Silvertime Chinatown premises are well run, and their operation significantly reduces the risk of crime and disorder and vulnerable people being taken advantage of. Effective regulation and oversight of the premises ensures potentially negative behaviour is prevented and ensures responsible gaming practices. From observations, it is clear that the Silvertime premises do not have a negative impact on the environment, infrastructure, or local community.

221. The facts in this report are honest and true. The opinions expressed are made in good faith and with best judgement. The fee for this report is not conditional on the outcome of any future case, application or finding.

Nick Mason
Licensing Consultant
Leveche Associates Limited
28/09/2023



Appendix A

Observation Images
13th - 14th July 2023

Silvertime
Chinatown
32 Gerrard Street
London
W1D 5QA

Leveche Associates Ltd
Nightingale House
46-48 East Street
Epsom
Surrey KT17 1HQ



Image A1

19:14hrs

Gerrard Street looking west



Image A2

19:15hrs

Gerrard Street looking east



Image A3

19:15hrs

Silvertime Chinatown
looking north into Macclesfield Street



Image A4

19:16hrs

Macclesfield Street looking south towards
Shaftesbury Avenue

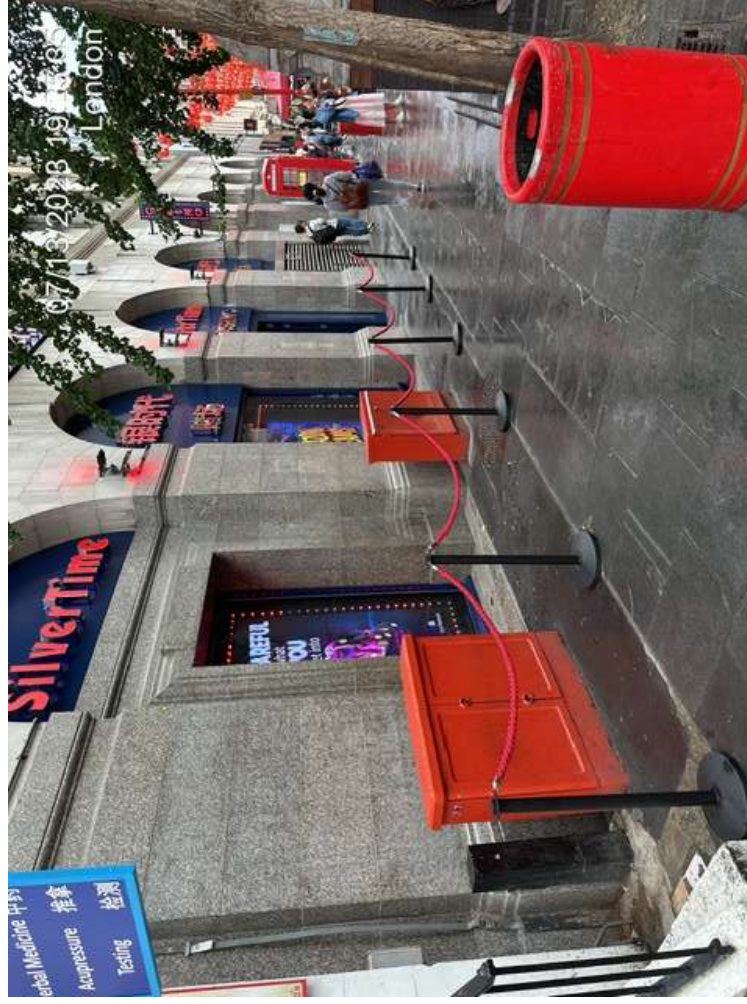


Image A5

19:25hrs

Front of Silvertime with red rope barrier



Image A6

19:26hrs

Street band set up to play
outside Silvertime



Image A7

19:32hrs

Public Car Park Newport Place



Image A8

19:36hrs

Paddy Power Bookmakers
40 Gerrard Street W1D 5QE



Image A9

19:40hrs

Gerrard Street j/w Wardour Street
O'Neill's Bar & Betfred Bookmakers



Image A10

19:43hrs

Play 2 Win Adult Gaming Centre
32 Wardour Street W1D 6QR



Image A11

19:44hrs

O'Neill's Bar 33-37 Wardour Street W1D 6PU
Betfred Bookmakers 39 Wardour Street W1D 6PS



Image A12

19:49hrs

Coral Bookmakers
1-3 Newport Place WC2H 7JR



Image A13

19:50hrs

Looking west into Gerrard Street from Newport Place



Image A14

20:30hrs

Wardour Street outside O'Neill's Bar



Image A15

21:01hrs

Gerrard Street looking east



Image A16

21:03hrs

Gerrard Street looking west



Image A17

22:34hrs

Gerrard Street looking east



Image A18

22:36hrs

Bagged rubbish Gerrard Street



Image A19

22:43hrs

Macclesfield Street opposite Silvertime Chinatown
Uber Eats Riders



Image A20

22:46hrs

Gerrard Street looking west



Image A21

23:00hrs

Silvertime Chinatown
Entrance and External Doors



Image A22

23:00hrs

Silvertime Chinatown
Entrance and Internal Doors



Image A23

23:17hrs

Silvertime Chinatown
Toilet Check-list



Image A24

23:17hrs

Silvertime Chinatown
Stay in Control Gambling Literature



Image A25

23:17hrs

Silvertime Chinatown
Think 25 and Staying in Control posters

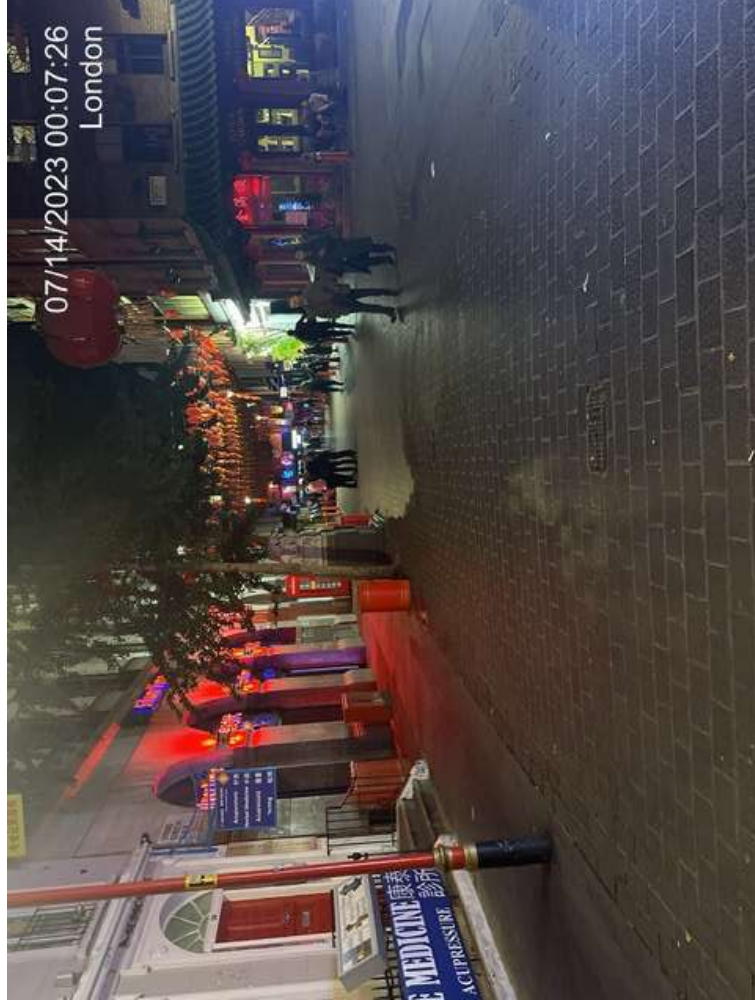


Image A26

00:07hrs

Gerrard Street looking west



Image A27

00:08hrs

Gerrard Street looking east

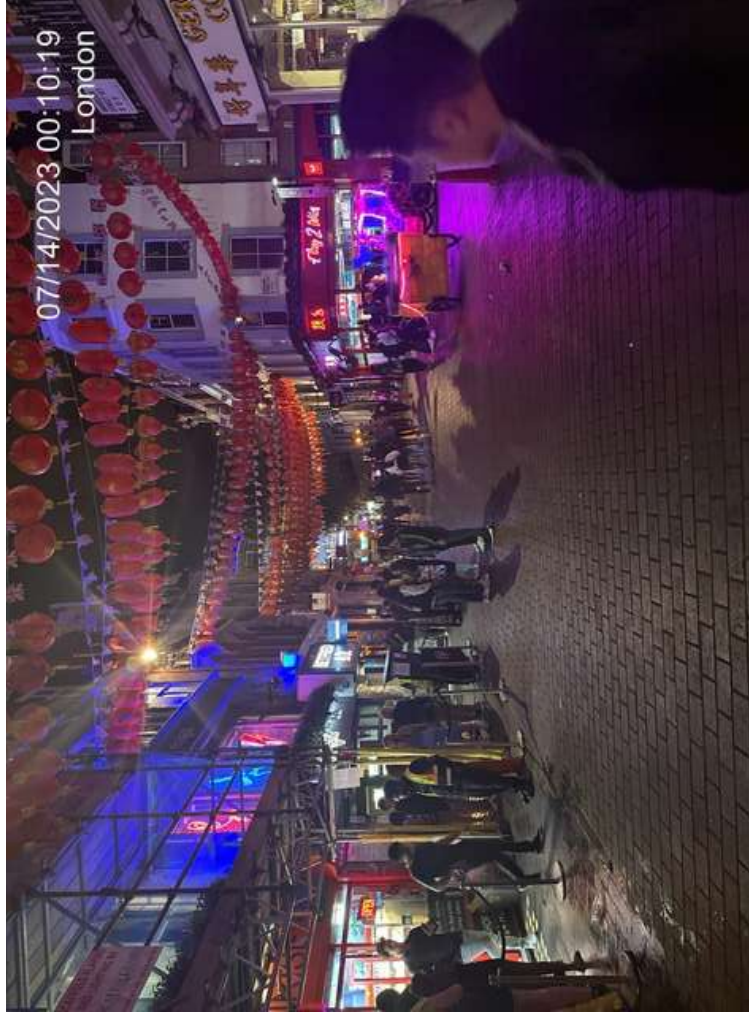


Image A28

00:10hrs

Wardour Street j/w Gerrard Street looking north



Image A29

00:11hrs

Wardour Street j/w Gerrard Street looking south



Image A30

00:18hrs

Refuse Collectors Gerrard Street



Image A31

00:56hrs

Street Cleaner Macclesfield Street



Image A32

00:58hrs

Gerrard Street looking east



Image A33

00:59hrs

Wardour Street j/w Gerrard Street looking north

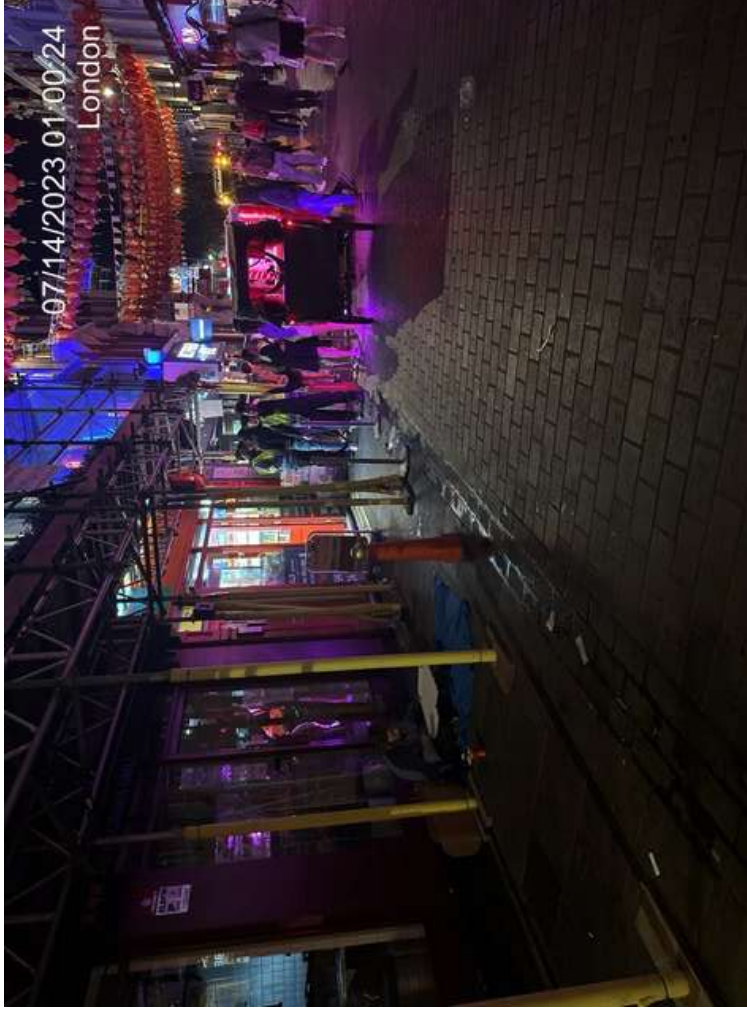


Image A34

01:00hrs

Male south of O'Neill's Bar begging



Image A35

01:05hrs

Silvertime Chinatown looking west



Image A36

01:21hrs

Gerrard Street looking east



07/14/2023 02:04:46
London

Image A37

01:23hrs

Gerrard Street looking west



Image A38

02:04hrs

Gerrard Street looking west



Image A39

02:05hrs

Gerrard Street j/w Wardour Street



Image A40

02:06hrs

O'Neill's Bar Wardour Street

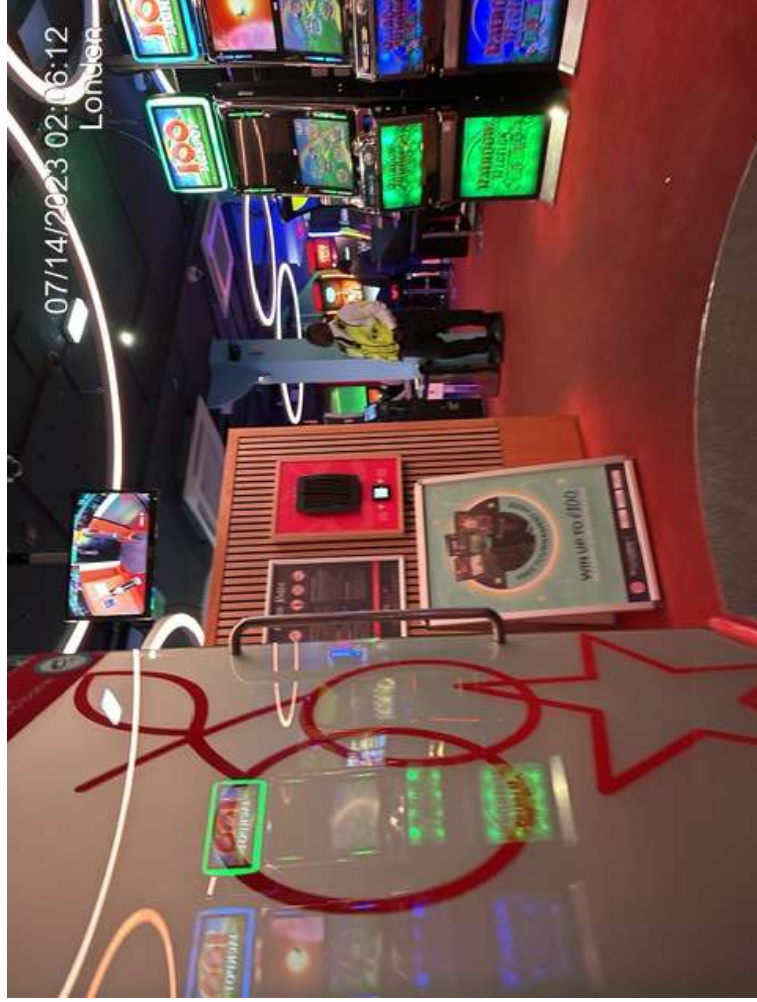


Image A41

02:06hrs

Play 2 Win
32 Wardour Street



Image A42

02:09hrs

Play 2 Win Wardour Street
Internal view



Image A43

02:13hrs

Play 2 Win Wardour Street
Premises Licence



Image A44

02:17hrs

Play 2 Win Wardour Street



Image A45

02:17hrs

Gerrard Street looking east

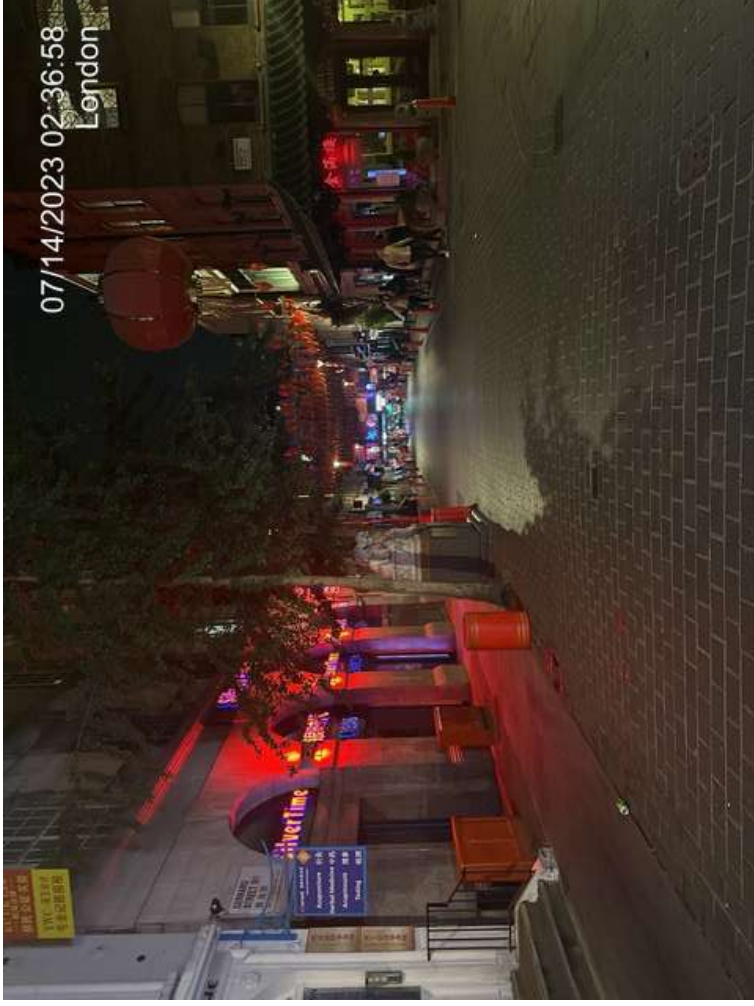


Image A46

02:36hrs

Gerrard Street looking west



Image A47

02:38hrs

Gerrard Street looking east



Image A48

02:44hrs

Wardour Street south of O'Neill's Bar
Police stop/search female



Image A49

02:44hrs

Wardour Street south of O'Neill's Bar
Male begging & male lying on floor



Image A50

02:49hrs

O'Neill's Bar Wardour Street
Customers leaving premises



Image A51

03:00hrs

O'Neill's Bar Wardour Street
Customers leaving premises

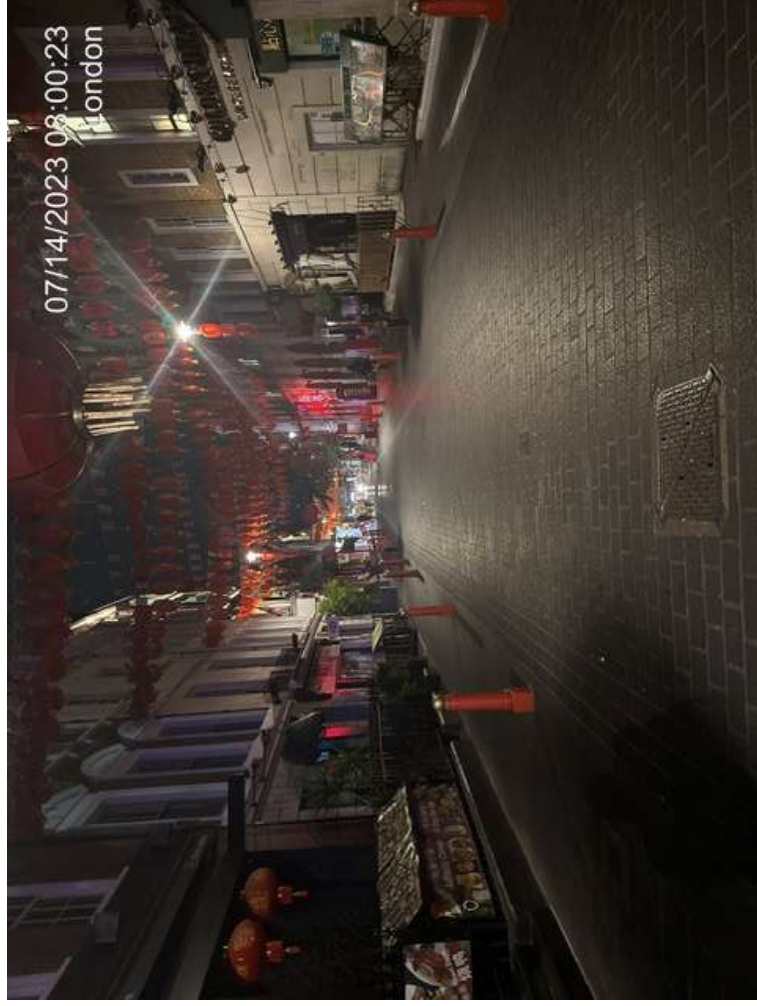


Image A52

03:00hrs

Gerrard Street looking east



Image A53

03:02hrs

Gerrard Street looking west



Image A54

03:11hrs

O'Neill's Bar Wardour Street
Customers leaving premises observed by police



Image A55

03:12hrs

Gerrard Street j/w Wardour Street looking east



Image A56

03:17hrs

Gerrard Street looking west



Appendix B

Observation Images
4th - 5th August 2023

Silvertime

Chinatown
32 Gerrard Street
London
W1D 5QA

Leveche Associates Ltd

Nightingale House
46-48 East Street
Epsom
Surrey KT17 1HQ

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B1

19:00hrs

Gerrard Street looking east



Image B2

19:01hrs

Gerrard Street looking west

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B3

19:03hrs

Gerrard Street looking west from Newport Place



Image B4

19:03hrs

Newport Place

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B5

19:15hrs

Wardour Street looking north
towards Gerrard Street



Image B6

19:17hrs

Play 2 Win AGC
Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B7

19:17hrs

Gerrard Street looking east



Image B8

19:27hrs

Street band setting up outside Silvertime

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023

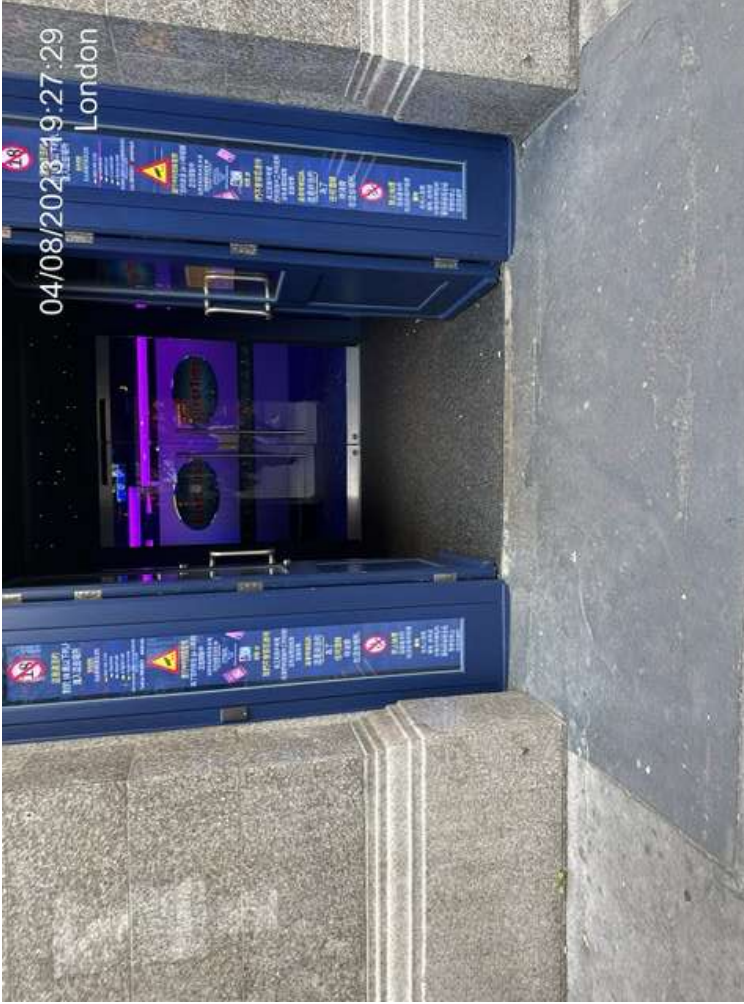


Image B9

19:27hrs

Silvertime - Entrance door



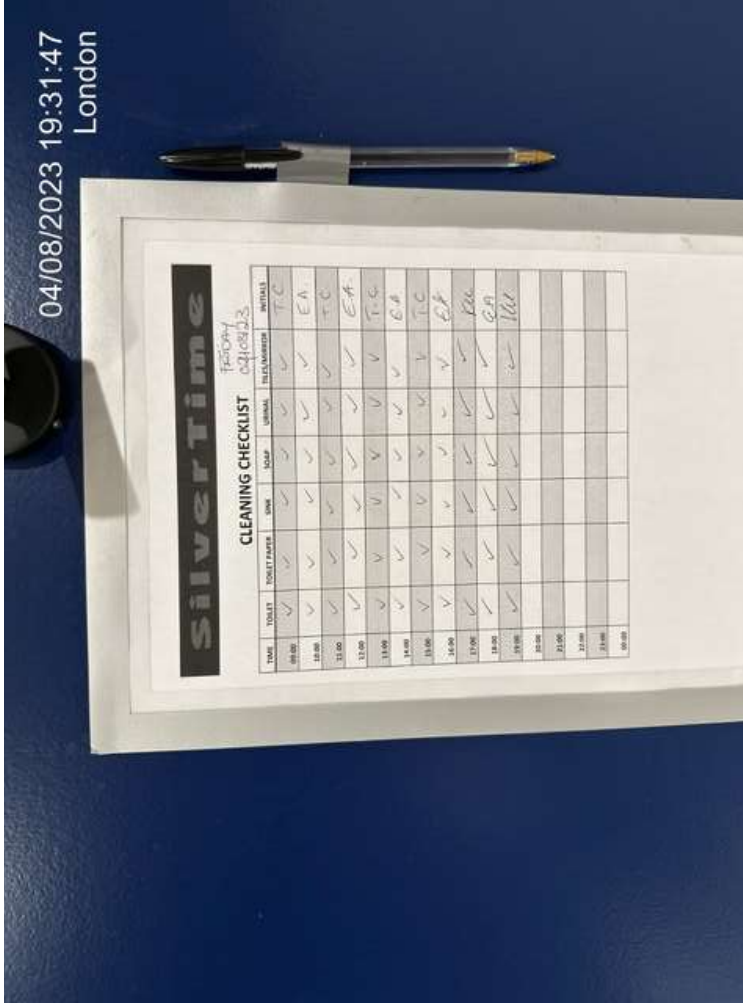
Image B10

19:27hrs

Silvertime - Reception area

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



04/08/2023 19:31:52
London



Image B11

19:31hrs

Silvertime - Toilet Check Sheet

Image B12

19:31hrs

Silvertime
Stay in Control Gambling Literature

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B13

20:06hrs

Gerrard Street looking east
Male begging



Image B14

20:10hrs

Play 2 Win AGC
Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B15

20:30hrs

Street Musician Wardour Street



Image B16

20:30hrs

O'Neill's Bar Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B17

20:30hrs

Gerrard Street looking east



Image B18

20:30hrs

O'Neill's Bar Wardour Street
Security Staff

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
 4th 5th August 2023

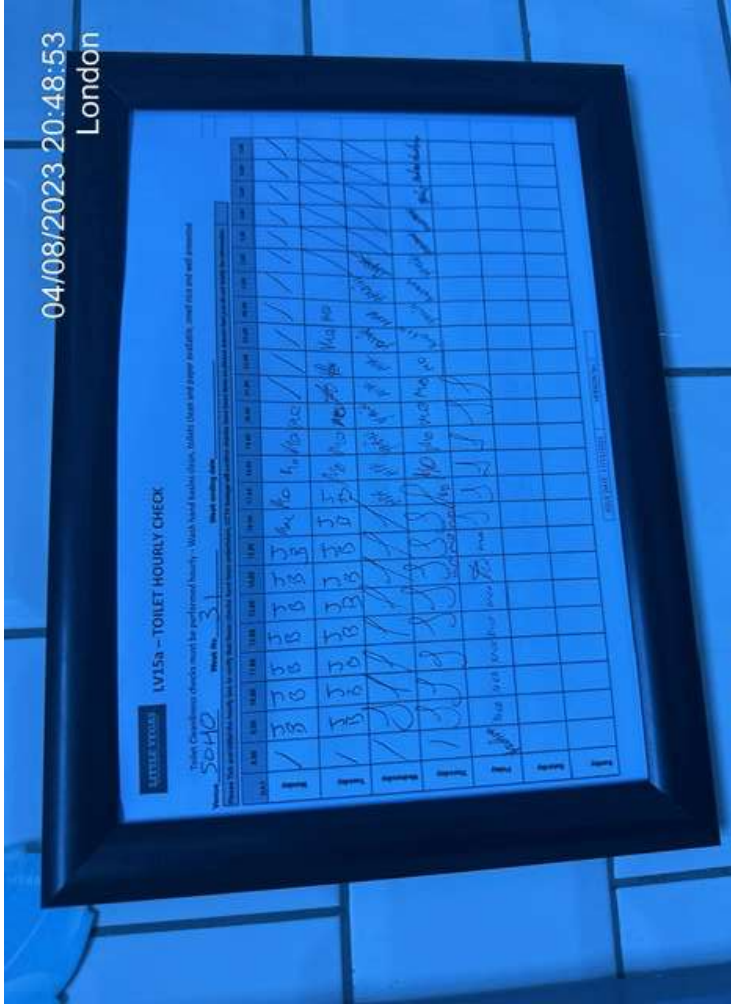


Image B19

20:48hrs

Little Macau AGC
 Toilet Check Sheet



Image B20

20:49hrs

Little Macau AGC
 Stay in Control Gambling Literature

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B21

20:52hrs

Wardour Street looking north



Image B22

20:58hrs

Hippodrome Casino Leicester Court
Former Adult Gaming Centre

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023

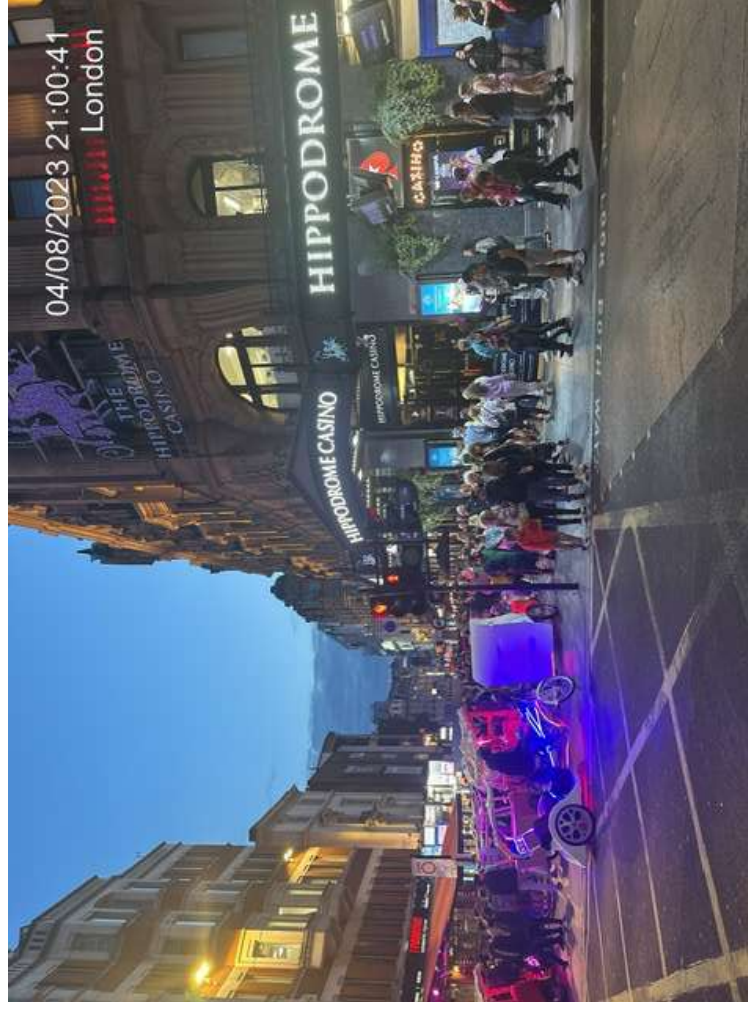


Image B23

21:00hrs

Hippodrome Casino looking
towards Leicester Square



Image B24

21:05hrs

Gerrard Street looking west from Newport Place

Appendix B

Silvertown Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B25

21:17hrs

Gerrard Street looking west



Image B26

22:00hrs

Las Vegas AGC
Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B27

22:01hrs

Las Vegas AGC Staff



Image B28

22:12hrs

Las Vegas AGC - Toilet

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B29

22:12hrs

Las Vegas AGC - Toilet door



Image B30

22:14hrs

Las Vegas AGC
House Rules and Premises Licence

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B31

22:14hrs

Las Vegas AGC
Main operating area



Image B32

22:21hrs

Las Vegas AGC
Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B33

22:25hrs

O'Neil's Bar
Wardour Street



Image B34

22:25hrs

Play 2 Win AGC
Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B35

22:26hrs

Gerrard Street looking east



Image B36

22:38hrs

Gerrard Street looking west
Rubbish awaiting collection

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B37

22:47hrs

Gerrard Street j/w Wardour Street
Rubbish bins full



Image B38

23:02hrs

Gerrard Street looking west from Newport Place

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B39

23:14hrs

Silvertime Chinatown
Staff checking ages of customers on entry



Image B40

23:41hrs

Experimental Cocktail Bar
13A Gerrard Street W1D 5PT

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023



Image B41

23:56hrs

Gerrard Street looking west



Image B42

23:57hrs

Wardour Street looking south

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023

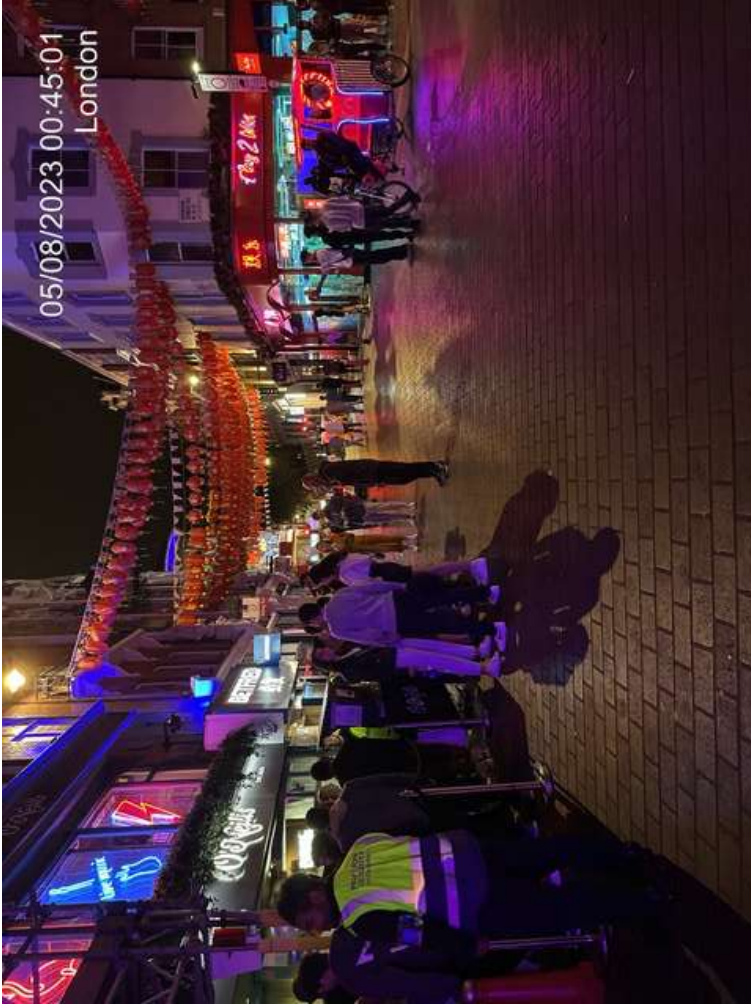


Image B43

00:45hrs

O'Neil's Bar Wardour Street



Image B44

00:45hrs

Gerrard Street looking east

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B45

00:46hrs

Gerrard Street – Refuse collection

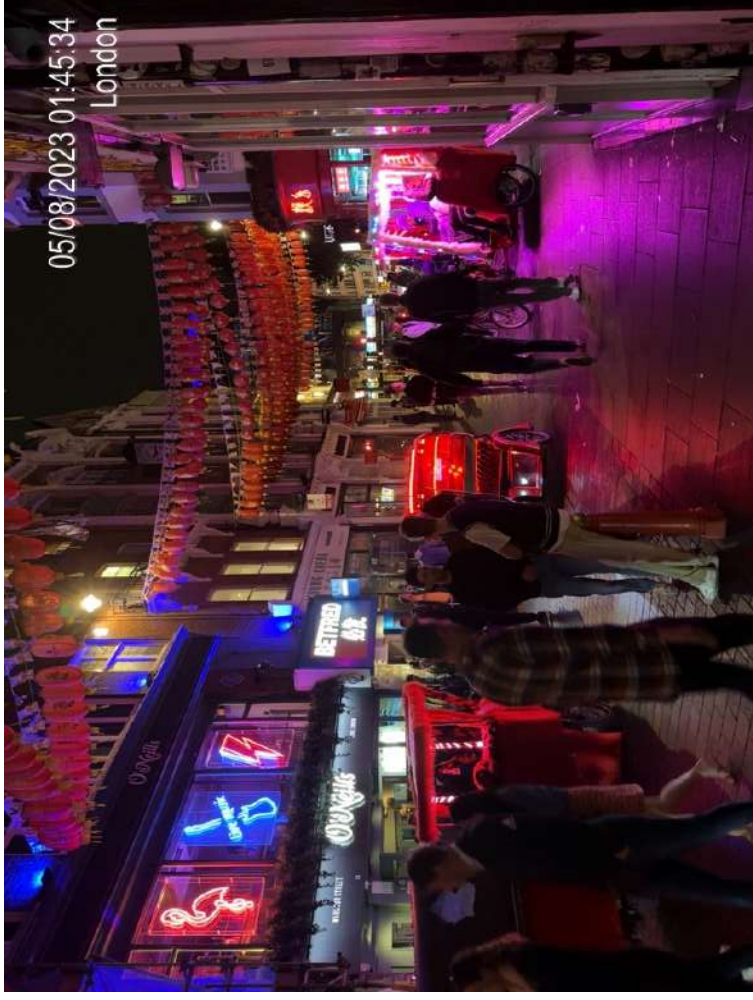


Image B46

01:45hrs

O'Neill's Bar Wardour Street

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA

4th 5th August 2023



Image B47

02:13hrs

Gerrard Street looking west



Image B48

02:33hrs

Wardour Street j/w Gerrard Street looking north

Appendix B

Silvertime Chinatown, 32 Gerrard Street, London, W1D 5QA
4th 5th August 2023

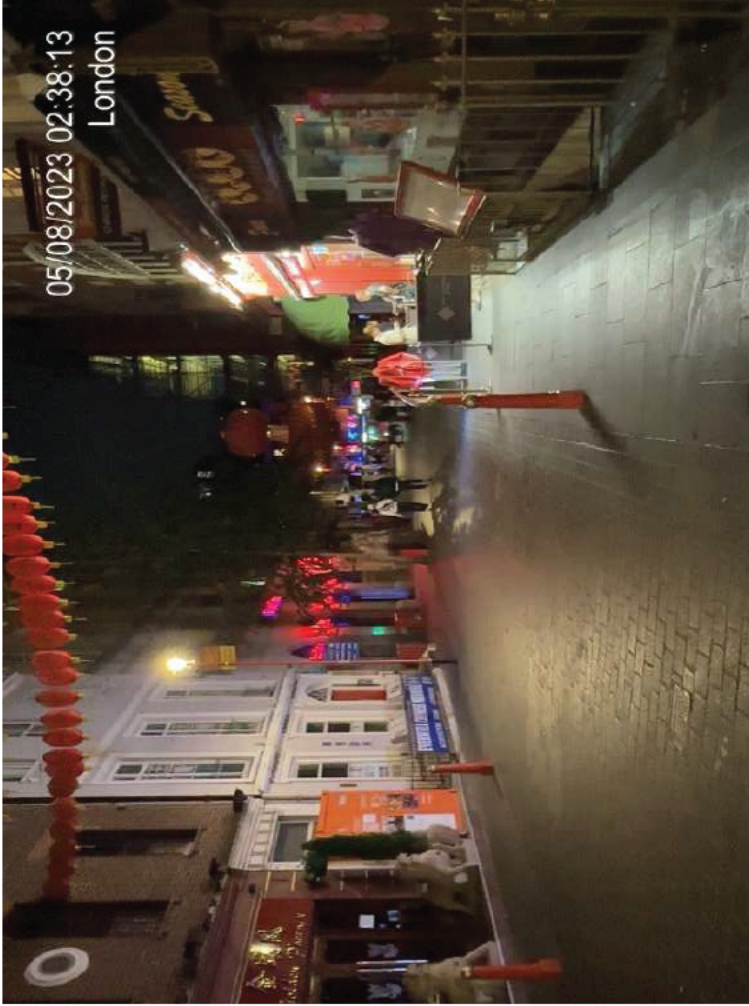


Image B49

02:38hrs

Gerrard Street looking west

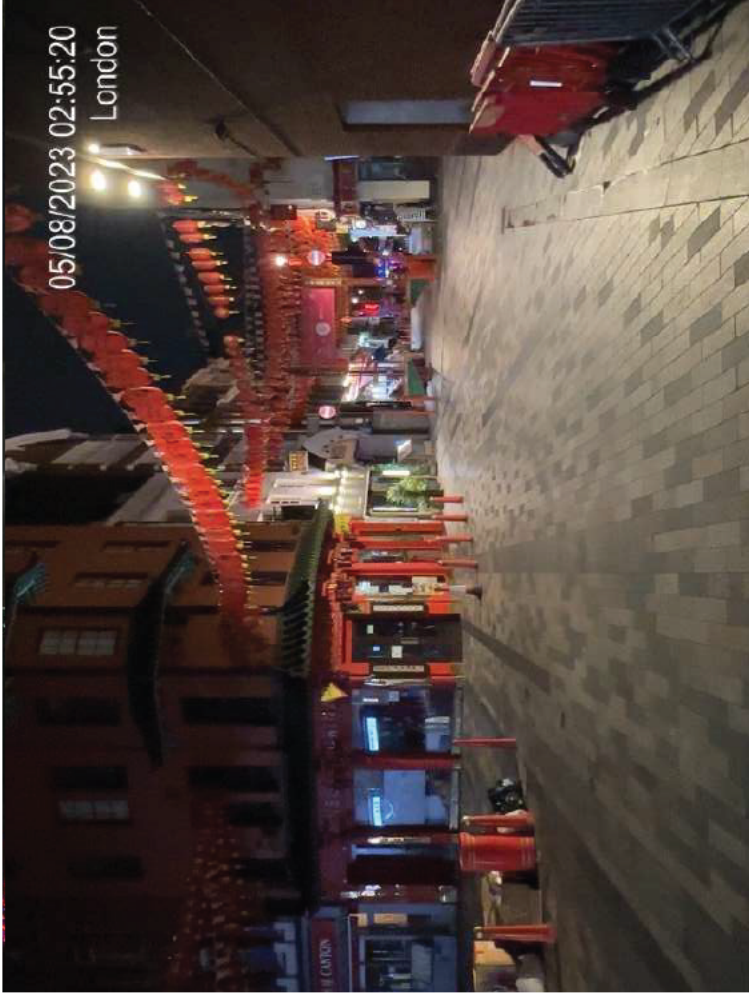


Image B50

02:55hrs

Gerrard Street looking west