



Licensing Sub-Committee Report

Date: 21st April 2016

Subject: Review of a Betting (Other) Premises Licence under the Gambling Act 2005.

Summary

To consider and determine the initiation by the Metropolitan Police Service of a review of the premises licence held by Ladbrokes, 25 Argyll Street, London W1F 7TU

Options for Members

Having regard to

- a) the matters specified in section 153 of the 2005 Act;
- b) any representations made in accordance section 200(5) of the 2005 Act, and
- c) any representations made at the hearing of the review, the

the Licensing Sub Committee may:

- Revoke the licence
- Suspend the licence for a specified period not exceeding 3 months
- Exclude a condition attached to the licence under section 168 of the 2005 Act (default conditions) or remove or amend an exclusion
- Add, remove or amend a condition under section 169 of the 2005 Act (conditions imposed or excluded by the Licensing Authority)

The authority must specify the time at which any of the above actions shall take effect.



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	21 st April 2016
Licensing Ref No:	16/00086/LIREVG
Title of Report:	Application to review a Betting (Other) Premises Licence under the Gambling Act 2005 - Ladbrokes, 25 Argyll Street, London W1F 7TU
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	Westminster City Council's Statement of Principles under the Gambling Act 2005
Financial summary:	None
Report Author:	Sumeet Anand-Patel – Senior Licensing Officer
Contact details	Tel: 020 7641 2737 E-mail: sanandpatel@westminster.gov.uk

1. Details of the Review

- 1.1 On the 5th January 2016 the Metropolitan Police Service made an application to review the betting (other) premises licence for Ladbrokes, 25 Argyll Street, London W1F 7TU. The notice has been given under Section 197 of the Gambling Act 2005. A copy of this application is attached at Appendix A
- 1.2 The premises is situated in the basement of 25 Argyll Street with the entrance at ground floor level. Photographs of the premises and the general area are attached as Appendices B and C. A plan of the area is attached as Appendix D.
- 1.3 The Metropolitan Police Service's supporting evidence is attached as Appendices E1 to E5.
- 1.4 On the 19th November 2015, there was an alleged serious assault by a Ladbrokes member of staff on a member of public. Upon arrival, Ladbrokes were unable to show CCTV to Police despite having a fully operational system in place. This caused the Police extra work which would not have been necessary if Ladbrokes could operate the CCTV at the premises; leaving the Police with serious concerns over the operation of this premises.
- 1.5 The Metropolitan Police Service suggested a number of conditions to Ladbrokes in order to address Police concerns but at the time of submitting this Review application, the Police had received no response from Ladbrokes.
- 1.6 Since the 5th January 2016 Ladbrokes have suggested alternative wording to the Police conditions which are not agreeable by the Police. Please refer to Appendix G.

2. Premises in the Vicinity

- 2.1 The premises is located off Oxford Street in the West End which is a busy commercial area of Westminster and has an extremely high foot fall. The businesses in the immediate area include but are not limited to, restaurants, theatres, public houses, department stores, retail outlets, betting shops, money/transfer cash shops, bars and coffee shops.
- 2.2 Within 500m there are a number of hostels/special needs schemes along with schools and faith groups set out in the map at Appendix D.
- 2.3 Other Betting Premises within 500m
 - William Hill – 3 Lower James Street W1F 9EQ
 - Coral – 9 Holles Street W1G 0BN
 - Ladbrokes – 27 Maddox Street W1S 2QU
 - Coral – 48 Poland Street W1F 7NB
 - Ladbrokes – 22-24 Great Portland Street W1W 8QS
 - Coral – 69-98 Great Portland Street W1W 6PA

3. Consultation

- 3.1 The Metropolitan Police Service gave notice of their application for a review of the licence to the licence holder and responsible authorities in accordance with the Gambling Act 2005 (Premises Licences) (Review) Regulations 2007. The 28 day consultation period started 7 days after the date on which the applicant was received by the Licensing Authority.
- 3.2 The Licensing Authority published a notice of the application of review in accordance with Part 5 of the Gambling Act 2005 (Premises Licence) (Review) Regulations 2007.
- 3.3 Having granted the application for Review, the Licensing Authority has to actually carry out the Review as soon as is reasonable practicable after the expiry of the consultation period.
- 3.2 Local residents and businesses within a 50 metre radius of the premises were written to outlining why the Licensing Authority was intending to hold a review and how they could make representations to the Authority within the statutory period. Letters were also sent to each of the Ward Councillors.

4. Supporting Comments

- 4.1 The Licensing Authority has received supporting comments from the Licensing Authority which are attached at Appendix F. The Licensing Authority support the Police's request for CCTV conditions.

5. Representations from Ladbrokes

- 5.1 In response to this review Ladbrokes have submitted supporting documents which are attached at Appendix G.
- 5.2 The licensee has addressed the conditions being proposed by the Metropolitan Police, suggesting alternatives to the conditions. These alternatives are not agreeable with the Police.
- 5.3 Please refer to Appendix H for the list of proposed conditions and licensee alternatives.
- 5.4 The Licensee has also supplied a bundle of evidence however due to data protection issues of certain individuals concerned this will be made available as a separate document to those involved in the application and not as part of this report.

6. The Gambling Act 2005, Gambling Commission Guidance, Westminster's Statement of Licensing Principles

6.1 Under section 197 of the Gambling Act 2005, a premises licence may be reviewed in response to an application to the licensing authority by a responsible authority or interested party

6.2 Any review of a premises licence should be in pursuit of the principles set out in section 153 of the Act, or underpinned by reasonable concerns such as changes to the local environment, or resident complaints (statutory guidance paragraph 10.3).

6.3 Section 153(1) of the Act states:

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 think it -

- (a) in accordance with any relevant code of practice under section 24,
- (b) in accordance with any relevant guidance issued by the Commission under section 25,
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
- (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

6.4 Westminster City Council Statement of Licensing Principles states the following;

6.4.1 The licensing authority itself, as a responsible authority can initiate a review of a particular premises licence, or any particular class of premises licence, for any reason which it thinks is appropriate. This includes reviewing a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them, or to ensure that the principle of primary use is applied.

6.4.2 The licensing authority may review any matter connected with the use made of a particular premises if it has reason to believe that the premises licence conditions are not being observed, or for any other reason which gives it cause to believe a review may be appropriate

7. Appendices

- 7.1 Appendix A – Notice of intention to review
Appendix B/C – Photographs of premises and area
Appendix D – Map of area
Appendix E1 – Bundle of supporting evidence from PC Bryan Lewis (including CCTV transcript)
Appendix E2 – Stats from Metropolitan Police
Appendix E3 – Statement from PC Toby Janes
Appendix E4 – Statement from Sgt Paul Hoppe

Appendix E5 – Police Statement and Ladbrokes Risk Assessment
Appendix F – Licensing Service supporting representation
Appendix G – Representation from Licensee
Appendix H – Conditions being proposed by both parties

If you have any queries about this report or wish to inspect one of the background papers please contact Sumeet Anand-Patel on 020 7641 2737 or email sanandpatel@westminster.gov.uk

Background Papers

- Gambling Act 2005
- Westminster City Council Gambling Statement of Principles Effective 31st January 2013
- Gambling Act 2005
- The Gambling Act 2005 (Premises Licences) (Review) Regulations 2007

APPENDIX A

Application for a review of a premises licence under the Gambling Act 2005

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Part 1 – Applicant Details

1. Name of Applicant: The Westminster Police Licensing Team

[Where the applicant is an individual please give your first name(s) as well as your surname]

2. Applicant's address (home or business *[check or tick appropriate box]*)

Westminster City Hall

4th Floor, 64 Victoria Street

London

Postcode: SW1E 6QP



3(a) Are you making the application as a responsible authority? Yes No

3(b) If the answer to question 3(a) is yes, indicate the type of responsible authority:

The Metropolitan Police Service

4(a) If the answer to question 3(a) is no, please confirm by ticking or checking the box that you are applying as an interested party

4(b) If you have ticked or checked the box in answer to question 4(a), please indicate on what basis you qualify as an interested party:

[Where there are further applicants, the information required by questions 1 to 4(b) should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants"]

Part 2 – Premises Details

5. Give the trading name used at the licensed premises to which the application for a review relates: Ladbrokes

6. Give the address of the premises or, if not known, give a description of the premises and its location. Where the premises are a vessel, then (if known) give the place indicated in the premises licence as the place in the licensing authority's area where the vessel is wholly or partly situated. If possible, any address should include a postcode:

Ladbrokes
25 Argyll Street
London

Postcode: W1F 7TU

7. Type of premises:

Casino

Bingo Hall

Adult Gaming Centre

(arcade restricted to those who are 18 or over)

Betting (track)

Betting (other)

Family entertainment centre

(arcade which admits both over and under 18s)

8. Premises licence (if known): 07/07332/WCCGAP

9. Give the name of the person(s) or organisation(s) in whose name the licence is held.

Ladbrokes Betting & Gaming Limited

[Where an individual is the licence holder please give their first name(s) as well as their surname.]

Part 3 – Details of grounds on which a review is being sought

10(a) Please give details of the grounds on which a review is being sought.

Failing to adhere to the following objective, contained in the 2005 Gambling Act;

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

On the 19th of November 2015, there was an alleged serious assault by a Ladbrokes member of staff on a member of the public. Upon Police arrival, Ladbrokes were unable to show CCTV to Police as they have no facility to do so, despite having a fully operational surveillance system in place. This meant a decision had to be made to arrest the staff member without the benefit of being able to view the incident on CCTV, to determine whether he had acted in self defence. The victim had left the scene by the time Police had arrived. He was known to be bleeding from a head wound. Because his image could not be viewed on CCTV, this hampered attempts to locate him and provide medical assistance. A Police response unit was required to leave the Borough later in the early hours of that morning, to visit the Ladbrokes control room in Harrow to view the CCTV and be provided with a copy of the CCTV footage. The viewing of CCTV and the retrieval of the footage was essential prior to the interview of the suspect, later that day. Also of concern was that a large area of the betting shop was not covered by CCTV. Other concerns were that the basement premises was single staffed at 10pm and also no incident report was provided to Police. Police Licensing met with Ladbrokes on the 01/12/2015 regarding this incident. Conditions were suggested by Police to be added to Ladbrokes premises licence in order to address Police

concerns. Ladbrokes have not responded to date.

10(b) Indicate any specific actions you consider the licensing authority should take following the review, including the reasons why you consider those actions are appropriate:

We request the Licensing Authority consider adding the two standard CCTV conditions to the Gambling premises licence for this premises, requiring the CCTV system to meet minimum Metropolitan Police Service standards. Also a condition restricting single staff working and to maintain an incident log available on request to Police..

Part 4 – Supporting Documents

11. List any supporting documents which you are submitting with the application:

Further evidence will be provided by PC Bryan Lewis, Westminster Police Licensing Team.

Part 5 – Declarations and Checklist

I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

I/We understand that it is now necessary to give notice to the licence holder and the responsible authorities in relation to the premises

Part 6 – Signatures

12. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature: *Bryan Lewis PC 4161 CW*

Print Name: Bryan Lewis

Date: 05/01/2016 (dd/mm/yyyy)

Capacity: Police Licensing Officer.

[Where there is more than one applicant, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include, for each additional applicant, all the information requested in paragraph 12.]

[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]

Part 7 – Contact Details

13(a) Please give the name of a person who can be contacted about the application:

Bryan Lewis PC4161CW

13(b) Please give one or more telephone numbers at which the person identified in question 13(a) can be contacted:

0207 641 1709

14. Postal address for correspondence associated with this application:

Westminster Police Licensing Team

Westminster City Hall

4th Floor, 64 Victoria Street

Postcode: SW1E 6QP

15. If you are happy for correspondence in relation to the application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

blewis1@westminster.gov.uk

APPENDIX B/C

Description

GPS: 51.5146,-0.1409

Ladbrokes


This organisation
operates 24hr
CCTV surveillance




WELCOME
OPENING HOURS
MON-FRI 08:30 - 22:00
SATURDAY 08:00 - 22:00
SUNDAY 09:00 - 22:00



09/03/2016 17:53:52

StampThePhoto from ArvanSoft

Description

GPS: 51.5146,-0.1410



Bella Italia

Ladbrokes

Bella Italia

Italia

09/03/2016 17:54:13

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Description

GPS: 51.5146,-0.1409



Ladbrokes



09/03/2016 18:02:24

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Description

GPS: 51.5146,-0.1409



09/03/2016 18:02:36

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Description

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Description

GPS: 51.5146,-0.1409



cash quest

cash quest

cash quest

STAY IN CONTROL

STAY IN CONTROL

DON'T MISS OUT

Take frequent breaks

gambleaware

CHOOSE YOUR BONUS WITH 3 PICKS

09/03/2016 18:06:11

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Description

GPS: 51.5146,-0.1409



09/03/2016 18:06:33

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Description

CROWN GEMS

S: 51.5147,-0.1411

£500 JACKPOT	5 £70.00 4 £20.00 3 £7.50	5 £250.00 4 £50.00 3 £10.00	5 £40.00 4 £10.00 3 £5.00	5 £100.00 4 £10.00 3 £1.00	5 £100.00 4 £10.00 3 £1.00
50 WIN LINES	All Wins Pay Adjacent.				

CROWN GEMS

4	2	3	1	7	9	6	8	5
3	Red Diamond	Blue Diamond	Crown	A	J	10	A	J
2	Red Diamond	Blue Diamond	10	A	J	10	A	J
1	Red Diamond	Blue Diamond	Crown	A	J	10	A	J

Insert Credit CREDIT: 0.00 AUTOPLAY: 0 TOTAL BET: 1.00 £500 JACKPOT

CHANGE STATE MAX BET ADD AUTOPLAY

START

4



09/03/2016 18:06:43

Description

GPS: 51.5147,-0.1411



09/03/2016 18:07:05

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Description

GPS: 51.5147,-0.1411



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GPS: 51.5146,-0.1409



09/03/2016 18:10:30

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Description

GPS: 51.5146,-0.1409



09/03/2016 18:10:40

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Description

GPS: 51.5146,-0.1409

Ladbrokes


It's the Law!



- Under 18s are not allowed to enter our premises
- You can help us by
 - Not bringing children into our shops
 - Producing appropriate identification when requested to do so
- We will also not allow anyone to encourage Under 18s to gamble



- There are no smoking premises
- It is an offence to smoke or to knowingly permit smoking on these premises



- Alcohol is not permitted on these premises

Your understanding in these matters is appreciated

For more details visit www.gamblingacts.co.uk

Ladbrokes

SAFE & SECURE

Anti-social behaviour towards our staff or fellow customers will not be tolerated



This shop is protected by digital CCTV and a 24 hour link to local Police

© 2015 Ladbrokes UK Limited. 020 8000 0000

Limited amount of cash securely held in shop

Up to £10,000 reward for information leading to robbery conviction

abb



KWAE



09/03/2016 18:14:21

StampThePhoto from ArvanSoft

Description

GPS: 51.5146,-0.1409

Ladbrokes

STAYING IN CONTROL

At Ladbrokes, we are committed to ensuring that our customers gain maximum enjoyment from their betting. We seek to promote responsible attitudes to betting at our track.

If you think that you, or someone you know, might have a gambling problem, call the toll-free GamCare National Helpline on:

0845 6000 133



SELF-EXCLUDE
FROM ALL OUR
ONE
BOOKMAKER
IN YOUR AREA

0800 294 2040

PUB

Pick up a
"Staying in
Control" leaflet,
or speak to
a member of
our staff for further
information.

18

Available under the
age of 18

Ladbrokes

**STAYING
IN CONTROL**

STAYING RESPONSIBLY
IN CONTROL

09/03/2016 18:14:32

StampThePhoto from ArvanSoft

APPENDIX E1

Contents 1

Licensing Service Consultation Request		Annex 1 (a)
Notice of Application For A Review Of A Premises Licence		(b)
Premises Licence ((Betting)	Ladbrokes 25 Argyll Street W1F 7TU	(c)
Witness Statement	PC Bryan Lewis Police Licensing	Annex 2 (a)
Witness Statement x 3	PC Thomas Perkins Responding Officer	(b)
Witness Statement	PC Steven Carvell Evidence Imaging Officer: Converted CCTV footage to DVD	(c)
Witness Statement	PC Lewis. CCTV disc recording. Chain of events as captured by four camera shop CCTV.	(d)
CAD Report (Computer Aided Despatch)	Provides details of initial call to Police 19th November 2015 22:10	Annex 3
Cris Report Redacted 6550905/15	Crime Report initially reported as a GBH, now a Crime Related Incident.	Annex 4
Correspondence		Annex 5
Initial Police email request for CCTV and Ladbrokes reply with attached CCTV stills.	20.11.15 11:03 Reply 15:05	(a) <i>Note: the public report does not contain the CCTV stills</i>
Police Licensing letter. Incident summary and suggested conditions.	30.11.2015	(b)

Contents 2

Police email requesting a meeting and emails regarding receipt of the CCTV footage disc signed for at City Hall 23.11.15	25.11.15	(c)
Email from Ladbrokes. Response to a phone request for the age of the CCTV system at Argyll.	15.1.16	(d)
Letter from Ladbrokes, Gavin Dalzell, National Licensing Manager. Amends conditions	19.1.16	(e)
Email response from PC Lewis to Mr Dalzell regarding the amended conditions	20.1.16	(f)
Email from PC Lewis to Ladbrokes stating areas in shop still not covered, following his site visit. Plus rough plan drawn on site.	28.1.16	(g)
Letter from Ladbrokes. Author Caroline Beel Head of Development & Planning Further response regarding suggested conditions	29.1.16	(h)
Email response from PC Lewis	4.2.16	(i)
Letter from Trethowans Solicitors. Ladbrokes Representation.	10.2.16	(j)
Association of British Bookmakers. Protocol for Reporting damage to gaming machines		Annex 6

ANNEX 1

Blair

LICENSING SERVICE CONSULTATION REQUEST

TO: POLICE CONSULTATION TEAM
FIRE SERVICE
DISTRICT SURVEYORS TEAM
ENVIRONMENTAL HEALTH
CLEANSING TEAM
PLANNING TEAM
CHILD PROTECTION TEAM

REFERENCE: 16/00086/LIREVG

PREMISES: 'Ladbrokes', 25 Argyll Street, W1F 7TU

The Council has received an application to review a Gambling Premises licence under the Gambling Act 2005, in respect of the above premises on which your observations are required.

The details of the application are as follows:

Applicant(s): Westminster Police Licensing Team

Last Date of Objection **8 February 2016.**

Application received by Mr Nick Nelson (020 7641 6500)

To access paperwork received by the Licensing Service in connection with this application, log into iDOX by going to <http://winprapdip01:8080/IDOXSoftware>, logging in, and clicking "Browse Docs", then "Licensing". Then type the Case reference "16/00086/LIREVG" into the Case Number field, and click the "Search Licensing" button.

Please reply to licensing@westminster.gov.uk.

NOTICE OF APPLICATION FOR A REVIEW OF A PREMISES LICENCE

This notice is given in accordance with regulations made under section 197 of the Gambling Act 2005

Notice is hereby given that:

The Westminster Police Licensing Team

[Give the full name of the applicant(s) as set out in Part 1 of the application for a review of the premises licence]

has made an application under section 197 of the Gambling Act 2005 for a review of the premises licence which is in force at the following premises:

Ladbrokes
25 Argyll Street
London W1F 7TU

[Give the trading name used at the premises, and the address of the premises (or, if not known, give a description of the premises and their location).]

The applicant is:

a responsible authority an interested party *[check or tick the appropriate box]*

The following type of premises licence has effect in respect of the premises:

Betting Shop premises licence

[Indicate the type of premises licence which applies to the premises, e.g. bingo premises licence, adult gaming centre premises licence etc.]

The application for a review of the premises licence has been made to the following licensing authority:

Westminster City Council
Westminster City Hall
4th Floor, 64 Victoria Street

Postcode: SW1E 6QP

Website: www.westminster.gov.uk

[Insert name of the licensing authority and the address of its principal office, followed by the address of its website]

Information about the application is available from the licensing authority, including the arrangements for viewing details of the application.

The following person connected with the applicant is able to give further information about the application:

Bryan Lewis PC4161CW

[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number and (if available) e-mail address of a person connected with the applicant who is able to answer questions and provide further information about the application.]

The grounds on which a review is being sought are:

Failing to adhere to the following objective, contained in the 2005 Gambling Act;

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

On the 19th of November 2015, there was an alleged serious assault by a Ladbrokes member of staff on a member of the public. Upon Police arrival, Ladbrokes were unable to show CCTV to Police as they have no facility to do so, despite having a fully operational surveillance system in place. This meant a decision had to be made to arrest the staff member without the benefit of being able to view the incident on CCTV, to determine whether he had acted in self defence. The victim had left the scene by the time Police had arrived. He was known to be bleeding from a head wound. Because his image could not be viewed on CCTV, this hampered attempts to locate him and provide medical assistance. A Police response unit was required to leave the Borough later in the early hours of that morning, to visit the Ladbrokes control room in Harrow to view the CCTV and be provided with a copy of the CCTV footage. The viewing of CCTV and the retrieval of the footage was essential prior to the interview of the suspect, later that day. Also of concern was that a large area of the betting shop was not covered by CCTV. Other concerns were that the basement premises was single staffed at 10pm and also no incident report was provided to Police. Police Licensing met with Ladbrokes on the 01/12/2015 regarding this incident. Conditions were suggested by Police to be added to Ladbrokes premises licence in order to address Police concerns. Ladbrokes have not responded to date.

Representations about the application may be made in writing to the licensing authority by the licence holder, a responsible authority or an interested party during the period of 28 consecutive days beginning on 11/01/2016 (which is 7 days after the date on which the application for a review was made to the licensing authority). The last day for making representations is: 08/02/2016

Following a review under section 201 of the Gambling Act 2005 a licensing authority may decide to take any of the following kinds of action:

- revoke the licence
- suspend the licence for a specified period not exceeding 3 months
- add, remove or amend a condition attached to the licence



City of Westminster

64 Victoria Street, London, SW1E 6QP

Nº: 07/07332/WCCGAP

BETTING (OTHER) PREMISES LICENCE

This licence is issued under section 164 of the Gambling Act 2005 by

City of Westminster

Part 1 – Details of person to whom licence is issued

The premises licence is issued to:

Ladbrokes Betting & Gaming Limited

of the following address:

Imperial House
Imperial Drive
Rayners Lane
Harrow
HA2 7JW

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

1611

Part 2 – Details of the premises in respect of which the licence is issued

Facilities for gambling may be provided in accordance with this licence on the following premises:

Ladbrokes
25 Argyll Street
London
W1F 7TU

Part 3 – Premises licence details

This licence came into effect on:

01.09.2007

This licence is of unlimited duration.

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

NA

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

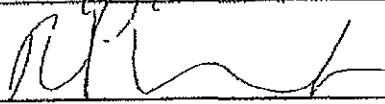
NA

A scale plan is attached as an annex to this licence.

Date:

31/8/07

Signed:



Director of Legal & Administrative Services

ANNEX 2

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Bryan Lewis PC4161CW URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Constable P200892

This statement (consisting of: ... 10 ... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date:

Tick if witness evidence is visually recorded [] (supply witness details on rear)

I am a uniformed Police Constable currently deployed on the Westminster Police Licensing Team based at Westminster City Hall, Victoria Street, London SW1E. One of my roles on the team is as a CCTV system assessor and I hold a professional BTEC qualification in the practises of CCTV design. I have served on the Police Licensing Team for about six years. I have assessed numerous CCTV systems in a range of licensed premises from basic systems in off licences up to very sophisticated systems in new West End nightclubs.

Introduction

The Westminster Police Licensing Team request a review of the gambling licence held by Ladbrokes Betting and Gaming Ltd, at 25 Argyll Street, London, W1F 7TU to add conditions due to the fact that Ladbrokes have refused Police advice and not adhered to the following licensing objectives contained in the 2005 Gambling Act:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

An ongoing problem with Ladbrokes betting shops is their policy of not having the technical facility or trained staff available to enable Police Officers to view CCTV footage during the initial investigation period, following an emergency call to their premises. Neither are they able to burn off footage at the premises and provide it to Police. The problem this creates is particularly well illustrated by a recent incident, described below. I have sent Ladbrokes a proposed set of conditions to be added to their gambling licence by way of a variation. This will provide assurances to Police by including two standard Police CCTV conditions. Thus far they have only counter-proposed the conditions with significant amendments, which I am unable to agree.

I exhibit my Notice of application for a review of a premises licence as (BL/1)

Background

This review application follows an incident requiring Police attendance, during the evening of Thursday 19th of November 2015, Police reference CAD10058/19NOV15. The London Ambulance Service alerted Police to a call received by them at 10:10 pm that a customer had been hit by the informant and was on the floor and bleeding

Signature: Signature witnessed by:

Continuation of Statement of **Bryan Lewis PC4161CW**

from a head wound. This had followed an argument between the informant and the injured male. Police arrived on scene about 10:30pm. LAS then provided a description of the injured male (provided by the informant) including that he would also have a visible head injury and that it was bleeding. They added that he had left Ladbrokes at about 10:00pm and had made his way to Oxford Circus Station where he was seen by tube staff and to pass this information to the British Transport Police for them to check whether there were any incidents concerning the male. It was also decided to treat the crime scene as if it were a grievous bodily harm assault. Certain items were seized as the possible weapons used; a bar stool and an umbrella. At 00:40 the Police control room were informed a male had been detained (arrested) and that he was calm and compliant.

Following Police arrival, one of the Officers later reports the following. They were taken down the stairs by the male suspect and shown a pool of blood. The suspect explained he was a Customer Service Manager at Ladbrokes. He had served the last customer at 10:07pm and closed up the shop, thinking he was alone. He then noticed the male victim standing at the other side of the counter. He recognised him as a homeless male banned from the shop. He asked the male to leave but the male refused so he picked up an umbrella and approached the male. He again asked him to leave. The male would not leave so he struck him with the umbrella "a few times". He still refused to leave and so he struck him over the head with a bar stool. The male was knocked unconsciousness on the floor. The suspect has then gone to call the LAS and Police. Prior to their arrival, the victim had regained consciousness and left the shop. During this time another Ladbrokes member of staff from a nearby branch, who happens to visit the Argyll Street shop at closing time, followed the victim to the tube station but lost him.

The officer completing his report at 3.46am in the morning writes; CCTV is held at a control room in Harrow and that his colleague had gone there to view CCTV but would not be able to obtain a copy until 9:00am (the next working day) as they do not have the facility to do so. A supervisor there had been spoken to. A Police Sergeant arranged for officers to complete local hospital checks to attempt to locate the male. He also states that the PC who attended the control room would complete a viewing statement as to what he saw on CCTV and update the Police crime report. An officer went to Oxford Circus tube to make enquires with tube staff. They did remember a male with a head wound. An off duty paramedic attempted to assist him but the male refused his help. A male was located at the hospital and identified. Because he had a head injury and was admitted about the relevant time, he was thought to be the injured male. However prior to Police speaking with him, he was discharged. Officers attended the named male's home address in SW6. At 13:43 the following day, Friday 20th November the hospital informed Police that the identified male was not their man as the cause of his injuries were known and they were definitely not linked to the incident in Argyll Street. These various enquiries would have required a number of officers to conduct and would have been time consuming. Had a picture of the male been available, these enquiries would not have been necessary.

The Ladbrokes employee who struck the injured male was interviewed. During the interview he claimed that he

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acted in self defence. The victim, a homeless male, is located in Regent Street by Officers having been recognised by Ladbrokes staff. He is an alcoholic with mental health problems. He informed Police that he had attended hospital due to a fractured skull and broken jaw. When asked about the incident, he had trouble remembering the circumstances but does mention falling on stairs. This would be consistent with where the blood was found in Ladbrokes, at the bottom of the stairs, as the first officers on scene mention in the crime report. Therefore critically important CCTV evidence of how the blood came to be on the floor in this area is not available as there is no camera coverage; and still isn't to my knowledge, following my visit this year. This investigation is ongoing and the suspect is bailed to return in March 2016.

Police Concerns regarding the 19th of November 2015

- The officer who was called to Ladbrokes on the night of the 19th November 2015, PC Thomas Perkins, writes in his statement, that the decision as to whether to arrest the Ladbrokes Employee was hindered by not being able to view CCTV there and then and therefore establish whether the suspect's actions were lawful i.e. he had used reasonable force. The decision to arrest a member of public is a serious one and would be considered unjustified if the CCTV footage showed that the suspect had acted in self defence.
- The victim had left the premises prior to Police arrival, with a serious head injury and required medical treatment urgently. Ladbrokes failure to provide an image of the victim meant that the investigating officers were hindered in conducting a search of the local area, in order to find the injured male and provide him with medical assistance. Additional officers were deployed to conduct local enquires in area, Oxford Street tube and the nearest hospitals. Tube staff had seen a male with a head injury about the relevant time but officers were unable to confirm it was the victim as they had no image of him to show them. At UCH Hospital a male patient was identified who was thought likely to have been the victim, as his description and injury was a possible match. This male had unfortunately already been discharged. An address was provided for him in Fulham. Officers from Hammersmith and Fulham Borough were tasked to visit the address and check on the welfare of the victim. There was no one home at the address and so officers were required to make enquiries with neighbours and leave phone messages. At 2pm the following day 20th November, a message was received from hospital to confirm the male from Fulham was definitely not the victim, who therefore had still not been located. The correct male is finally located five days later, on the 24th November 2015 at 4.30pm and officers speak with him.
- In PC Perkins statement, he describes having to drive across London in the middle of the night, to view CCTV at Ladbrokes head office in Harrow. He describes this as very inconvenient and inefficient. This would have meant Westminster was short of one Police vehicle and officers in the early hours, who could have been assisting other members of the public in the area they are based in. However viewing the CCTV footage was an essential part of the initial investigation and was necessary in order to interview the suspect. Although PC Perkins was able to view the footage, it could not be downloaded until 9am the

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following day. PC Perkins was required to return to Charing Cross Police Station and take further time to complete a viewing statement in the absence of the CCTV footage. He states in a subsequent statement that another officer had to collect the footage the following day.

- The CCTV system in the premises did not cover a significant area of the premises. When the CCTV footage is viewed of the incident, it becomes apparent that full coverage of the interaction between the two males is not provided due to limited coverage provided by the surveillance system. Ladbrokes have confirmed that the system in operation on the day of the incident was installed in 2004 and the equipment was clearly dated e.g. old box cameras. Following this incident Ladbrokes significantly upgraded the system, adding new cameras, as they clearly accepted that this was urgently required
- On a subsequent visit to the premises shortly after the incident, I noticed a small rather dated monitor in the cashier's office which provided very short intermittent images of the front entrance. Had uninterrupted images been available, this may have enabled the member of staff to deploy the maglock on the front door and prevent entry to the victim.

Proposed Police Conditions

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide Police or an authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service

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- 4. There shall be no preplanned single staffing after 8pm. Should the premises be single staffed after this time, the magnetic door locking system must be in constant use.

Ladbrokes Amended Conditons

We received a letter on the 19th January which provided Ladbrokes amended version of my conditions, which they would be willing to accept. The amended conditions are shown below:

- 5. The premises shall install and maintain a comprehensive CCTV system, covering all areas of the premises, as per the reasonable requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. **Recordings shall be immediately arranged by a member of staff for hand over to Police or authorised officer following their request throughout the preceding 31 day period.**
- 6. **All shop staff will be trained to report any Security and safety incidents to the Ladbrokes 24 hour Security and Safety Control Room.** A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to **arrange for a Police or authorised council officer to view recent CCTV images or data with the absolute minimum of delay when requested. Images can immediately be sent to any email address provided by Police or authorised council officer.**
- 7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any faults in the CCTV system
 - (e) any visit by a relevant authority or emergency service
- 8. **At all times when the premises are manned by a single member of staff, he or she will be provided with and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff for a predetermined period of time.** Should the premises be single manned after 8pm, the magnetic door locking system must be in constant use.

My response on behalf of Police stated the following:

Gavin

I've just returned to work after my long weekend so I have just read your letter with amended proposed Police conditions. I will break it down in the order you have made your amendments in bold.

Covering all areas' is acceptable

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Reasonable' no, as that then becomes a debate about what is reasonable and to whom.
Recording shall immediately be arranged: is quite different to 'made immediately available' and that is virtually where are now.

Condition 2

Reporting to Security is not relevant here and surely they should be doing that now
Again you have inserted 'staff member must be able to arrange' instead of my condition which states must be able to provide Police etc. copies of recent CCTV etc.

You have put images can be sent by email etc. This is not acceptable. Officers are not currently equipped to view emails when dealing with emergency calls. I think here you are probably referring to still images, again not acceptable. Officers need to view footage. Also when deciding on a course of action, officers may need to view around an incident eg when persons arrived, what the suspect's actions were afterwards etc.

Condition 3

You have omitted incidents of disorder from the incident log; they must be included (this was later amended by Ladbrokes and disorder was returned to the list)

Condition 4

Single Staffing: I regard Argyll Street as a high risk branch because it is in a basement and therefore any disturbances or persons in distress on the shop floor would not be visible from the street. After all, the victim could have been your member of staff and he could have sustained a serious injury. The Security Control would have been unaware due to the limited CCTV coverage and they were not alerted anyway.

Therefore to summarise your amendments are not acceptable. I will visit the branch to view the new CCTV cameras at the first opportunity and let you know my findings.

Response to Ladbrokes follow up letter dated 29th January 2016

In terms of risk assessment, Argyll Street should be considered a higher risk as the shop floor is on a basement level and therefore the counter and staff cannot be viewed from the street, should there be an incident of crime and disorder. Although there have been few reported crimes at the venue. We do know that betting shops do not always report crime, for example criminal damage; which is in line with advice from the Association of British Bookmakers, specifically when an unknown suspect has left the premises. It should be noted that in my experience, criminal damage is usually combined with abuse, often racial, spitting and threats directed towards staff.

This incident involved a homeless male who had regularly visited the premises to use the toilet. During our meeting with Ladbrokes representative Barry Phillips, he stated that he was aware of this male from reports dating back to April 2015. Other staff informed me that the male had been a problem for much longer than this. During his Police interview, the suspect said he experienced problems with the homeless male for six months, yet Barry stated Ladbrokes had only just been issued a banning notice to the homeless male. Therefore this incident was not isolated and unpredictable in terms of the unwanted male entering the premises and could possibly have been avoided had the notice been issued earlier.

Ladbrokes rely on a Security system where should an alarm be activated; they view the shop floor via the CCTV cameras from their Security Control Room in Harrow. It is therefore critical that there is full coverage of the shop

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floor, to ensure that all staff can be accounted for. Should staff members be assaulted or fall ill and are outside the CCTV camera's field of view, the Security office would be required to phone the emergency services. If they are aware that there is only limited view of the shop floor, they may be reluctant to call Police and may instead make repeated efforts to speak to staff, possibly delaying calling the emergency services. The same would apply to confirming the welfare of any customers who require assistance. The Police CCTV condition ensures that there would be satisfactory coverage in this premises.

Ladbrokes frequently state that they can produce still images from CCTV footage at short notice. However 'still' images are of only limited value and do not replace the need to provide moving images that show exactly what happened. For example moving images may prove or disprove a self defence claim, where as a still image can only show persons involved and their momentary actions.

Ladbrokes describe the benefits of the remote management of their CCTV system, however CCTV hardware can be locked in a secure facilities in a shop site (as most licensed premises do). In terms of dishonest staff, modern CCTV systems are password protected so that only certain staff can access the system. It is not possible to selectively delete footage, only to set a repeated time for the deletion of a period of saved data e.g. 31 days; if you have the right permissions, which would be normally be Security Management. CCTV system are simply not designed to be interfered with for improper reasons and should they be logged into at any time to view footage for example, an electronic log entry is made showing what actions have been taken and by whom. In addition to this, the cashiers are constantly monitored by camera in the staff area. The solution to this is to retain the off-site Control Room, central server, Ladbrokes currently have and also have a Digital Video Recorder in the shop to which the same images go to and are saved on. This system is already in place in betting shops run by other operators.

Ladbrokes mention praise from Police officers throughout the country for their CCTV systems. I have seen some brief evidence of this but it was in relation to specialist slow-time use of stills and not about response Policing; the general day to day crime and disorder Response officers deal with. Ladbrokes also mention a tablet computer in all their premises which I have also never seen following my visits to their premises and the Argyll Street shop was not equipped with a tablet at the time of the incident. In any case they state only still images can be viewed on the tablet computers they issue the shops.

They state they can send images to Westminster Central CCTV Unit. This would be of no use to officers responding to an incident. They would only have radio contact with this office.

Ladbrokes state that not being able to download images on site (or view images presumably) has not been raised as a problem by Police officers prior to this incident. However I would comment that is because most response officers would know that betting shops cannot show them footage and therefore there is element of acceptance. This is contrary to virtually all other licensed premises; nightclubs, pubs, hotels, casinos, restaurants and fast food

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in Westminster, that do have the capacity to enable Officers to view CCTV upon their arrival, following an emergency call and in most cases they can also download short CCTV clips and longer sections as needed with the additional time required.

In response to the single manning Police condition requested, Ladbrokes state that they comply with health and safety legislation by risk assessment. However this is not to say their risk assessment for single person working is reasonable. During this incident, which took place at closing time about 10pm, the electronic door locking system, was not employed. The ground floor front entrance is not visible from the basement counter. Therefore an internal camera is required to be directed at the entrance from inside the premises, to enable staff to control who enters the premises. Ideally an external camera is also provided to give an earlier warning of who is about to enter. I visited the premises shortly after the incident. There was an internal camera directed at the entrance but the monitor behind the counter showing the entrance, was changing images so rapidly, it would be impossible to assess a person attempting to enter; indicating a lack of maintenance. In relation to the shop Panic Alarm system, this wasn't activated during the incident. A Portable Panic alarm for staff which they carry on their person, clearly provides additional reassurances, however it does not replace another member of staff, who would be able to raise the alarm. In any case there would be a delay before any assistance could be provided, as a call to Police or an ambulance has to be relayed through the Control Room, who will first seek to dial into the shop CCTV system; particularly if a member of staff is unable to respond from the shop due to injury or illness. It should also be noted that Ladbrokes agreed to the 'no pre-planned single staffing' condition on two recent licence variations for premises at 382-386 Edgware Road and 352-353 The Strand.

Stepped Approach

Following the incident I immediately visited the Ladbrokes shop to familiarise myself with the layout. It was during that visit that staff informed me that the homeless male had been a problem there for a long time prior to the incident. I arranged to meet a representative from Ladbrokes on the 1st of December 2015. I met with Barry Phillips, Head of Retail Security and Safety. Also present was Steven Rowe, Senior Licensing Officer for Westminster Council. We had a lengthy meeting at City Hall and I gave Barry a letter, listing the Police suggested licence conditions. Barry stated he would pass the letter onto the Ladbrokes Licensing office. I have met Barry a number of times before this incident, to discuss licence variation applications for various premises; in particular their branch on the Strand. I had previously made my concerns about the manner in which Ladbrokes provide CCTV evidence to Police well known to Barry. Following the December meeting, I had a period of annual leave and suggested their response could wait until I returned just before Christmas, although my Manager Sergeant Paul Hoppe could be contacted prior to this if necessary. Upon my return, I had received no communications from Ladbrokes regarding the conditions and so I sent a reminder email. I did not hear back from them until the 6th of January when I received an email from Gavin Dalzell, National Licensing Manager. He stated he had only just been made aware of the incident and that unfortunately Barry had gone long term sick. I emailed the suggested

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Police conditions to Gavin. He replied on the 13th of December to say that additional CCTV coverage had been introduced into the Argyll Street branch due to my concerns and he invited me to visit there and examine the CCTV system. On the 14th he emailed me the Ladbrokes amended conditions that they were willing to agree to. On the 15th I received another email stating that he was going on holiday and that I should liaise with Caroline Beel, Head of Departmental Planning. I have had various email exchanges with Caroline about the Argyll Street branch and another branch up until the date of this statement. I did conduct a further visit to the premises with my colleague, who drew a rough plan indicating the areas in the shop still not on camera. I sent an email to Caroline Beel on the 28.1.16 informing her of my continued concerns regarding coverage. To date, I do not believe this matter has been addressed.

Conclusion

The most effective response to an incident of crime and disorder on a premises is for officers to be provided with as much evidence as possible when they first arrive on scene. Very often suspects will either be in the premises or nearby. Detaining and arresting suspects at this stage creates a direct link to the premises and the recent offence and therefore the best chances of successfully prosecuting them. Acting dynamically following arrival on scene is therefore critical. If the initial reporting officers have to pass the investigation on to other officers due to a lack of CCTV evidence initially, the opportunity to successfully prosecute suspects is greatly reduced, takes up more time and more officers have to be tasked to investigate it. Officers need to view CCTV footage immediately, to establish what has happened in order to decide if arrests should be made and whom to arrest. If the suspect has recently made off, they will look at facial images to enable recognition of the suspect, in order to conduct an area search and apprehend the offender, should the suspect have remained in the area.

Currently Ladbrokes staff are not able to show CCTV to responding officers in their various shops. Officers are instead provided with an email address of the Central Security Control room and then still images can be emailed to them. Disk recordings are currently posted to officers or have to be collected by officers, as happened following this incident. An example of the delay experienced by Police is demonstrated by my colleague PC Marriot, Police Licensing Team, who requested all footage for all cameras, around the incident, until after Police arrive and leave following the Argyll Street event. The email request was sent to Ladbrokes Central Security at 11.03am 20th November 2015. A reply is not received until 3.05pm, four hours later. This email from Ladbrokes states the following 'sorry for the delay, stills attached moving in the post'. The attachment consisted of 5 still images from one camera, all of the member of staff involved. Footage, all cameras images and the times requested were not provided to Police as requested until a disk recording arrives at City Hall on the 23.11.15, three days later. This is exactly why the current system Ladbrokes employs does not work. Many of the major betting shops are fully co operating with Police now and have the facility to provide staff access to their CCTV on site. Our expectation of Ladbrokes as an organisation is no different to any other operator of licensed premises

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and we feel seeking to modify the Argyll Street licence so that officers responding to an emergency call at the premises, can view CCTV and a downloading can be commenced in the shop, is entirely reasonable and justified.

Bryan Lewis PC4161CW

Signature: Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Thomas Giles Elmslie PERKINS PC1996YR**
.....URN:

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 233581**

This statement (consisting of **2**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: **23.01.2016**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in the Metropolitan Police stationed at BELGRAVIA Police station in the CITY OF WESTMINSTER Borough.

Further to my statement dated 20.11.2015 regarding the incident in LADBROKES, ARGYLL STREET, I would like to add the following.

My initial risk assessment and trying to establish what had happened exactly and my decision whether or not to arrest the suspect was hindered by not being able to view the CCTV there and then.

Seeing the footage when required to on scene could also have assisted with me locating the victim who was for sure in need of medical treatment urgently.

After the suspect was arrested without seeing the CCTV footage, I then had to drive across London in the middle of the night to view CCTV at the LADBROKES HQ in HARROW. This was very inconvenient and inefficient and took me two hours, but was essential as part of the initial investigation and was required to interview the suspect.

Frankly, as a licensed premise I believe that the CCTV should be able to be viewed by Officers straight away at the scene. To arrive at a crime scene with blood everywhere and a victim lost and a suspect needing to be arrested and indeed possible Officer safety issues is not reasonable or acceptable and this needs to be reviewed urgently.

Signature: Signature witnessed by:

RESTRICTED (when complete)

MG 11 (T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Thomas Giles Elmslie PERKINS PC1996YR**
.....URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer 233581**

This statement (consisting of: 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: **29.01.2016**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in the Metropolitan Police stationed at BELGRAVIA Police station in the CITY OF WESTMINSTER Borough.

Further to my statement dated 23.01.2016 regarding the LADBROKES incident I would like to add the following.

I was not given the CCTV footage because they were unable to download it, so I returned to Charing Cross Police station and wrote a viewing statement. The CCTV would then have had to have been collected by another Officer the following day.

This all caused a lot of unnecessary delay and is a very inefficient way of evidence gathering.

Signature: Signature witnessed by:

2006/07(1): MG 11(T)

RESTRICTED (when complete)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Thomas Giles Elmslie PERKINS PC1996YR
Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer 233581

This statement (consisting of ... 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 20.11.2015

Tick if witness evidence is visually recorded (supply witness details on rear)

I am a Police Constable in the Metropolitan Police stationed at BELGRAVIA Police station in the CITY OF WESTMINSTER Borough.

On Friday 20th of November 2015 at 03:03hrs I was on uniformed mobile patrol when I attended the LADBROKES HQ, IMPERIAL HOUSE, HARROW to conduct a CCTV viewing regarding the incident I attended earlier in LADBROKES in ARGYLL STREET. W1.

On the camera named, "Upstairs," at 22:07.54hrs this shows the male believed to be an assault victim enter.

At 22.09.24hrs it shows the other staff member wearing a red hoody top enter. He identified himself to me earlier as ... At 22.10hrs this ... is still on the stairs. At 22.11hrs it shows this ... come up the stairs shortly followed by the man who was arrested earlier, the suspect, ... I. The suspect was on his mobile phone. At 22.12hrs both ... and ... I went downstairs. At 22.14.28hrsthe victim is seen holding onto the hand stair railings. At 22.15 the victim is seen stood on the landing upstairs. At 22.15.55hrs the victim left. At 22.17hrs the suspect, ... is seen on the phone until 22.20hrs.

On the camera named, "Entrance," at 22.03.42hrs there is a customer at the counter. I can describe this customer as a white male, approximately 35, short mousey hair, wearing a grey/black puffer jacket, white shirt and stripy tie, blue trousers. The suspect was serving him. At 22.07.42hrs the customer paid and left. No one else was in the shop. Then at 22.08.11hrs the victim entered into view. The victim and customer would have passed each other on the stairs. I can describe the victim at a thick set male, approximately 40, with olive skin and a full black beard. He was wearing a black baseball cap and long black raincoat with a white shirt underneath. At 22.08.19hrs the victim's left hand is moving openly as if he is talking to the suspect. At 22.08.21hrs the

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Continuation of Statement of Thomas Giles Elmslie PERKINS PC996YR.....

suspect came out from behind the counter and struck the victim 4 times with an umbrella. The victim is partly out of view.

At 22.08.31hrs the suspect, [redacted] picked up the stool and held it behind his back. At 22.08.38 the victim is shown with open hands in a defensive stance. At 22.08.45hrs the suspect is holding the stool high and back behind him and he looks like he is shouting at the victim. The victim is out of view. At 22.08.50 the suspect brought the stool down quickly towards where the victim was out of view and this is when the victim was struck by the stool. This actual connection of the stool to the victim is out of view, but is consistent to where I saw blood on the floor at the scene at the bottom of the stairs.

On the camera named, "Counter," at 22.07.42hrs the customer above described paid the suspect. At 22.08.06 the suspect has seen someone out of view believed to be the victim. At 22.09.01 the suspect is seen again behind the counter.

To summarise the main points and clarify this viewing, I believe this clearly shows the suspect serve one unidentified customer and no other customers were there. This customer left and then the victim came down seconds later. I believe the unknown customer heard a commotion on the landing upstairs on his way out, but did not come down and this explains him hanging around on the landing upstairs. The suspect has immediately come from behind the counter and attacked the victim with an umbrella and then even though the victim displayed no aggression the suspect has struck him with a stool. This clearly was a violent act towards the victim and may have caused serious injury. Then seconds later the suspect's colleague attended and it appears there is some sort of discussion. Then the victim staggers up the stairs and left.

Signature: Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement ofSteven Carvell PC 4325cw.....URN:

01

Age if under 18Over 18..... (if over 18 insert 'over 18') Occupation:Police Officer 190790.....

This statement (consisting of: 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Handwritten Signature]

Date:01/02/2016

Tick if witness evidence is visually recorded (supply witness details on rear)

I am employed by the Metropolitan Police Service as an Evidential Imaging Officer at Charing Cross Police Station. My role is to facilitate the transfer of CCTV images, video recordings and audio recordings from its original format to a viewable DVD video disc, in order for it to be used in criminal proceedings. Today as requested in connection with a matter of Licensing Offences, crime report 6550905/2015 refers; I copied CCTV footage recorded at Ladbrokes Ltd, 25 Argyll Street, London W1, on Thursday the 19th of November 2015.

The CD-R disc containing CCTV footage, was presented to the Evidential Imaging Office by PC 4161cw Lewis. I copied the requested video footage as directed, onto a DVD-R video disc, which is exhibited as SAC/61/2016 MASTER copy disc. I then duplicated the Master copy disc to produce five further discs, marked as SAC/61/2016 CPS, COURT, DEFENCE, FILE and EIO. After copying, I sealed the Master copy disc into evidence bag number A20822453. The DVD is constructed using chapters that indicate the incident.

The DVD has been compiled to show the relevant video footage, no enhancements have been made. A copy of the original recording can be obtained from the OIC upon request.

The DVD video disc(s) provided has / have been produced using the visual imagery or audio recordings, contained on the original media source; CD-R disc. The media has been converted and presented in DVD format in order to assist the court.

The media disc and master copy disc (s) were stored securely pending collection by the OIC. The duplicates were also stored securely for the OIC to collect. The equipment I used is corporate technology, installed by the Metropolitan Police Digital and Electronic Forensic Service, based at Newlands Park, in Sydenham SE London.

[Handwritten Signature]

Signature: [Handwritten Signature]

Signature witnessed by:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Bryan Lewis PC4161CW URN: [] [] [] []

Age if under 18 Over 18 (If over 18 insert 'over 18') Occupation: Police Constable P200892

This statement (consisting of ... 2 ... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 15th February 2016

Tick if witness evidence is visually recorded [] (supply witness details on rear)

The following relates to the incident at Ladbrokes 25 Argyll Street W1F 7TU that occurred on the 19th November 2015. The chain of events as captured by the shop CCTV system at about 22:08 hours, for each of the four cameras. Police reference number 6550905/15 now saved in a DVD format.

Basement shop floor entrance camera

21:50 Normal shop activity

21:52:56 Suspect briefly passes camera, wearing grey sweatshirt.

21:53:27 Victim appears, give thumbs up.

21:54:43 Suspect appears, speaking on a phone and then returns behind the counter

21:57:33 Suspect briefly walks past camera.

21:59:32 Suspect visible behind counter.

Incident Commences

22:08:00 Victim appears. Steps back, faced by suspect armed with an umbrella.

22:08:22 Victim struck with umbrella multiple times.

22:08:31 Suspect picks up a bar stool, appears to threaten victim with it along with verbal threats. Victim has his hands up and attempts to back away.

22:08:51 Appears to strike victim with the bar stool

22:09:04 Suspect walks off camera, nobody now in the picture.

22:12:22 Other member of staff just visible behind counter screen (red top).

22:13:54 Suspect reappears. He picks up an object from the floor.

22:26:07 Police arrive. Suspect speaks with officers. His gestures suggest he is attempting to is justify his actions.

22:28:10 Officers clearly attempting to understand what has taken place.

Counter Camera (camera located in the office area)

Signature: Signature witnessed by:

Continuation of Statement of

21:50:37 Suspect seen working behind the counter.
22:12:18 Other member of Ladbrokes staff appears.
22:13:06 Suspect makes phone call.
Ground floor level door entrance camera
21:51:00 Customer leaving.
21:53:47 Camera footage jumps to later time of 22:07:50 (motion activation?)
22:07:50 Victim enters, descends staircase.
22:09:22 Other member of staff seen entering
22:09:58 Suspect can be seen at the bottom of the stairs, on the phone
22:11:07 Other staff member leaves.
22:11:19 Suspect leaves premises while on the phone.
22:11:30 Suspect immediately returns.
22:11:59 Both members of staff return down the stairs.
22:14:11 Victim at the base of the stairs.
22:15:29 Victim slowly ascends the stairs.
22:15:58 Victim leaves the premises.
22:17:23 Other member of staff runs up the stairs to follow the victim, followed by the suspect.
22:17:50 Paces the area beside the front entrance.
22:25:36 Police officers arriving.
Shop Camera 4
21:57:37 Suspect passes through camera field of view at distance. Minute later, he returns.
22:26:48 Officer seen at distance.

Signature: Signature witnessed by:

ANNEX 3

PRINTED AT 17:53 21:JAN:16 Lewis

200892

SINGLE INCIDENT PRINTOUT

PAGE 1

INCIDENT No. 10058:19NOV15

INCIDENT No. 10058 entered at 22:10 on 19NOV15 by CHS/CHS in CCC/IR

INCIDENT IS "PRIORITY"
INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :E (Emergency)
Call Tel :0207 287 9033
Call Name:VISHAN
Call Type:T (Third Party)
Call Mail:
Cntct Tel:

Att Locn :LADBROKES,25 ARGYLL STREET, W1
Map :Page 141, Grid Reference 529113,181155
GPA :CT [Division: AD:DD]

Inc Locn :LADBROKES,25 ARGYLL STREET, W1
Map :Page 141, Grid Reference 529113,181155
GPA :CT [Division: AD:DD]

Call Locn:LADBROKES,25 ARGYLL STREET, W1
Map :Page 141, Grid Reference 529113,181155
GPA :CT [Division: AD:DD]

Opening 1:001 (Violence Against The Person)
Prompt(s) existed for Opening Code(s) at time of creation

Open Text:

Urgency :I (Immediate)

VRMs :

Proposal :(BOCU at 22:11/19NOV15):

OC341E CW23L CW20L CW43 4311CW 4330CW 240CW CW1202 4165CW

Assigned :

DeAssign :CW20N, C1N, CW2N, CW86N

TOA :22:25:23/19NOV15

DO Name :

DO Tel :

CRIS :6550905/15

Class 1 :001 (Violence Against The Person)

Qual 1 :701 (Assistance Requested / Rendered)

Res 1 :710 (CRIS Entry/Updated)

Clo Text :CRIS^1996CW

O Dealing:1996CW

Metops :

CHS Demid:20151119036262

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

INCIDENT No. 10058:19NOV15

Gazetteer Comments : (May have existed or altered since Incident creation - Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident and Caller Location **

ARGYLL ST,W1 (1 - 50)

RUNS FROM OXFORD ST TO GT MARLBOROUGH ST.ALSO SPELT AS "ARGYLE ST,W1"

NOTE:ARGYLE ST,W1 OFF EUSTON RD. (EO,300828)

SEE LONDON PALLADIUM FOR ALL RELEVANT COMMENTS

8 ARGYLL ST,W1 "BREAK FOR THE BORDER RESTAURANT" *SITE HAZARD* CONSIDER INFORMING OFFICERS ATTENDING PREMS THEY HAVE FRAGILE ROOF + OTHER SITE HAZARD

Remarks:

Time Date Opid Termid

19NOV15 CHS CHS (pre 1st routing)
CREATED IN: CHS AT: 2015-11-19 22:10:13 CAD AT: 2015-11-19 22:10:58

ENTERED BY: CHS (c711009) AT: 2015-11-19 22:10:52
INFT HAS HIT A CUSTOMER HE IS ON THE FLOOR...MTF

22:10:58 19NOV15 CHS
** **START OF DATA AUTOMATICALLY COPIED FROM OPEN PROMPT** **
OPEN CODE "001" :
01/05/07 Consider contacting MIB 24/7 Intelligence Support on
68400 or 68401 when dealing with critical/serious incidents
** **END OF DATA AUTOMATICALLY COPIED FROM OPEN PROMPT** **

22:11:40 19NOV15 CHS
LAS^MPS
Organisation:LONDON AMBULANCE SERVICE Assistance:AMBULANCE
Location: Mapref:141/529113,181155
LADBROKES,25 ARGYLL STREET, W1
MPS Contact :AD
Number ;SEE FILE
Caller:VISHAN
Number:02072879033
Unit: Assigned:N (Y/N) On Scene:N (Y/N) Attending:U (Y/N/U) ETA: Mins
Patient Contact Number: N/K PR Radio Number: N/K
Casualty 1 Chief Complaint:MALE BLEEDING FROM HEAD
Approx Age: 45 :Y (Y)ears (M)onths (W)eeks (D)ays Sex:M (M/F/U)
Severe Bleeding:Y (Y/N/U) Conscious:Y (Y/N/U) Breathing:Y (Y/N/U)
Chest Pain:U (Y/N/U) Shot/Stabbed:N (Y/N/U) (Y)es (N)o (U)known
Remarks :
MALE BLEEDING FROM HEAD

CONTINUED ...

INCIDENT No. 10058:19NOV15

Time	Date	Opid	Termid
22:11:43	19NOV15	LAS	
		MPS^LAS	MESSAGE PROCESSED SUCCESSFULLY - REF:LAS/4638/19112015
22:12:07	19NOV15	CHS	
		ENTERED BY: CHS (c711009)	AT: 2015-11-19 22:11:54
		INFT IS VERY PANICKED	
22:12:08	19NOV15	CHS	
		ENTERED BY: CHS (c711009)	AT: 2015-11-19 22:12:07
		MALE WAS ARGUING WITH THE INFT...INFT HIT HIM & HE FELL TO THE FLOOR	
22:12:10	19NOV15	718681	H2725
		^AD - PR CIRC ALL UNITS	
22:12:22	19NOV15	718681	H2725
		SS^AD - PLEASE ASSIST	
22:12:23	19NOV15	CHS	
		ENTERED BY: CHS (c711009)	AT: 2015-11-19 22:12:24
		OP COULD HEAR ANOTHER MALE IN THE BACKGROUND...COULDNT GET ANY MORE INFO FROM THE INFT	
22:12:44	19NOV15	CHS	
		ENTERED BY: CHS (c711009)	AT: 2015-11-19 22:12:44
		CAD REF DECLINED. LINE CLEARED	
22:12:50	19NOV15	205822	H2668
		^OK NUTD	
22:12:57	19NOV15	722500	H2727
		^BS SORRY	
22:30:38	19NOV15	LAS	
		MPS^LAS	Reference: [] LAS/4638/19112015
		Organisation:	LAS
		Action	:POLICE
		REMARKS	:
		METROPOLITAN POLICE: POLICE requested for OTHER - FULL DETAILS BELOW ,ARE YOU ON SCENE?	
22:30:57	19NOV15	088109	H2724
		LAS^MPS	
		Organisation:	LONDON AMBULANCE SERVICE
		Action	:INFORMATION
		UNIT: ASSIGNED:	Y (Y/N) ON SCENE:Y (Y/N) ATTENDING:Y (Y/N/U) ETA: MINS
		REMARKS	:
		POL ON SCENE	
23:28:03	19NOV15	218165	H2725
		^1996CW..CAN WE HAVE A SOCO GBH SCENE	
23:28:06	19NOV15	700607	H2724
		^2245CW ..SUSPECT DESC: ICL MALE, POSSIBLY IC2, F600, A/A 40-50YRS,	

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

INCIDENT No. 10058:19NOV15

Time Date Opid Termid

 CURLY LIGHT GREY HAIR, SHORT BLACK BEARD, WEARING A LNG BROWN
 OVERCOAT, BLACK TROUSERS, BLACK BOOTS AND BLACK BASEBALL CAP..

 ^2245CW..MALE MAY ALSO HAVE A VISIBLE HEAD INJURY, BLEEDING..THIS MALE
 IS CONCERNED IN THE INCIDENT IN LADBROKES..LAST SEEN LEAVING LADBROKES
 AT 220HRS AND MADE HIS WAY TO OXFORD CIRCUS LT STN. THIS WAS SEEN BY
 STAFF AT THE STN. PLS PASS TO BTP TO SEE IF THEY HAVE ANY INCIDENTS
 WITH MALE CONCERNED..

23:28:16 19NOV15 218165 H2725
 MFC^AD...CAN YOU ASSIST GBH SCENE

23:28:20 19NOV15 700607 H2724
 BTP^AD- PLS SEE ABOVE REMS..

23:30:20 19NOV15 BT2784 BTP04
 ^BTP - NOTED - WE HAVE HAD NO REPORTS OF ANY INCIDENTS FROM OXFORD
 CIRCUS IN THE LAST HOUR

23:43:27 19NOV15 080623 L3069
 ^MFC - PLEASE CAN AN OFFICER WITH KNOWLEDGE OF THIS OFFENCE CALL THE
 MFC (712000) TO DISCUSS THE FORENSIC REQUIREMENTS - THANK

23:50:41 19NOV15 218165 H2725
 ^CW2N.....I AM MAKING MY WAY TO THE SCENE THIS WILL BE A GBH SCENE
 CAN CW5N BE RASIED TO SEE IF THEY WISH TO COME TO THE SCENE. THEY WERE
 MADE AWARE AN HOUR AGO

00:00:10 20NOV15 218165 H2725
 ^AD..CID MADE AWARE AND HAVE ASKED FOR CW2N TO MAKE CONTACT WHEN ON
 SCENE

00:05:07 20NOV15 080623 L3069
 ^MFC - I HAVE SPOKEN WITH THE UNIT ON SCENE - AT THIS STAGE, THEY ARE
 HAPPY TO TAKE A SINBGL E SWAB OF THE BLOOD (FOR CORROBORATION PURPOSES
 FOR VIW'S IDENTITY AS THEY ARE STILL O/S) AND TO SEIZE THE BAR STOOL
 AND UMBRELLA USED BY THE SUSP - THEY HAVE ALREADY PHOTOGRAPHED THE
 SCENE SO THE REQUIREMENT FOR SOCO ATTENDANCE IS LOW AT BEST - THANK

00:40:53 20NOV15 700607 H2724
 ^1996CW- 1 X ADULT MALE DETAINED FOR AFFRAY..CALM AND COMPLIANT..PLS
 ARRANGE CELL SPACE..

00:41:08 20NOV15 700607 H2724
 ^AD- CELL 25 AT CX CUST

00:49:47 20NOV15 700607 H2724
 ^112CW/DD2N- I HAVE LIASED WITH DS ROBERTS FROM CID, CRIME SCENE WILL
 BE CLOSED ONCE VARIOUS EXHIBITS AND KEYS HAVE BEEN BOOKED IN TO CX FOL
 STN. 1778CW IS DOING THE CRIME SCENE LOG..PRISONER DETAINED FOR AFFRAY
 AND --->CX CUST

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
 NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

INCIDENT No. 10058:19NOV15

Time	Date	Opid	Termid
01:29:40	20NOV15	700607	H2724
^1194CW- CRIME SCENE CLOSED. PREMISES NOW SECURE.			

Previous Actions:

Time	Date	Opid	Termid	ACTION
SYSTEM (EXTERNAL)				
22:10:58	19NOV15	CHS	CCC:CCH	O() 001:VIOLENCE AGAINST THE PERSON
"	"	"	"	PI
22:11:12	"	718681	DIV:AD	AK
22:11:15	"	"	"	XP/AK/O001
22:11:40	"	CHS	CCC:CCH	PI
"	"	"	"	EXP/LAS
22:11:41	"	718681	DIV:AD	PR/CIRC
22:11:43	"	LAS	CCC:LAS	AK
22:11:45	"	718681	DIV:AD	AK
22:12:07	"	CHS	CCC:CCH	PI
22:12:12	"	718681	DIV:AD	AK
22:12:14	"	"	"	PR/CIRC
22:12:23	"	CHS	CCC:CCH	PI
22:12:29	"	088109	DIV:AD	AK
22:12:31	"	718681	"	PI/QK/BS
22:12:34	"	"	"	PI/EK
22:12:35	"	088109	"	AK
"	"	718681	"	AK
22:12:43	"	205822	DIV:QK	AK
"	"	"	"	XP/AK/O001
22:12:44	"	CHS	CCC:CCH	CN(02072879033)
"	"	"	"	PI
22:12:47	"	088109	DIV:AD	AK
22:12:52	"	205822	DIV:QK	PS/CM
"	"	722500	DIV:BS	AK
22:12:53	"	"	"	XP/AK/O001
22:12:59	"	"	"	PS/CM
22:13:22	"	088109	DIV:AD	AV/CW20N
22:13:25	"	718681	"	CI/CW20L
22:13:27	"	239022	CCC:MDT	MA/DELIVERED TO CW20L
22:13:31	"	203925	DIV:BS	CM
22:13:54	"	202004	DIV:EK	AK
22:13:56	"	"	"	XP/AK/O001
22:15:53	"	238839	CCC:MDT	VI/CW20N

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
 NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

INCIDENT No. 10058:19NOV15

Time	Date	Opid	Termid	ACTION
22:16:45	19NOV15	SYSTEM	SYSTEM	NA/CW20L
22:16:47	"	718681	DIV:AD	AK
22:25:23	"	"	"	TOA/CW20N
22:30:38	"	LAS	CCC:LAS	CP
"	"	"	"	IMP/INFO
22:30:40	"	088109	DIV:AD	AK
22:30:57	"	"	"	EXP/LAS/INFO
22:30:58	"	LAS	CCC:LAS	AK
22:30:59	"	088109	DIV:AD	AK
22:33:00	"	100373	DIV:EK	CM
22:37:58	"	184962	DIV:QK	CM
22:42:41	"	718681	DIV:AD	CI/C1N
22:42:43	"	201787	CCC:MDT	MA/DELIVERED TO C1N
22:42:49	"	"	"	AV/C1N
22:43:01	"	718681	DIV:AD	AK
23:00:59	"	201787	CCC:MDT	TOA/C1N
23:08:55	"	"	"	TOA/C1N
23:28:18	"	218165	DIV:AD	PI/MFC
23:28:19	"	"	"	AK
23:28:22	"	080623	DIV:MFC	AK
23:28:24	"	"	"	XP/AK/0001
23:28:28	"	700607	DIV:AD	PI/BTP
23:28:29	"	"	"	AK
23:28:31	"	BT2784	DIV:BTP	AK
23:28:32	"	"	"	XP/AK/0001
23:30:20	"	"	"	PI
23:30:21	"	"	"	AK
23:30:23	"	"	"	PS/CM
23:30:25	"	700607	DIV:AD	AK
23:35:40	"	BT7158	DIV:BTP	CM
23:43:29	"	080623	DIV:MFC	PI/AD
23:43:31	"	"	"	AK
23:43:36	"	218165	DIV:AD	AK
00:05:09	20NOV15	080623	DIV:MFC	PI/AD
00:05:10	"	"	"	AK
00:05:18	"	700607	DIV:AD	AK
00:05:47	"	"	"	LOCA(LADBROKES,25 ARGYLL STREET, W1) (CT)
00:08:27	"	080623	DIV:MFC	PS/CM
00:10:39	"	700607	DIV:AD	AV/CW2N
"	"	"	"	TOA/CW2N
00:22:32	"	084133	"	CI/CW86N

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
 NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

INCIDENT No. 10058:19NOV15

Time	Date	Opid	Termid	ACTION
00:22:35	20NOV15	233245	CCC:MDT	MA/DELIVERED TO CW86N
00:22:43	"	"	"	AV/CW86N
00:23:16	"	084133	DIV:AD	AK
00:23:21	"	233245	CCC:MDT	TOA/CW86N
00:40:45	"	188538	"	VI/CW1N
01:29:59	"	700607	DIV:AD	AC()
"	"	"	"	AQ()
"	"	"	"	AR()
01:30:02	"	"	"	OD()
01:30:07	"	"	"	CTX()
01:30:13	"	"	"	LOCA((SCENE)LADBROKES,25 ARGYLL STREET, W1) (CT)
01:30:21	"	"	"	DA/CW20N C1N CW2N CW86N
01:30:25	"	"	"	PS/CM
01:31:21	"	215355	"	AWT/CRIS
05:51:01	"	191730	"	XWT
05:51:02	"	"	"	PS/CM
05:51:09	"	"	"	ACR/6550905/15
"	"	"	"	PI/CT
05:51:12	"	700607	"	AK
05:51:13	"	191730	"	LOCA((1996CW)LADBROKES,25 ARGYLL STREET, W1)) (CT)
05:55:49	"	215355	"	CM
09:07:27	"	207784	CCC:CADL	VI/p207784
09:18:10	"	"	"	IP//PC KHALIL 1180 CW/1/p207784@met.police. uk
13:37:44	"	101861	DIV:MFC	CM
17:49:35	21JAN16	200892	CCC:CADL	VI/p200892
17:53:28	"	"	"	IP//Lewis/1/p200892@met.police.uk

... END OF PRINT ...

ANNEX A

Data Protection Act - Dispose Of As Confidential Waste
 PC BG LEWIS 4161CW 200892
 CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident
 GLU: CW
 General Information

Screening Decision: IN

Main
 IU: CW WESTMINSTER
 Crime Type: C H/O Crime Type: 9
 Allegation (Prefix):
 Allegation:
 Committed on/from Date: THU 19/11/2015 22:00
 Committed to Date: THU 19/11/2015 22:10
 Reported Date: THU 19/11/2015 22:10
 How Notified: NP Phone Call to Police
 Restricted? By: Date:
 Restriction Reason:

Flags
 CW

Borough Branch

Service Area (Historical)

OIC
 Is OIC Same As Reporting Officer ?
 Investigating Officer's Rank: APS
 Surname: MORLEY Initials: BM
 Warrant Number: 236436 Div/D Number: 1680CW Usual Relief:
 Duty: AA Borough Uniform
 Station/Branch: CWN Westminster North LPA
 Allocated Date/Time: 05/01/2016 14:53
 Allocation Noted? Y Noted Date/Time: 06/01/2016 10:56

Previous OIC Details		Station Branch	Allocated Date/Time	Noted Date/Time
Usual Relief	Duty			
PC 235932 S	R EDWARDS 1564CW AA Borough Uniform	CW	08/12/2015 07:57	08/12/2015 12:24
PC 240614 S	P ELLIS 1429CW AA Borough Uniform	CW	08/12/2015 07:19	08/12/2015 07:19
PC 238839 S	S WILKS 1821CW AA Borough Uniform	CW	20/11/2015 02:57	20/11/2015 02:57

OIC Supervisor: ADI/204665 P GWYN

Data Protection Act - Dispose Of As Confidential Waste
 PC BG LEWIS 4161CW 200892
 CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident
 GLU:CW
 General Information

Press

Suitable for Press? Y
 Restrictions:
 Is this a Specim? N
 Date/Time:
 Was a Firearm Used? N
 Was other Weapon Used? N
 Are there Terrorist Implications? N
 Was a Suspect present on Police arrival? Y
 No. of Suspects Present: 1
 Was the Suspect(s) arrested? Y
 No. of Suspects Arrested: 1

Source System References

Source System Name	Source System Reference	Entered Date/Time	Entered By
CAD	010058/19NOV15	20/11/2015 02:56	PC 1821CW/238839 S WILKS

Totals

Total Values:

Stolen £: Recovered £:	Outstanding £:	Damaged £: Damaged On Recovery £:
VIW(s): 2 Accused: 0	Property 0 Suspect(s): 2	Vehicles(s): 0 CAIT Subject(s): 0

Drugs/Fraud

Is this CR for an arrest for possession etc. (not theft) of controlled drugs?
 If Fraudulent Use-Item Used: N

DV/Hate Crime

Is this a Hate Crime/Domestic Incident/Carer Abuse? N

Domestic Incident? Honour Based Violence? Carer Abuse?	Forced Marriage? Hate Crime?

Initial Risk Assessment (SPECSS+):
 Completed by:

Initial Risk Assessment Management Supervised?
 Completed by:

Current Risk Assessment (SPECSS+):
 Completed by:

Form 124D Completed?
 Completed by:

Form 124D Supervised?
 Completed by:

Received by the CSU? CSU Reference

Data Protection Act - Dispose Of As Confidential Waste
PC BG LEWIS 4161CW 200892
CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident
GLU:CW
General Information

Completed by:

LGBT Relationship?

Category of Hate Crime

Race?

Faith/Religion/Belief?

Homophobia?

Transphobia?

Disability?

Targeted because of Vulnerability?

Religion Name:

Data Protection Act - Dispose Of As Confidential Waste
PC BG LEWIS 4161CW 200892
CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident
GLU: CW
Venue

Location

OMPD?
Address:
Ladbrokes Ltd,25,ARGYLL STREET,
LONDON,W1F 7TU
Location Text:

GLU: CW Local Id: CW16 Grid Ref: 529113,181155
Watch Area:

Main

Location Type(s): JF Betting Shop

Is the Venue covered by CCTV or in a CCTV Area? Y
CCTV Options: CE CCTV Not Recovered By Police

Approach:
Entry Method:
Entry Point:
Exit Point:
Security:
Person On Premises?
Other Info:

Internal Transfer

Date/Time Transferred By Previous GLU Previous IU

Transfer From MPS

Transfer from Met To:-
Service:
Station:
Their Reference:

Received By:-
Rank:
Number:
Surname:

Data Protection Act - Dispose Of As Confidential Waste
PC BG LEWIS 4161CW 200892
CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident GLU:CW
Classification

Method

Current Position: SUSP1 has hit SUSP2 over the head with a bar stool during an altercation in
Method: LADEROOKE'S

Classification Set by CIT:

Lock: Date:
By:

Classify

Main Classification:

Code	Victim	Date
S066/01		20/11/2015 02:56

Current:

Description: Confirmed as Crime Related Incident

Subsidiary Classifications:

Code	Victim	Count
------	--------	-------

Confirm?

Date:
By:

Victim Count Discrepancy:

No Crime

No Crime?
 Reason:
 Confirm? Date:
 By:

Crime Related Y Date: 20/11/2015 15:51
 Incident?
 Confirm? Y Date: 20/11/2015 15:57
 By: PC 894TP /218617 L MILLER

Statistical Info

Current Status: I Crime Related Incident Last Changed: 20/11/2015
 Cleared-Up Reason: Date:

Original Classification

Off. Code	Victim Count	Status	Outcome	Outcome Changed	Change Reason	Last Changed	Last Changed By
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Confirmed Date:
 Confirmed By:

Statistical Parent CR:

Administrative Detections

Home Office Rule:
 Date:
 By:

Explanatory Notes:

Data Protection Act - Dispose Of As Confidential Waste
PC BG LEWIS 4161 CW 200892
CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident GLU: CW
Classification

All Current Home Office
Requirements Satisfied:

Date:
By:

Of Interest To

Method Index:
CP Analysis:

Victim Amendments

Date Added Time VIW No By

Date Removed Time VIW No By

History

Off.	Code	Victim	Count	Status	Outcome	Reason	When	By
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Details of Investigation

20/11/2015 03:46

PC 238839 1821CW S WILKS

PRIMARY INVESTIGATION DETAILS : 1 Immediate action
CAD 10058/19NOV15 attended by CW30N manned by PC WILKS 1821CW and PC PERKINS
1996CW.

On Wednesday 19th November 2015 CW30N were called to an I grade at LADBROKES, ARGYLL STREET. On arrival there was 1 male on scene (SUSP1). He took officers down the stairs where there was a pool of blood at the bottom of the stairs. When asked what had happened SUSP1 explained that he was a customer service manager at LADBROKE'S. He had served his last customer at 22:07 and closed up the shop. He thought he was alone in the shop. SUSP1 was behind the counter when he noticed there was a male (SUSP2) standing by the corner of the counter. SUSP1 recognised him as a homeless male that had been banned from the shop. He asked SUSP2 to leave the premises. SUSP2 refused to leave so SUSP1 picked up an umbrella from behind the counter open, went through the side door and entered the lobby area. SUSP1 asked SUSP2 to leave but SUSP2 refused to leave still. SUSP1 then hit SUSP2 a few times with the umbrella. SUSP2 still refused to leave the store so SUSP1 picked up a bar stool and hit SUSP2 over the head with it. SUSP2 was then knocked unconscious to the floor. SUSP1 has then gone and called an LAS and police. Before LAS or police could arrive SUSP2 has regained consciousness and left the shop. During this time VIW1 has entered the shop. On SUSP2 leaving the shop VIW1 has followed SUSP2 to OXFORD CIRCUS tube station, where he has entered and been lost.

LAS were called to scene and left before police arrival. VIW1 has tried to help them locate SUSP2, but they have been unable to.

PRIMARY INVESTIGATION DETAILS : 2 Scene

The scene is LADBROKE'S, ARGYLL STREET. As you enter the premises from the street you are met by stairs that leads you down to the basement. The stairs then lead into the main betting area, and you have the betting counter on your right when you exit the stairs. The incident has happened at the bottom step.

The shop was immediately shut and scene preservation was set up by cordoning of the area. SOCO were called for but they advised officers to take swabs and take photos themselves.

Photo's Taken:

AWS/1 - Photo of shop floor of LADBROOKES
AWS/2 - Photo of metal stool
AWS/3 - Photo of floor area leading from stairs
AWS/4 - Photo of wrist watch on floor
AWS/5 - Photo of blood on floor
AWS/6 - Photo of close up blood on floor

Forensic's taken:

105/598 B24051920 MPK/1-3 wet and dry blood swabs
105/594 B24173008 SPW/05 Right hand nail swab
105/595 B24173009 SPW/06 Left hand palm
105/596 B24173007 SPW/07 Right hand palm
105/597 B24172876 SPW/08 Left hand nail

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PRIMARY INVESTIGATION DETAILS : 3 Forensics

Exhibits taken:

105/21107 A21268936 MPK/04 watch
105/21108 F00061643 MPK/05 Umbrella
105/21109 L00049899 MPK/05 Bar stool
105/21110 L00049284 SPW/01 Left shoe
105/21111 L00049285 SPW/02 Right shoe
105/21112 L00049283 SPW/03 T-shirt
105/21113 L00049286 SPW/04 Chino trousers

PRIMARY INVESTIGATION DETAILS : 4 Victims/Witnesses

There is another potential witness who left the shop prior to the incident happening. Neither SUSP1 or VIW1 knew his proper name apart from him being called S. They do have his online LADBROOKE'S account number which is 9124300 that could be used to contact LADBROOKE'S to find out his full details.

PRIMARY INVESTIGATION DETAILS : 5 Suspects

SUSP2 has been described as 6ft tall male, short back/grey curly hair, short black/grey beard, approximately 40-45, tanned skin possibly eastern european, norther accent. He was wearing long brown anorak, black baseball cap with no markings, black trousers and black working boots.

PRIMARY INVESTIGATION DETAILS : 6 Other evidence

CCTV does cover the premises. The CCTV is not held on the premises, but at a control centre in HARROW. PC PERKINS has gone down to view the CCTV, but will not be able to obtain a copy till 0900hrs as they do not have the facility to do so.

CCTV control room number 02085155999

Micheal ELLIOT who was the supervisor who was on, has been spoke to. His number is 07855335018

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20/11/2015 03:50

PC 238839 1821CW S WILKS

CW 1& 2 have been made aware.

DS ROBERTS from CID was spoken to regarding this incident and advice to put on as an affray as there was no victim at this time. Also advised to CIRI the cris.

This has also been put as an AFFRAY due to the belief an altercation has happened but there is no victim present. CCTV needs to be viewed and VIW indentified.

20/11/2015 03:53

PC 238839 1821CW S WILKS

*****HOT RISK ASSESSMENT*****

*****If Yes to any of these questions detail required on Dots*****

VICTIM

Clear risk of further offending against victim.

NO

Substantial financial loss. (Proportionate to victim's circumstances). NO

Disability/Mental health issue. (Relevant to offence &/or relevant risk/vulnerability identified). NO

Public Servant on duty. NO

Close relationship to offender. (Relevant to the offence). NO

Evidence of victimization. NO

Substantial age difference to offender. (Relevant to the offence). NO

OFFENCE

Complexity of investigation. NO

Risk of high community impact. NO

Evidence of corruption. NO

Media interest. NO

MPS Mandatory Crime. NO

Crime scene & forensic opportunities identified.

YES

Sensitive material/ information involved. NO

Seek advice prior to entering detail on CRIS

Hazardous materials involved. NO

OFFENDER

Likely to commit further offences. NO

Mental health issues. (Relevant to offence &/or relevant risk/vulnerability identified).NO

Repeat offender against same victim. NO

Position of trust. NO

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Relevant offending history. NO
Part of organized crime gang/MPS gang matrix.
NO
Borough target/Prolific priority offender. NO

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20/11/2015 05:00

PS 229841 112CW A WASHINGTON

Supervisors Primary Investigation Checklist

No - Has a victim statement been taken where a suspect has been identified?

No victim identified at present. SUSP2 left the location, prior to police and LAS arrival. I have requested that officers complete local hospital checks to establish whether any male has presented himself with a head injury, matching the initial description provided to police.

SUSP1 placed the initial call to police and made unsolicited comments to the first officers on scene. These were recorded in an EAB and endorsed by SUSP1.

Yes - Have adequate CCTV enquiries been conducted?

Yes - If CCTV has been identified, has it been viewed within a realistic timeframe and details pasted onto the DBTS?

PC Perkins 1996CW has attended Ladbrokes Head Office and viewed the CCTV of the incident. He is currently completing a viewing statement and will update the CRIS with what the CCTV shows. The footage could not be downloaded until 0900 hours.

Yes - Have adequate door to door enquiries in the immediate vicinity been conducted to identify further CCTV or witnesses? PC Skelton 2245CW traced the exit route taken by the victim (blood trail found). This led into Oxford Circus underground station. Staff members were spoken to and stated that a male did enter the underground with a visible injury. An off duty paramedic tried to provide first aid, however, the male refused any assistance and continued onto a platform. PC Skelton 2245CW will update the report with details of who he spoke with and what CCTV is available of the male inside the

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20/11/2015 05:00

PS 229841 112CW A WASHINGTON

station. No members of staff were able to operate the CCTV system at the time.

Yes - Has the venue and surrounding area been searched for possible forensics? Scene preserved and crime scene log commenced. SOCO spoken to by the IIO. SOCO advised officers to seize various items of note such as the umbrella, bar stool and take a swab of the blood found at the bottom of the staircase (believed to belong to SUSP2). DS Roberts authorised the crime scene to be closed once the exhibits had been seized from the location. The premises was left locked and secured and the keys booked into the 66 at CX (IIO to update with the reference number). VIW1 is aware of where the keys would be taken once the scene was closed.

Swabs and clothing have also been seized from SUSP1.

CW1 INSP ROWE aware.
CW5 DS ROBERTS aware

Supervisors General Checklist

Yes - Correct Classification applied
Yes - SOCO requested on SUPPORT Page (if applicable)
Yes - Hot Risk Assessment/DASH been completed (if applicable)
No - Victim Care Card provided and code DL added to VCOP
No - RYPC card provided and code HO added to VCOP
No - VCOP Page updated with correct codes
Yes - CAD updated with CRIS reference via portal
N/a - Business crime BC Flag shown for commercial VIW
Yes - Exhibit/Property book 66 number pasted in DETS
N/a - MERLIN completed for children or vulnerable adults
N/a - Yes - 172 Signed (Domestics and assaults)

20/11/2015 05:07

PC 238839 1821CW S WILKS

LADBROOKE'S keys have been booked into CX front office.
66/34270
105/20567

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20/11/2015 05:44

PC 238839 1821CW S WILKS

Hospital checks have been completed, a _____'s attended A&E at UCH at 22:45 with a head injury, the hospital have refused to give me any other personal details or description. He has already been discharged.

20/11/2015 07:20

SCENE EX 80382 TM JONES

SOCO TEXT: I have discussed this with the BFM today and the swab of blood is to be submitted only on an intel form. At this time it is unclear where the swabs are booked in but believed @ CX.

20/11/2015 07:21

SCENE EX 80382 TM JONES

SOOCO TEXT: I have read the dets and the keys are at CX. Please can the oic update with the 66 or c/n the swabs are booked in under please. Please re-request soco once done, thanks.

20/11/2015 09:56

PC 240614 1429CW P ELLIS

Have been in contact with LAS control room, LAS callsign noted on the CAD did not convey Suspect 2 to hospital. A Dataprotection form is being completed to be submitted to UCLH to try and obtain more information in relation to _____'s who may be SUSP 2.

20/11/2015 12:10

PC 240614 1429CW P ELLIS

Patient details obtained from UCH

Michael Mills

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1

... 41

GP - Dr Jefferies
The medical centre
292 Munster Road
SW6 6BQ
Tel: 0207-385-1965

20/11/2015 12:12

PC 240614 1429CW P ELLIS

CAD 3188 20NOV15 Created for officers to make contact with potential Victim.
Officers attending stated:
FLAT IN DARKNESS NO MOVEMENT
FLAT C OCC SPOKEN TO SUBJECT NOT SEEN FOR 2 WEEKS
FLAT D OCC IS FRIENDLY WITH THE SUBJECT AND GOT THE MOB NUMBER FOR
MICHAEL MILLS07424423797....

Number was called but no response, a voice message was left.

20/11/2015 13:43

PC 240614 1429CW P ELLIS

Hospital has given father updates stating that P is not the victim:

"I have just received the notes. This is not your patient! This chap came from City Road after hitting his head on a low ceiling. Nothing serious and was

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20/11/2015 13:43

PC 240614 1429CW P ELLIS

discharged. Someone has given you the wrong information."

20/11/2015 14:44

PC 240614 1429CW P ELLIS

Record of interview:

Q: Could you describe to me the incident that took place at around 10 clock?

A: I was about to close, I served the last customer, he left. I was just running my errands...because I was in a rush to go home and you know tryinbg to get all the money in one till. I raised my head and I saw him and I said "you need to get out now". There was an umbrella and I took the umbrella and said "you get out now.", he tried to come forwards so I hit him with the umbrella. He's tried to move forwards he's high (tall) so im like 5ft something so I pick up the stool and hit him.

Q: What happened after you hit him?

A: I was scared, I was shocked, there was blood coming out of his forehead and straight away I dialled 999 and called ambulance and police.

Q: About the victim, how well do you know him/ how do you know him.

A: I do not know him personally but he has been harassing me for the last 6 months.

Q: harassing you personally?

A: if they audio in Ladbrokes Yes the things he would say, if you want me to repeat it I can repeat it.

Q: how do you know he's homeless?

A: By the way he looks.

Q: so you don't have any concrete details that he's homeless.

A: I mean he's always drunk... always has a can of strong bow he drinks it. We barred him but he still comes into the shop.

Q: could you give me a description of this person?

A: well over 6 ft always wears a baseball cap and a brown raincoat. He is bearded as well.

Q: Same baseball cap?

A: yes

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Q: What colour?

A: Black

Q: what skin colour is he?

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PC 240614 1429CW P ELLIS

A: I thought he was white but my friend says he's probably mixed race

Q: Going back to the initial incident where you are asking this guy to get out... You tell him to leave, what did he speak to you at all?

A: Yes

Q: what did he say?

A: He did say something but I didn't pay attention to what he said.

Q: if you cant remember what he said and he wasn't showing any aggression towards you what was your intention with the umbrella?

A: I was trying to scare him off.

Q: So then what happened?

A: I've told him he needs to go and he says "who the fuck are you?"

Q: is this the point where you strike him with the umbrella

A: no then he maybe stepped towards me.

Q: I have a CCTV viewing statement that states that around 2207hrs you notice this guy and you are conversing with him at 2208hrs you've come out from behind the counter and struck the victim 4 times with the umbrella. Why was it necessary to strike him so many times with the umbrella?

A: I can't remember I think I've done it like 3 times.

Q: why did you feel it was necessary?

A: he was moving towards me.

Q: So you struck him, did he back off?

A: No he stayed where he was, so I picked up the stool and I hit him.

Q: why did you feel it was necessary to pick the stool up?

A: I can't remember.

Q: was there anything to say you were in imminent danger

A: No there was nothing to say I was in imminent danger, I felt threatened it was 10 o'clock I just wanted to go home... I thought he had something on him or he would do something.

Q: according to the viewing statement according to the officer the victim had

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20/11/2015 14:44

PC 240614 1429CW P ELLIS

his hands up palms open showing non-aggression. I put it to you again under those circumstances why you struck the victim with a substantial metal stool, something that could cause him some serious harm

A: I don't know.

Q: has he ever threatened you with violence in the past?

A: Yes

Q: what has he said?

A: That he will stab me, that he will do me.

Q: Do you have any mental health issues that effect your actions?

A: No

Q: Do you think what you did then was the appropriate way to handle it?

A: No it was not the best way to handle it; I should have stayed inside and called the police.

Q: Do you think you were acting in self defence

A: Yes I would.

Q: are you sorry for what's happened?

A: Of course I feel sorry, I shouldn't have done it and it shouldn't have got to that stage. You know I'm not a violent person but I felt scared to be one on one with a shop with him.

20/11/2015 14:46

PC 240614 1429CW P ELLIS

The ladbrookes branch has been contacted and the manager does not know any details of the victim .
He has been given his details and has been told to call the police if he is seen again.

20/11/2015 15:51

PC 218617 894TP L MILLER

Screened In

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PC 218617 894TP L MILLER

Service Flag CO added

20/11/2015 15:57

PC 218617 894TP L MILLER

Crime Related Incident Confirmed

20/11/2015 15:58

PC 218617 894TP L MILLER

TP CAU: Confirmed as CRI pending case disposal

21/11/2015 15:40

PC 186363 4229CW PJ BARNETT

Service Flag CO deleted

23/11/2015 12:26

PC 238839 1821CW S WILKS

All exhibits and forensic's were booked into CX custody. There are no 66 numbers due to this.

24/11/2015 21:53

PC 235950 C O'ROURKE

04/02/2016 13:48

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SUSP2 located at 1630 hours by PC1582CW and CW1 on REGENT STREET after going to venue previously, prompting employee at location to call police as he believed SUSP2 to be a suspect in this report.

SUSP2 stopped and enquiries were undertaken by PC 1582CW and GPC in relation to the CRIS.
SUSP2 is in fact a

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24/11/2015 21:53

PC 235950 C O'ROURKE

victim of GBH in relation to this matter.

SUSP2 is of NFA and has slight mental health issues. He is an alcoholic and it was difficult keeping him on same chain of thought although he did understand officers questions.

SUSP2 had a cut on his forehead. He was asked about this and he said he fell down the stairs. SUSP2 was told about what happened and he immediately said that was what must of happened and described who I believe to be SUSP1 being involved.

SUSP2 initially said he did not want to substantiate and would not go to a police station which was more suitable. PC 1582CW persuaded SUSP2 and explained serious nature of offence and he agreed to provide MG11.

SUSP2 cannot remember assault, states he used venue to urinate, SUSP2 states SUSP1 has previously squirted him in the face with detergent two months ago, two weeks after that kicked him in the right side of hip causing swelling. At end of MG11 SUSP2 then disclosed that two hours before assault SUSP1 showed him a pen knife and boasted about being previously in prison from behind tills. These have been detailed in MG11. SUSP2 could not be anymore specific about details.

It was very difficult getting information out of SUSP2 who is an alcoholic rough sleeper with slight MH issues. He fully understood however the procedure and what was being asked.

SUSP2 said he went from OXFORD STREET to BANK then took a bus from LIMEHOUSE to ALDGATE when he blew his nose, realised he was bleeding badly and admitted himself about an hour after assault at Royal London Hospital opposite Whitechapel.

He left in the afternoon on 20TH NOVEMBER after staying

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24/11/2015 21:53

PC 235950 C O'ROURKE

a night. He said he had a hairline fracture to top of skull, an injury to his forehead from blow of stool which required stitching and a broken right jaw as a result.

MG11 taken in 124D, PC 1582CW O'ROURKE has taken photos of injuries and exhibited. Unable to source ICEFLO over PR.

SUSP2 to be eliminated, and added as VIW1. He is moving into a hostel tonight and said he will sleep there and can be contacted there by a late visit or via post.

124D MG11, details of SUSP2, signed 172 and photos of injuries left in Transit Envelope in CW CID HANDOVER TRAY for OIC to collect.

24/11/2015 21:54

PC 235950 C O'ROURKE

DC John ROBERTS of CW CID was updated on scene with SUSP2 and advised on course of action re taking MG11 and photos of injuries.

24/11/2015 22:03

PC 235950 C O'ROURKE

Paperwork left in CID Main Office CW Night Duty Handover tray clearly marked up.

Scanned copy of 124D to be saved onto shared drive and emailed to CIDNONDOM.

24/11/2015 22:36

PC 235950 C O'ROURKE

To clarify

CPO/1 - 12D injury markings

CPO/2 - image of SUSP2s injury to forehead above left eye and bruising below

CPO/3 - image of injury to SUSP2s top right side of head

CPO/4 - dried blood stain on jacket worn by SUSP2

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SUSP2 homeless and refused to have his jacket to be seized as evidence.

24/11/2015 22:44

PC 235950 C O'ROURKE

124d scanned sent to CW CIDNNDOM Mailbox.
Also saved in 2015 Cris Numbers folder of CWMG11 Statements as: 6550905-15 PC1582CW

25/11/2015 11:53

PC 200892 4161CW BG LEWIS

Licensing Team aware and a meeting with Ladbrokes has been arranged to discuss CCTV and single staffing policies

08/12/2015 07:20

PC 240614 1429CW P ELLIS

OIC Changed

08/12/2015 07:57

PC 240614 1429CW P ELLIS

OIC Changed

08/12/2015 13:20

PC 235932 1564CW R EDWARDS

Swabs taken by initial officers dealing

There is a statement by PC KING with regard to these swabs in the case file.

MPK/1-3 seal number:B24051920 1 wet and 2

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08/12/2015 13:20

PC 235932 1564CW R EDWARDS

dry blood swabs 105/598
MPK/4 Seal Number:A21268936 Broken metal watch 105-21107
MPK/5 Seal Number:F00061643 Umbrella 105/21108
MPK/6 Seal Number:Looc49899 Bar stool 105/21109

ALL EXHIBITS HAVE BEEN BOOKED INTO CX CUSTODY

10/12/2015 11:30

PS 224161 4035CW MP BROAD

SUPV - noted

10/12/2015 20:46

PC 235932 1564CW R EDWARDS

I have spoken with DI James McEvoy with regards to this case and he will be passing it to the Main office DI on the 11/12/2015 for consideration with regards to CID dealing with it.

Originally there was no Victim when the interview was carried out and the suspect was bailed to return on the 18-01-2016 pending further enquiries into locating a victim.

A victim has now been located by team officers and a statement taken from him in which he states his injuries were a fractured skull and a broken jaw. The victim attended Hospital and stayed in overnight.

A copy of the CCTV has been made and is ready for collection at the store

Swabs were taken from the scene of blood and have been recorded earlier in this report.

I have left the file with DI McEvoy. The COPA ref is 01CW/00148/15

19/12/2015 03:41

PC 235932 1564CW R EDWARDS

VCOP letter sent out to VIW2 address :
We have requested information from the hospital with regards to the injuries you sustained in this incident.

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27/12/2015 13:58

PC 235932 1564CW R EDWARDS

Hand over sent to DI Gwyn from PC Richard Edwards CPU, DI Gwyn will return to office on the 29th DEC. CID are already in possession of the case file.

29/12/2015 16:57

CIV 722646 K TORPEY

VIW2

29/12/2015 17:09

CIV 722646 K TORPEY

VIW1 has attended cx front office as he wanted to have an update on what was going on. He has updated his name as [redacted] from [redacted]. He states that [redacted] is his family name but the name [redacted] is what he is registered as on his passport and birth certificate.

He has said that he didnt.

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29/12/2015 17:09

CIV 722646 K TORPEY

recieve the letter sent to him, but believes this could have been because there was a different name on the letter than what he is registered at at the homeless shelter. Therefore he has requested that police contact him again at the name 3.

He still does not have a telephone number or email address, so therefore can he please be contacted via the C/O address on VIW2 page.

03/01/2016 20:56

PC 235932 1564CW R EDWARDS

CCTV

CCTV of incident collected from Ladbrokes head office Rayners Lane .

Booked into CX front office : 66/30038 105/63

05/01/2016 14:53

ADI 204665 P GWYN

OIC Changed

05/01/2016 15:26

ADI 204665 P GWYN

Review

This investigation is to be progressed by cW SCU given the victim's injuries

Actions:

Contact and update VIW's 1 and 2 (update VCOP accordingly)
Request medical evidence
Request 999 tape
Collate and review MG11's

Details of Investigation

Collate and review exhibits
Collate and review photographs
Review CCTV produce stills as appropriate
Review interview re any need for a further interview with evidence obtained since BTR
Rebail suspect in good time before BTR as to ensure that all available evidence is presented to the CPS

07/01/2016 11:51

APS 236436 1680CW BM MORLEY

Medical evidence request sent to Royal London Hospital (Bart Health trust) by email.

07/01/2016 11:59

APS 236436 1680CW BM MORLEY.

Letter sent to victim to update and request contact.

12/01/2016 11:55

APS 236436 1680CW BM MORLEY

Due to apparent problems with request for medical evidence, further request sent which appears to have gone through successfully.

12/01/2016 16:01

APS 236436 1680CW BM MORLEY

Bail to return varied to 17:00 on the 22nd March pending medical evidence and CPS charging decision.
Authorised by ADI GWYN.

Data Protection Act - Dispose Of As Confidential Waste
PC BG LEWIS 4161CW 200892
CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident
GLU:CW
Details of Investigation

14/01/2016 10:36

APS 236436 1680CW BM MORLEY

Spoke with victim who attended CX in response to letter. He is expressing some unwillingness to attend court as he likes to 'turn the other cheek.' In this case it is dependent on whether the assailant (who appears to have victimised him on at least three occasions including this one) has lost his job. I also offered the VPS - it was declined at this stage, but may be revised, dependent on whether the victim will cooperate with the prosecution.

20/01/2016 08:23

ADI 204665 P GWYN

Progress noted.

25/01/2016 12:20

APS 236436 1680CW BM MORLEY

Still awaiting medical evidence to facilitate submission for charging advice.

25/01/2016 14:17

PC 9665 1184CW K. SHAH

VIW attended CX today, he stated his correct name is: [REDACTED]. He also wanted to know how the investigation was going. He was informed the OIC is awaiting medical evidence.

29/01/2016 13:49

APS 236436 1680CW BM MORLEY

Still awaiting medical evidence. Copied into email. The request has been forwarded to the relevant department.

Data Protection Act - Dispose Of As Confidential Waste
PC BG LEWIS 4161CW 200892
CR:6550905/15 CrType:C Notifiable/MPS/Other:N-9 Status:I Press:Y Class:Crime Related Incident
GLU:CW
Details of Investigation

01/02/2016 15:17

PC 190790 4325CW SA CARVELL

Your CCTV is ready for collection today the 01/02/2016. BK 105: 61-2016 refers.

The CCTV that you submitted has been completed. The copies, original discs and DVD masters are ready for collection from the Evidential Imaging Office at CX.

When attending court take the original exhibit & our master DVD in all cases.
We can not store CCTV indefinitely as we do not have the space. Items not collected or notifications not responded to will result in CCTV being sent to Mandela Way.

03/02/2016 11:24

ADI 204665 P GWYN

Progress noted. Please chase the medical evidence.

ANNEX 5

Hi Celia,

Following on from our telephone call:

If possible I would like all footage from your Argyle Street, W1 premises around the incident at 2200. Could I have all cameras from 2130 until after police attend and leave. If it could be sent to the address below that would be great. Any stills you have would also be much appreciated. The incident itself involves a fight of some nature between a member of staff and a member of public.

Kind regards

PC Chris Marriott 3540CW

Westminster Police Licensing Team

4th floor, 64 Victoria Street,

London, SW1 EQP

Tel: 02076411709

Look out for your electoral registration form in the post. It's important you respond to ensure you remain on the electoral register even if you're already registered. www.westminster.gov.uk/annual-canvass-2015.

Report fly-tipping at westminster.gov.uk/report-it or let us know on twitter using #FightTheFlytippers.

Did you know, your two-year-old could qualify for up to 15 hours of free childcare a week. Apply now at westminster.gov.uk/childcare.

Westminster City Council: www.westminster.gov.uk

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Lewis, Bryan

From: Marriott, Chris
Sent: 20 November 2015 15:15
To: Hoppe, Paul; Lewis, Bryan; Janes, Toby
Subject: FW: Labrokes - 25 Argyle Street 19/11/15 2200 hrs
Attachments: 1173 19-11-2015 ASSAULT STAFF ON CUST PIC1 OB.jpg; 1173 19-11-2015 ASSAULT STAFF ON CUST PIC2 OB.jpg; 1173 19-11-2015 ASSAULT STAFF ON CUST PIC3 OB.jpg; 1173 19-11-2015 ASSAULT STAFF ON CUST PIC4 OB.jpg; 1173 19-11-2015 ASSAULT STAFF ON CUST PIC5 OB.jpg

Re Labrokes,

Not many stories can be gained from these pictures other than the one as per the cris?!

Nasty.....

From: Celia Hipgrave [mailto:celia.hipgrave@ladbrokes.co.uk]
Sent: 20 November 2015 15:05
To: Marriott, Chris
Subject: Re: Labrokes - 25 Argyle Street 19/11/15 2200 hrs

Hi Chris

Sorry for the delay, stills attached moving in the post

Regards
Celia Hipgrave
CCTV Administrator

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CCTV@ladbrokes.co.uk
Tel: 0208 515 5132
Mobile: 07976 180500

Ladbrokes Betting and Gaming Ltd | Central Security | Imperial House | Imperial Drive
| Rayners Lane | Harrow | HA2 7JW

On 20 November 2015 at 11:03, Marriott, Chris <cmariott2@westminster.gov.uk> wrote:



Your ref

Our ref 6550905/15

Date: 30.11.2015



Ladbrokes Betting & Gaming Ltd

**METROPOLITAN POLICE
SERVICE**
Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Telephone: 020 7641 1709
mob
Facsimile: 020 7641 2436
Email:blewis1@westminster.gov.uk

Dear Sir

Re Police meeting with Ladbrokes regarding an incident at 25 Argyll Street W1

Our meeting on Tuesday 1/12/2015 was following events of the Thursday 19th November 2015 at 10:08pm at Ladbrokes, 25 Argyll Street. A male member of public was struck with an umbrella and a stool, wielded by a member of your staff, resulting in the male sustaining a head injury. After the male had left, the staff member discovered blood on the floor and called Police and the LAS. The staff member, who had been alone in the shop, was subsequently arrested for the assault on the unknown male. The following concerns came to light.

- CCTV was not available to view. This meant that a decision to arrest the member of staff was made without viewing CCTV first, which may have exonerated him if it clearly showed he acted in self defence.
- Police were unable to view an image of the injured male to assist in locating him and providing him with medical assistance.
- Response Officers had to go off borough to visit the Ladbrokes Control Room in Harrow, in order to view the CCTV. This meant the borough was short of a Police response vehicle and crew.
- Full coverage of the interaction between the two males was not provided due to limited coverage provided by the surveillance system.
- The monitor in the cashier's office provided short intermittent images of the front entrance. Had uninterrupted images been available, this may have enabled the member of staff to deploy the maglock on the front door and prevent entry to the victim.

In order to reassure Police, I suggest the following conditions below are added to your Gambling Premises licence for 25 Argyll Street. If you do not agree that this action is necessary, you leave us no option other than to consider commencing review proceedings against the licence for that venue.

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service
4. There shall be no preplanned single staffing after 8pm. Should the premises be single staffed after this time, the magnetic door locking system must be in constant use.

I look forward to hearing from you

Regards

Bryan Lewis

Westminster Police Licensing Team

London, SW1 EQP

Tel: 02076411709

Regards
Celia Hipgrave
CCTV Administrator

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CCTV@ladbrokes.co.uk
Tel: 0208 515 5132
Mobile: 07976 180500

Ladbrokes Betting and Gaming Ltd | Central Security | Imperial House | Imperial Drive | Rayners Lane | Harrow | HA2 7JW

----- Forwarded message -----

From: Lewis, Bryan <blewis1@westminster.gov.uk>
Date: 25 November 2015 at 11:39
Subject: 25 Argyll Street
To: "celia.hipgrave@ladbrokes.co.uk" <celia.hipgrave@ladbrokes.co.uk>

Hi Celia

I am from Police Licensing at Westminster. You dealt with my colleague Chris regarding 25 Argyll Street. Yesterday I emailed Barry Phillips and Ian Morrison about a meeting I would like to have with them next Monday the 30/11 at 3pm Westminster City Hall, regarding the incident that occurred last Thursday evening. I haven't heard back from them. I was wondering if you might enquire if a suitable representative of Ladbrokes could meet me on Monday.

Also can you confirm whether Police Licensing have been sent the footage of the incident as requested? So far I have only seen still images.

11/02/2016

Lewis Bryan - Westminster

From: Lewis Bryan - Westminster
Sent: 26 November 2015 09:41
To: 'Barry Phillips'
Subject: RE: 25 Argyll Street

Bary

I've found it had been left among a pile of unsorted post for our unit. So apologies for that. I was originally just asking for confirmation that it had been sent. Thanks for being prepared to deliver it

Regards

Bryan

From: Barry Phillips [mailto:barry.phillips@ladbrokes.co.uk]
Sent: 26 November 2015 09:23
To: Lewis Bryan - Westminster
Cc: Darren Austin; Celia Hipgrave
Subject: Fwd: 25 Argyll Street

Bryan

Since we spoke a minute ago, the note below arrived. FYI.

Just to confirm our telephone conversation, I informed you that the request was made by Chris Marriott on 20/11/15, it was sent by recorded delivery on 20th and signed for on 23/11/15.

You have been informed of this. In our conversation you stated that you had not seen Chris because he has been away from his desk this week. To overcome your internal issues, I stated I will have another copy made available today and will bring it myself and give it to you personally, against signature.

Can you confirm what JB AHOI did with the DVD after he signed for it please.

Regards

Barry

----- Forwarded message -----

From: Celia Hipgrave <celia.hipgrave@ladbrokes.co.uk>
Date: 26 November 2015 at 09:14
Subject: Fwd: 25 Argyll Street
To: Darren Austin <darren.austin@ladbrokes.co.uk>, Barry Phillips <barry.phillips@ladbrokes.co.uk>

Hello

The footage was sent on Royal Mails recorded delivery no KR835347968GB. This was delivered on the 23rd November at 08.49 and signed for by JB AHOI.

Address on the envelope was

PC Chris Marriott 3540CW

Westminster Police Licensing Team

4th floor, 64 Victoria Street,

11/02/2016

Lewis, Bryan

From: Gavin Dalzell <gavin.dalzell@ladbrokes.co.uk>
Sent: 15 January 2016 15:24
To: Lewis, Bryan
Cc: Caroline Beel
Subject: 25 ARGYLL STREET, LONDON, W1F 7TU

Bryan,

Good afternoon.

The CCTV system which was provided in our shop at the time of the incident in November 2015 was first fitted in 2004.

I am on vacation from close of business tonight, returning on Monday 1 February. In my absence, would you please liaise with Caroline Beel our Head of Development and Planning at

Email: caroline.beel@ladbrokes.co.uk

Tel: 0208 515 5362

Mob: 07855 275 507

regarding any matters relating to the above premises.

Gavin Dalzell
National Licensing Manager
Ladbrokes
07855 275539

Ladbrokes

Tel: +44 20 8868 8899

Fax: +44 20 8868 8767

Registered in England Number 775667

Registered Office: Ladbrokes Betting & Gaming Limited

Imperial House, Imperial Drive, Rayners Lane, Harrow, Middlesex, HA2 7JW

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Our Ref: GD

Divisional Office Address:
20 La Porte Precinct
Grangemouth
FK3 8BG
Tel: 01728 464500
Fax: 01324 482233

14 January 2016

Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Dear Bryan,

LADBROKES BETTING AND GAMING LIMITED
25 ARGYLL STREET, LONDON, W1F 7TU

I refer to your letter of 30.11.15 and note the suggested conditions which you would like to be added to our Premises Licence in respect of the above premises.

Following consultation with our Operation team and Security Department, please find below our slightly revised version of your proposed conditions, the amendments are highlighted.

Condition 1.

We would suggest,
The premises shall install and maintain a comprehensive CCTV system, **covering all areas of the premises**, as per the **reasonable** requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. **Recordings shall be immediately arranged by a member of staff for hand over to Police or authorised officer following their request** throughout the preceding 31 day period.

Condition 2.

We would suggest,
All shop staff will be trained to report any Security and Safety incidents to the Ladbrokes 24 hour Security and Safety Control Room. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to **arrange for Police or authorised council officer to view recent CCTV images or data with the absolute minimum delay when requested. Images can immediately be sent to any email address provided by the police or authorised council officer**

Condition 3.

We would suggest,

An incident log shall be kept for the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any faults in the CCTV system
- (e) any visit by a relevant authority or emergency service

Condition 4.

We would suggest,

At all times when the premises are manned by a single member of staff, he or she will be provided with and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff for a pre-determined period of time. Should the premises be single manned after 8pm, the magnetic door locking system must be in constant use.

Further to our telephone conversation yesterday, I understand that you attended a meeting on 1 December 2015 with our Barry Phillips and Steven Rowe from Westminster Licensing.

On 11 December 2015, we provided additional CCTV cameras in the shop, which included a new staff quad screen monitor that shows, at all times,

Upstairs entrance
Shop/Machine area
Rear shop area
Front shop area

The latter 2 areas were not previously covered by our CCTV system.

I would be obliged if you would consider the slight alterations to your proposed conditions and confirm to me if they are acceptable to you.

Yours faithfully,
for LADBROKES BETTING AND GAMING LIMITED

Gavin Dalzell

GAVIN DALZELL
National Licensing Manager

Lewis, Bryan

From: Lewis, Bryan
Sent: 01 February 2016 13:19
To: 'Bryan.Lewis@met.pnn.police.uk'
Subject: FW: 25 ARGYLL STREET, LONDON, W1F 7TU

From: Lewis, Bryan
Sent: 20 January 2016 20:18
To: Gavin Dalzell
Cc: Hoppe, Paul; Simpkin, Kerry; Nelson, Nicholas
Subject: RE: 25 ARGYLL STREET, LONDON, W1F 7TU

Gavin

I've just returned to work after my long weekend so I have just read your letter with amended proposed Police conditions. I will break it down in the order you have made your amendments in bold.

'Covering all areas' is acceptable

'Reasonable' no, as that then is becomes a debate about what is reasonable and to whom. Recording shall immediately be arranged: is quite different to 'made immediately available' and that is virtually where are now.

Condition 2

Reporting to Security is not relevant here and surely they should be doing that now

Again you have inserted 'staff member must be able to arrange' instead of my condition which states must be able to provide Police etc. copies of recent CCTV etc.

You have put images can be sent by email etc. This is not acceptable. Officers are not currently equipped to view emails when dealing with emergency calls. I think here you are probably referring to still images, again not acceptable. Officers need to view footage. Also when deciding on a course of action, officers may need to view around an incident eg when persons arrived, what the suspect's actions were afterwards etc.

Condition 3

You have omitted incidents of disorder from the incident log; they must be included

Condition 4

Single Staffing: I regard Agyll Street as a high risk branch because it is in a basement and therefore any disturbances or persons in distress on the shop floor would not be visible from the street. After all, the victim could have been your member of staff and he could have sustained a serious injury. The Security Control would have been unaware due to the limited CCTV coverage and they were not alerted anyway.

Therefore to summarise your amendments are not acceptable. I will visit the branch to view the new CCTV cameras at the first opportunity and let you know my findings.

Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor, 64 Victoria Street
London SW1E 6QP

Lewis, Bryan

From: Lewis, Bryan
Sent: 28 January 2016 11:28
To: 'Caroline Beel'
Cc: Simpkin, Kerry; Nelson, Nicholas
Subject: RE: Ladbrokes - 25 Argyll Street, London

Dear Caroline

Thank you for your email. My recent visit was simply to examine the CCTV upgrade that was done recently at the Argyll Street shop. Although there is some improvement, there are still areas in the shop where there is no camera coverage; an area at the far end of the counter, the toilet corridor and the staircase area.

Please consider additional coverage to ensure these areas are viewed by the CCTV system.

regards

Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor, 64 Victoria Street
London SW1E 6QP
0207 641 3347

From: Caroline Beel [<mailto:caroline.beel@ladbrokes.co.uk>]
Sent: 27 January 2016 09:58
To: Lewis, Bryan
Cc: Rowe, Steven; Simpkin, Kerry; Gavin Dalzell
Subject: Ladbrokes - 25 Argyll Street, London

Dear Bryan

Thank you for your email sent late Wednesday evening. As you are aware this matter has been passed to me whilst Gavin is on annual leave. I would at this juncture like to apologise for the delay that you experienced back in December when dealing with this matter, due as you are aware to Barry being on sick leave. I apologise for the delay that you experienced.

Over the past couple of days I have reviewed all correspondence passing between yourself and Gavin and prior to that with Barry to familiarise myself with the situation. I hope to be able to respond to you very shortly in relation to your email of Wednesday evening however I have been informed that you attended the shop later that same evening. As a result I would be grateful if you could confirm subsequent to your visit whether there are any additional points that you wish to raise or whether there are any points that you are now satisfied with and no longer need to be included. I can then ensure that I comprehensively respond to you on all points rather than responding to you in relation to your email and then further points arising out of your shop visit.

I look forward to hearing from you. As I have said I am endeavouring to respond to you shortly, hopefully by the end of this week/Monday.

Kind regards,

Caroline

Caroline Beel
Head of Development & Planning

Office: 0208 515 5362
Mobile: 07855 275 507

Ladbrokes

Tel: +44 20 8868 8899

Fax: +44 20 8868 8767

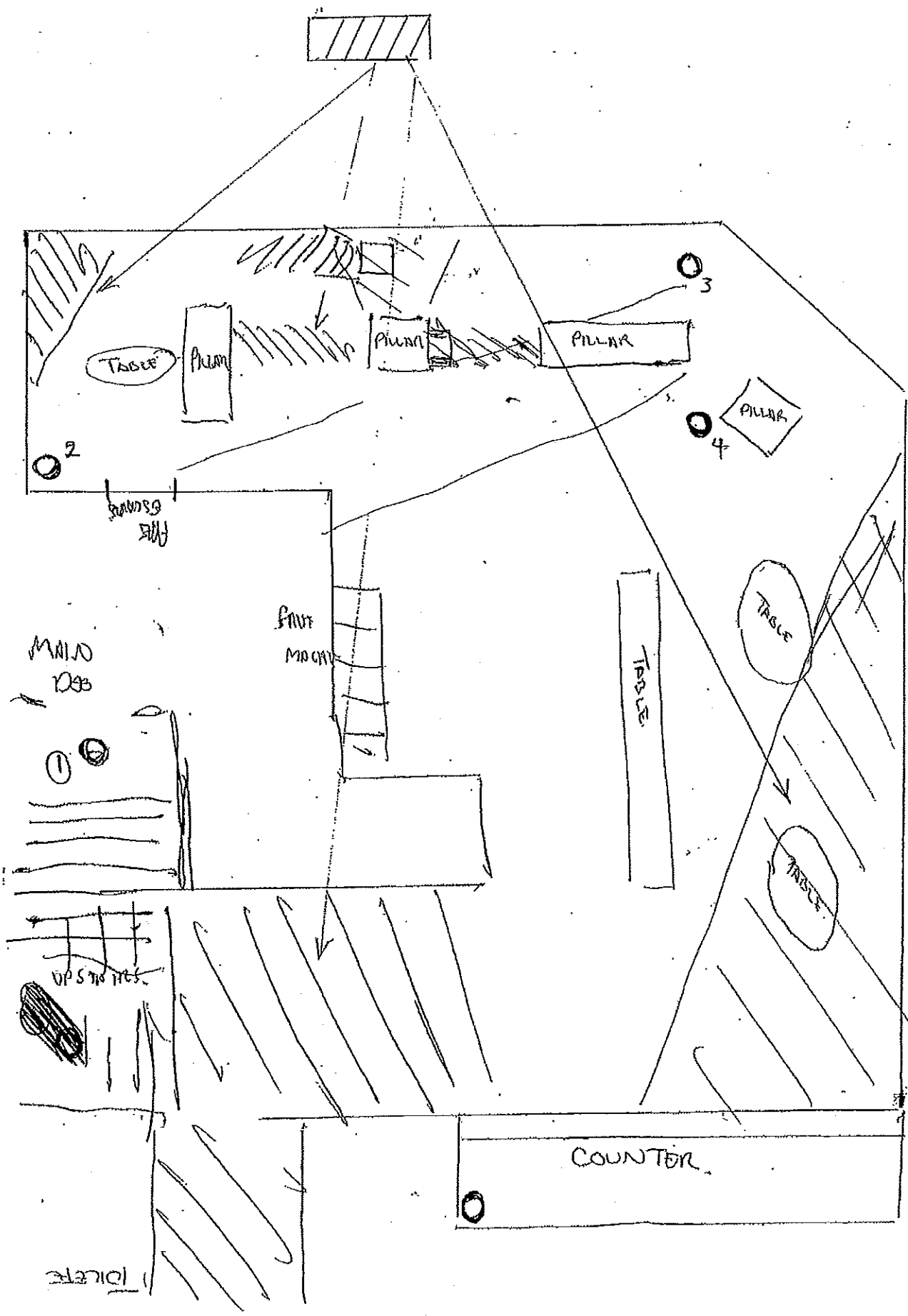
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Ladbroke's Arayll st
Areas not covered on CCTV JAN 16





Our Ref: Westargy

29 January 2016

Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Dear Bryan,

LADBROKES BETTING AND GAMING LIMITED
25 ARGYLL STREET, LONDON, W1F 7TU

Thank you for your email of 20th January, which I have fully considered.

As you will be aware all Ladbrokes shops within Westminster adopt enhanced control measures and are risk assessed on a regular basis. The risk assessments for this shop do not assess these premises as high risk and the incident log for the shop concurs with this assessment. Aside from the incident in question over the last 4 years, there have been 4 machines damaged, 1 incident of other criminal damage (to a CCTV camera), 1 abusive customer and 3 incidences of anti-social behaviour.

The incident that occurred on 19 November 2015 was a unique, isolated and unpredictable event and one that could have occurred in any industry. The incident has been fully investigated and the member of staff has been dismissed.

The conditions therefore that we had offered took into account all of the above and were in our view reasonable and proportionate in trying to alleviate your concerns, in dealing with such an event.

I will take our proposed conditions in turn and refer to your comments. Conditions 1 and 2 relate to CCTV provision.

Condition 1.

The premises shall install and maintain a comprehensive CCTV system as per the reasonable requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be immediately arranged by a member of staff for hand

over to Police or authorised officer following their request throughout the preceding 31 day period.

Condition 2.

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to arrange for Police or authorised council officer to view recent CCTV images or data with the absolute minimum delay when requested. Images can immediately be sent to any email address provided by the police or authorised council officer.

Ladbrokes CCTV system operates throughout the estate in the UK and Ireland, the CCTV records all motion in a shop 24/7 for 365 days with infra red cameras covering night time. In this shop, the usual camera coverage has been upgraded to 6 cameras. There is a CCTV monitor in the staff area, this is a multiplex system and will switch between the relevant cameras. Coverage includes a covert camera at the entrance which will capture full head and shoulder images of everyone entering the premises.

Security operators based at the Central Security and Safety Control room based at Ladbrokes HQ in Harrow, Middlesex are SIA CCTV operator trained and are responsible for receiving and maintaining reports from shops, and monitoring the CCTV, Panic and Intruder alarms. Security personnel also hold First Aid and Institution of Occupational Health and Safety Certificates.

The main difference between our respective conditions is on who provides the images to the Police. Since 2002 Ladbrokes has managed the CCTV system remotely from Harrow including the timely provision of quality still and moving images to external agencies.

The benefits of remote management include the protection of shop colleagues from assailants attempting to seize CCTV evidence; protection of company assets from internal theft ensuring dishonest members of staff are unable to pause recording and/or delete images; daily monitoring of the system ensuring any faults within individual shops are identified and resolved within a short period of time, and regular checks on quality of images, camera angles etc.

The Ladbrokes CCTV system and the images captured have been hailed by Police Officers throughout the country as extremely efficient with the ability to forward still or moving images from the CCTV system to officers, who have the facility to receive them, within 5 minutes. If the officers in Westminster do not have this facility a series of high quality still images covering the incident can be sent immediately to the shop. All shops now have a tablet and the images can be sent to that tablet so they can be viewed by officers on site.

We are also aware of the Westminster Central CCTV monitoring system and can assure Westminster that moving images of incidents can be transferred to the Westminster Central CCTV unit within 5 minutes if required.

In 2015 the Central Security and Safety Control room team received and responded to approx 1,500 requests for CCTV images from police forces throughout the UK. To the best of our knowledge the issue of not being able to download images on site has never been raised by police officers prior to the current case.

I hope this has assured you of our commitment to work with the Police and provide immediate CCTV images with the minimum of delay.

Condition 3.

An incident log shall be kept for the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:

- (a) all crimes reported to the venue**
- (b) all ejections of patrons**
- (c) any complaints received concerning crime and disorder**
- (d) any incidents of disorder**
- (e) any faults in the CCTV system**
- (f) any visit by a relevant authority or emergency service**

Please note that the condition previously offered had omitted (d) in error and this has been reinstated.

The incidences relating to crime and disorder are reported by the shop team to the central control room. These are logged and tracked which enables us to proactively react to any developing issue.

Condition 4.

At all times when the premises are manned by a single member of staff, he or she will be provided with and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff for a pre-determined period of time. Should the premises be single manned after 8pm, the magnetic door locking system must be in constant use.

Ladbrokes have received Assured Advice for Single Scheduling from our Primary Authority. The Assured Advice, which we have held since September 2012, states,

"having considered the single scheduling protocol and the associated documents and evaluated it to assess compliance with legal requirements, I confirm that my advice to the company is that the revised single scheduling procedure complies with the requirements of health and safety law. In particular, I believe that, if fully implemented correctly, the policy would comply with the requirement to carry out a suitable and sufficient assessment of the risk to the health and safety of employees and persons not in your employment that arise from lone working. I also believe that, if correctly implemented, the procedure would comply with the requirement to implement a safe system of work in accordance with Section 2 (2) of the Health & Safety at Work Act 1974."

All premises are risk assessed to ensure suitability for lone working. All colleagues undertake a personal risk assessment and are trained on safe working practices before they are permitted to work alone.

All Ladbrokes premises within Westminster have, as a minimum, the following security equipment in place: Electronic Door Locking (enabling staff to control entry from the staff area); CCTV system and Static Panic Alarm system linked to the Central Security and Safety Control room.

In addition to the above all shops now have a Portable Panic Alarm for staff use; staff working alone at anytime must wear the device. The device must also be worn when any member of staff enters the customer area (even if there is more than one member of staff working) this provides the individual with the ability to alert Central Security and Safety Control room operators in an emergency when away from the staff area.

The device is worn around the neck (via an adjustable length lanyard) or clipped to a belt/waistband. There is an orange button on each side of the device. When both buttons are pushed at the same, a panic alarm signal will be sent through to the Central Security

and Safety Control Room in exactly the same way as the fixed buttons that are underneath the counter in the staff area.

The Control Room will follow the same procedures as they do with the fixed buttons in that they will call the shop and dial into the CCTV to determine the reason for the activation. If they are not able to confirm the reason for the alarm, they will call the police to report a possible issue as well as make continued efforts to call the shop and contact a member of the local management team.

The device also has a person down function built into it. If the device is lying in the horizontal position, it will start to beep. If after 20 seconds the device is still in the horizontal position, it will send a panic alarm signal through to the Central Security and Safety Control Room who will follow the procedure outlined above. This ensures that if as in the example you cite a member of staff in the customer area is assaulted and sustains a serious injury, or a member of staff has an accident or falls ill, the person down facility will activate and alert the Central Security and Safety Control room team who will take the appropriate action.

In light of the risk assessment for the shop and the policies and control measures in place Ladbrokes contest the need for a condition requiring no pre planned single staffing after 8pm.

The policies and procedures exist to ensure a safe customer and staff environment. However, with any risk assessment it can always be breached by a unique, isolated and unpredictable event like this one which is beyond the control of process and policies.

I believe it would be beneficial to discuss this in more detail and, if you were available to come to Harrow, it would be a good opportunity to show you the Security and Safety Control room. Alternatively we would be happy to meet at the premises or any other venue you suggest. We very much hope to be able to work with you to reach mutually acceptable conditions that are reasonable and proportionate.

I look forward to hearing from you.

Yours faithfully,
for LADBROKES BETTING AND GAMING LIMITED



Caroline Beel
Head of Development & Planning

Lewis, Bryan

From: Lewis, Bryan
Sent: 04 February 2016 08:05
To: 'Caroline Beel'
Cc: 'Paul.Hoppe@met.pnn.police.uk'; Simpkin, Kerry; Nelson, Nicholas
Subject: RE: Ladbrokes - 25 Argyll Street, London

Dear Caroline

I have read your letter a number of times. I would say that there is nothing new there. I have had a number of meetings with Barry and Neill, your representatives who have gone over the points you have raised, both about Argyll Street and other branches. It appears that you intend to rigidly stand by your existing CCTV policies. For example you still state providing still images immediately following an incident of crime and disorder is an acceptable response. Quite frankly this sounds very dated. I would urge you to seriously consider your policies on providing CCTV to the Responsible Authorities and I am more than happy to discuss this with you and CCTV professionals, in the future. However I feel at the moment you are only intent on defending your current system. For those reasons I feel this matter must go before a Review hearing in order to properly address Police concerns.

I will in any case respond to the points you have raised in your letter, in the contents of my review statement.

Regards

Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor, 64 Victoria Street
London SW1E 6QP
0207 641 3347

from: Caroline Beel [<mailto:caroline.beel@ladbrokes.co.uk>]
Sent: 27 January 2016 09:58
To: Lewis, Bryan
Cc: Rowe, Steven; Simpkin, Kerry; Gavin Dalzell
Subject: Ladbrokes - 25 Argyll Street, London

Dear Bryan

Thank you for your email sent late Wednesday evening. As you are aware this matter has been passed to me whilst Gavin is on annual leave. I would at this juncture like to apologise for the delay that you experienced back in December when dealing with this matter, due as you are aware to Barry being on sick leave. I apologise for the delay that you experienced.

Over the past couple of days I have reviewed all correspondence passing between yourself and Gavin and prior to that with Barry to familiarise myself with the situation. I hope to be able to respond to you very shortly in relation to your email of Wednesday evening however I have been informed that you attended the shop later that same evening. As a result I would be grateful if you could confirm subsequent to your visit whether there are any additional

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Direct Dial: +44 (0) 1722 426923
Direct Fax: +44 (0) 1722 411079
E-Mail: rhiannon.daniel@trethowans.com
Our Ref: RLD01/CJP01/301550
Your Ref:
Doc Ref: 3540753v1

8 February 2016

BY POST & EMAIL: blewis1@westminster.gov.uk

Dear Sirs

Ladbrokes - 25 Argyll Street, London W1F 7TU

Please find enclosed a copy of a representation which has today been filed with Westminster Council in relation to the review of Ladbrokes premises at 25 Argyll Street, London, W1F 7TU.

Yours faithfully



Trethowans LLP

Enc

11 FEB 2016 10:00 AM

The word "partner" is used to refer to a member of Trethowans LLP, or an employee or consultant with equivalent standing and qualifications. A list of members is open to inspection at our registered office above.

Lexcel
SOLICITORS
WILTSHIRE

IN THE MATTER OF AN APPLICATION FOR REVIEW
PURSUANT TO SECTION 197 GAMBLING ACT 2005
LADBROKES BETTING AND GAMING LIMITED
25 ARGYLL STREET, LONDON, W1F 7TU

REPRESENTATIONS BY LADBROKES BETTING AND GAMING LIMITED
PURSUANT TO SECTION 197(6) GAMBLING ACT 2005

1. This review application has been brought by PC Bryan Lewis. The review is based on a single incident, involving a single staff member, at the above premises. The grounds for review are stated to be:

“On 19 November 2015 there was an alleged serious assault by a Ladbrokes member of staff on a member of the public”.

2. The assault was an unforeseeable incident by an experienced member of staff which Ladbrokes could not have prevented. Ladbrokes deeply regrets that a member of staff behaved in this way and have dismissed the staff member concerned.
3. Ladbrokes is a national company, with well-established procedures to reduce crime and protect staff. Ladbrokes is the only betting and gaming business to have assured advice from a Primary Authority in relation to single scheduling. Its primary authority is Liverpool City Council. The primary authority is satisfied with and has approved Ladbrokes' relevant policies and procedures.
4. Ladbrokes has also worked with the Metropolitan Police, Community Union, LACORS and others to produce a voluntary code of security and safety prevention measure, the Safe Bet Alliance, which is implemented within the Ladbrokes estate.
 - Following this incident, Ladbrokes has taken steps in relation to security and crime prevention in the premises, namely: Two additional CCTV cameras have been fitted.
 - The camera at the top of the stairs has been repositioned to improve monitoring of the front door, to enable staff to operate the maglock if necessary; A new light has also been fitted above the door on the exterior side to aid with the above.
 - A new monitor and quad unit has been fitted on the counter to enable staff to view four cameras simultaneously rather than the single camera monitor previously installed.
5. It is respectfully submitted that Ladbrokes, which is a responsible organisation with a strong relationship with its primary authority and with statutory authorities locally, is taking all appropriate measures in light of this incident.
6. PC Bryan Lewis has proposed draft conditions to Ladbrokes. The conditions have yet to be fully agreed, but it is hoped and expected that agreement will be reached before the hearing of this matter. The conditions proposed by PC Bryan Lewis and Ladbrokes' comments are as follows:-

Proposed Condition 1:-

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirement of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

CCTV images from each Ladbrokes betting office are held, stored and administered nationally.

- **CCTV footage can be supplied electronically direct to Westminster City Council's CCTV control room.**
- **Still images can be supplied electronically direct to individual betting offices.**

This system has occasioned no difficulty or complaint from any local authority or Police force. It results in images being held securely by Police without the need for them to be burned onto disks or memory sticks, and resolving issues as to compatibility. Moreover, it enables the Westminster City Council control room immediately to cascade the footage to Council or Police personnel as required.

Ladbrokes suggest that in the proposed condition the word "immediately" be replaced with "as soon as reasonably practicable."

Condition 2:-

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised Council Officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Ladbrokes agree to this condition, although "staff member" in line two should be replaced with "Ladbrokes"

Condition 3:-

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:-

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any complaints received concerning crime and disorder
- (d) Any incidents of disorder
- (e) Any faults in the CCTV system
- (f) Any visit by a relevant authority or emergency service

Ladbrokes agree to this condition.

Condition 4:-

There shall be no preplanned single staffing after 8pm. Should the premises be single staffed after this time, the magnetic door locking system must be in constant use.

Ladbrokes have a well-established process of risk assessment in relation to single staff, which has been approved by Ladbrokes' Primary Authority and which has not been subject to any relevant criticism. Moreover, only staff members willing to single-staff do so. These premises have not been assessed as requiring double-staffing after 8 p.m.

Ladbrokes propose the following condition:

At all times when the premises are manned by a single member of staff, he or she will be provided with and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff for a pre-determined period of time. Should the premises be single manned after 8pm, the magnetic door locking system must be in constant use.

7. As stated above it is hoped that these conditions can be agreed. The real question in this case is whether the attack on the customer by the Ladbrokes staff member occurred as a consequence of any regulatory breach, and whether Ladbrokes can be relied upon to take appropriate steps in consequence thereof. It is not being suggested by the applicant that there was any regulatory breach or that Ladbrokes cannot be trusted to react appropriately. The Sub-Committee will therefore be invited to attach the agreed conditions to the licence.

Dated this 8 February 2016

Trethowans LLP
Trethowans LLP
London Road Office Park
London Road
Salisbury SP1 3HP

Reference:RLD/ Ladbrokes/301550

ANNEX 6

Association of British Bookmakers

Protocol for Reporting Damage to Gaming Machines to Metropolitan Police

Document	Protocol for Reporting Damage to Gaming Machines to Metropolitan Police
Version	1.0
Date	7 May 2010
Author	Tom Kenny, ABB

Document control

Version	Date	Author	Comments
0.1	30 April 2010	Tom Kenny, ABB	Draft for comment
1.0	7 May 2010	Tom Kenny, ABB	Standard reporting template and references to it removed. Final for issue.

Background

On March 12th 2010 Chief Inspector Adrian Studd of Metropolitan Police Clubs & Vice met with the Heads of Security from Betfred, Gala Coral, Ladbrokes, the Tote and William Hill. Tom Kenny of the ABB was also present,

Ch Insp Studd explained that during 2009 a total of 2 307 reports of criminal damage (mainly to gaming machines) had been made by LBO operators to the Metropolitan Police. This amounts to 60% of all crimes reported by London bookmakers.

There was significant variation in the number of incidents of criminal damage reported by different LBO operators. The level of variation was far greater than that which might be explained by the fact that different operators have different numbers of shops in London, or that individual shops might attract unusually violent customers.

Each report of criminal damage requires a certain amount of police time and effort to log, and to investigate appropriate to the quality of the evidence available. However in 2009 a mere 7% of reports of criminal damage in London betting shops led to a suspect being apprehended and charged.

By reporting incidents of damage to gaming machines more selectively to Metropolitan Police, betting shop operators have an opportunity to help the police focus on incidents where the evidence is of higher quality. This should enable police resources to be deployed much more effectively and - all else being equal - lead to a higher clear up rate.

Purpose of this document

This document sets out the ABB's protocol for reporting incidents of damage to gaming machines to the police. The protocol was developed in close consultation with the major LBO operators and the Metropolitan Police. It defines criteria to identify which incidents of damage to gaming machines should be reported to Metropolitan Police.

Criteria for reporting incidents of criminal damage

Where a gaming machine has been damaged and the suspect remains on the premises, or a gaming machine has been damaged by a suspect who can be identified by name but has left the premises, then the incident should be reported to the police. Otherwise an incident of damage to a gaming machine should not be reported to police. All incidents of criminal damage should be reported internally within the company that operates the LBO.

These criteria are summarised in the following table:

Ref	Criteria	Report to Metropolitan Police	Report internally
1	Damage to a gaming machine has been committed and suspect remains on the premises.	Yes	Yes
2	Damage to a gaming machine has been committed by a known person whom the LBO staff can identify by name.	Yes	Yes
3	All other incidents of damage to gaming machines.	No	Yes

Violence in the workplace

LBO operators are referred to the Safe Bet Alliance Voluntary Code of Safety & Security – National Standards for Bookmakers (March 2010) for guidance on:

- Company policy on violence in the workplace;
- Shop specific risk assessment;
- Standard and risk-based security measures;
- Support for staff who have been victims.

Gaming machine specification

ABB will explore with manufacturers the possibility that gaming machines can be designed to be more resistant to violent attack.

Monitoring progress

Representatives of the ABB, major LBO operators and Metropolitan Police Clubs & Vice will meet periodically to review the number of incidents of criminal damage reported and clear up rates, and to share best practice in combating the problem.

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Bryan Lewis PC4161CW..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Constable P200892....**

This statement (consisting of:**2**.... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 15th February 2016.....

Tick if witness evidence is visually recorded (supply witness details on rear)

The following relates to the incident at Ladbrokes 25 Argyll Street W1F 7TU that occurred on the 19th November 2015. The chain of events as captured by the shop CCTV system at about 22:08 hours, for each of the four cameras. Police reference number 6550905/15 now saved in a DVD format.

Basement shop floor entrance camera

- 21:50 Normal shop activity
- 21:52:56 Suspect briefly passes camera, wearing grey sweatshirt.
- 21:53:27 Victim appears, give thumbs up, side of face seen.
- 21:54:43 Suspect appears, speaking on a phone and then returns behind the counter
- 21:57:33 Suspect briefly walks past camera.
- 21:59:32 Suspect visible behind counter.
- Incident Commences**
- 22:08:00 Victim appears. Steps back, faced by suspect armed with an umbrella.
- 22:08:22 Victim struck with umbrella multiple times.
- 22:08:31 Suspect picks up a bar stool, appears to threaten victim with it along with verbal threats. Victim has his hands up and attempts to back away.
- 22:08:51 Appears to strike victim with the bar stool
- 22:09:04 Suspect walks off camera, nobody now in the picture.
- 22:12:22 Other member of staff just visible behind counter screen (red top).
- 22:13:54 Suspect reappears. He picks up an object from the floor.
- 22:26:07 Police arrive. Suspect speaks with officers. His gestures suggest he is attempting to is justify his actions.
- 22:28:10 Officers clearly attempting to understand what has taken place.

Counter Camera (camera located in the office area)

Signature: Signature witnessed by:

Continuation of Statement of

21:50:37 Suspect seen working behind the counter.

22:12:18 Other member of Ladbrokes staff appears.

22:13:06 Suspect makes phone call.

Ground floor level door entrance camera

21:51:00 Customer leaving.

21:53:47 Camera footage jumps to later time of 22:07:50 (motion activation?)

22:07:50 Victim enters, descends staircase.

22:09:22 Other member of staff seen entering

22:09:58 Suspect can be seen at the bottom of the stairs, on the phone

22:11:07 Other staff member leaves.

22:11:19 Suspect leaves premises while on the phone.

22:11:30 Suspect immediately returns.

22:11:59 Both members of staff return down the stairs.

22:14:11 Victim at the base of the stairs.

22:15:29 Victim slowly ascends the stairs.

22:15:58 Victim leaves the premises.

22:17:23 Other member of staff runs up the stairs to follow the victim, followed by the suspect.

22:17:50 Paces the area beside the front entrance.

22:25:36 Police officers arriving.

Shop Camera 4

21:57:37 Suspect passes through camera field of view at distance. Minute later, he returns.

22:26:48 Officer seen at distance.

Signature: Signature witnessed by:

Witness contact details

Home address:

..... Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / ~~Female~~ (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

.....

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PC4161CW P200892 Bryan Lewis** Station: **Westminster City Hall**.....

Time and place statement taken:

APPENDIX E2



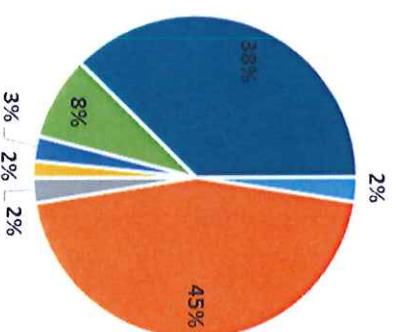
City of Westminster

Betting Shops – 2015 Overview

Westminster City Council

Crimes in betting shops throughout 2015

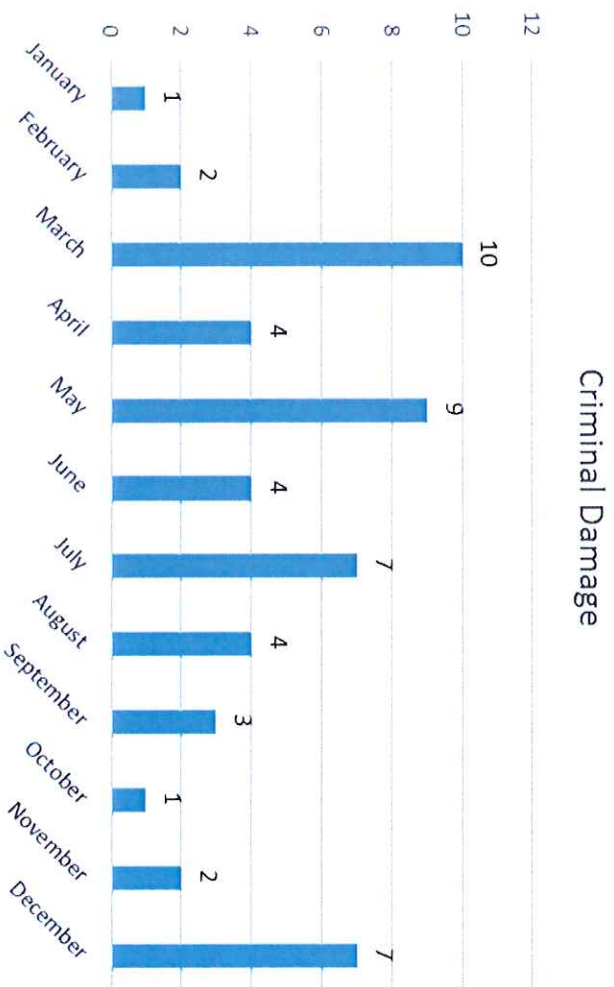
Crimes in Betting Shops 2015



- Criminal damage makes up the largest amount of crimes committed in betting shops 2015 = 45%
- Violence against the person comes second making up 38% of all crimes.
- Theft and handling comes third. Considerably lower than the top two, making up 8% of all crimes in betting shops.



Criminal Damage 2015

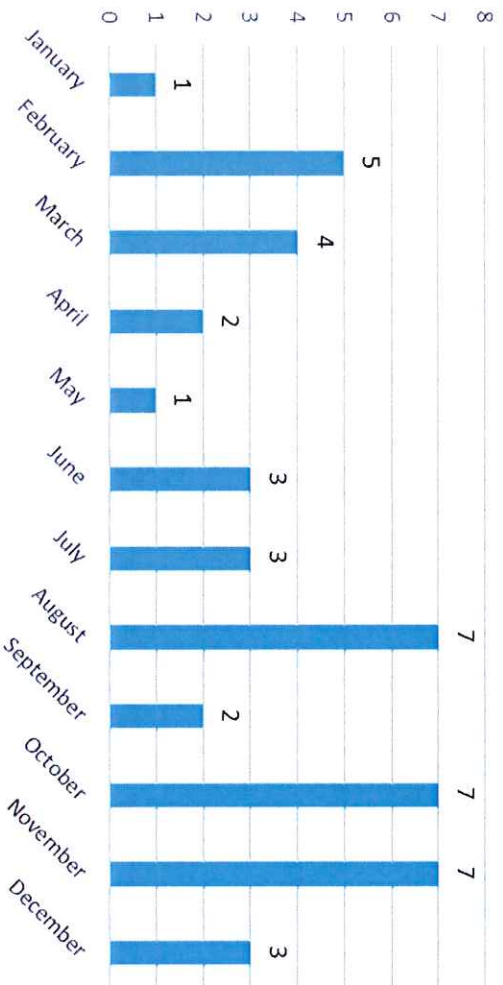


- There has been an increase in overall CD = 21 more offences than in 2014.
- Peak months for CD are March, May, July and December.



Violence against the person in 2015

Violence Against the Person

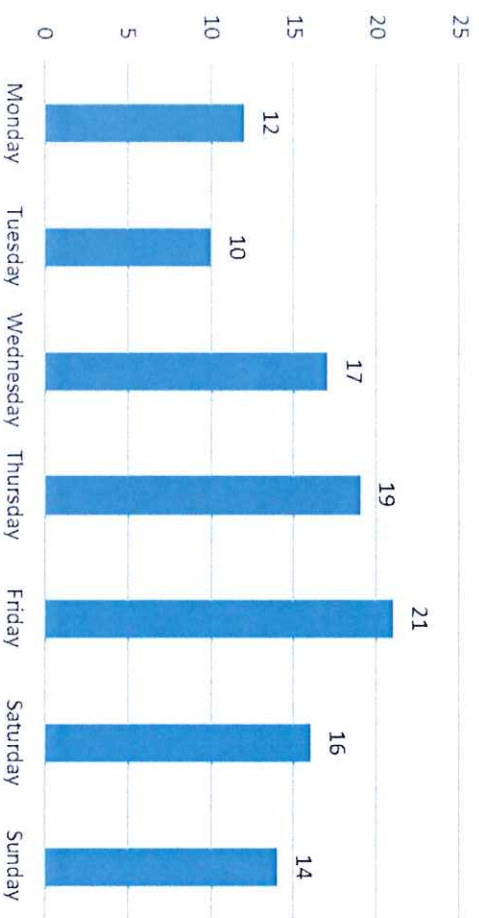


- Minor increase in VAP. Levels have been steady for three years with 40-45 offences each year.
- Peak months are August, October and November.



Daily breakdown on CD, VAP & TR throughout 2015

Daily breakdown

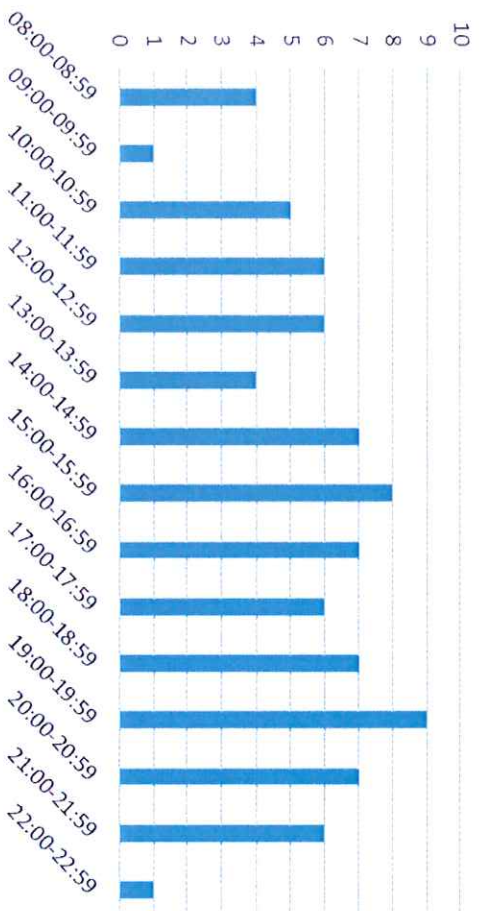


- Levels of CD, VAP & TR increase gradually throughout the week peaking on Friday.
- Follows similar pattern from 2014.



Hourly breakdown of crimes in 2015

Hourly breakdown of crimes



- Crime rates peak 14:00-14:59 to 19:00-19:59.
- Half of the crimes occur in this period.
- Time periods do match 2014, only the numbers vary increasing each hour.



APPENDIX E3

WITNESS STATEMENT

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

URN

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Statement of: Toby JANES.....

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: Police Constable 1275CW

This statement (consisting of 1 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: PC 1275CW JANES Date 22/02/2016

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person and am employed by the Metropolitan Police. I am currently stationed at City Hall with the Westminster Licensing team where I work as Police licensing officer.

On FRIDAY 19th FEBRUARY 2016 I was on duty and in the company of PC 4161CW Bryan LEWIS. At approximately 1615 hours we attended LADBROKES at 113-115 EDGWARE ROAD, W2 in relation to an incident that had occurred at the premises on MONDAY 15th FEBRUARY 2016. The incident involved a customer who became aggressive while using a fixed odd betting terminal. He was asked to leave the store by staff and after collecting his money he picked up a stool and attempted to smash the cashiers door, breaking the glass panel. He then used the stool to smash the screens of two gaming machines. This incident was captured on CCTV.

On attending we spoke to the Manager Parvinder SINGH who explained what had happened on the day of the incident and the actions taken by staff. He also explained that the store had recently been given a tablet computer, which they had received approximately one month ago. This was so that still images from their CCTV system could be sent to them for viewing when requested by Police. We asked if the staff had been provided with a picture of the suspect from the CCTV so that if he returned the police could be notified.

SINGH replied they had not received a picture of the suspect as it would have been sent in the post and had not yet arrived. I asked why they had not sent a picture of the suspect via email to the tablet and he replied "THEY DO NOT SEND PICTURES FOR STAFF VIEWING TO THE TABLET BECAUSE THE TABLET COULD GET STOLEN".

Signature: Toby JANES PC 1275CW Signature witnessed by:

Not Disclosable

Witness contact details

Home address: C/O City Hall, 64 Victoria Street, Forth Floor, Police Licensing..... Postcode: SW1E6QP

Home telephone No: N/A..... Work telephone No.02076413347

Mobile/Pager No:..... E-mail address: Tjanes@westminster.gov.uk.....

Preferred means of contact (specify details):email

Best time of contact (specify details): Mon- Fri

Male Date and place of birth: Muster -11/10/1977

Former name:..... Ethnicity Code (16 + 1):W1.....

DATES OF WITNESS NON-AVAILABILITY: April 9-20

Witness care

- a) Is the witness willing to attend court? Yes X No [] If 'No', include reason(s) on form MG6.
b) What can be done to ensure attendance?
c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? (youth under 18; witness with mental disorder, learning or physical disability; or witness in fear of giving evidence or witness is the complainant in a sexual offence case)
Yes [] No X If 'Yes', submit MG2 with file in anticipated not guilty, contested or indictable only cases.
d) Does the witness have any particular needs? Yes [] No X If 'Yes', what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The Victim Personal Statement scheme (victims only) has been explained to me: Yes [] No []
b) I have been given the Victim Personal Statement leaflet Yes [] No []
c) I have been given the leaflet "Giving a witness statement to the police – what happens next?" Yes [] No []
d) I consent to police having access to my medical record(s) in relation to this matter (obtained in accordance with local practice) Yes [] No []
e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes [] No [] N/A []
f) I consent to the statement being disclosed for the purposes of civil proceedings if applicable, e.g. child care proceedings, CICA Yes [] No [] N/A []

Signature of witness:..... PRINT NAME: Toby JANES PC 1275CW

Signature of parent/guardian/appropriate adult:..... PRINT NAME:

Address and telephone number if different from above:.....

Statement taken by (print name):..... Station:.....

Not Disclosable

Time and place statement taken:

APPENDIX E4

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Paul HOPPE URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 216416

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

Signature:

[Handwritten signature]

Date:

24th February 2016

Tick if witness evidence is visually recorded [] (supply witness details on rear)

This statement is in support of the Review of the gambling licence at LADBROKES Betting and Gaming Ltd., 25 ARGYLL STREET LONDON W1F 7TU.

I am a Police Sergeant with the Metropolitan Police Service (MPS). I have been a Police Officer since August 2003 and I have worked at Islington Police station since January 2004 during which time I have worked on Emergency Response Team, Local Policing Team, Angel Town Centre Team (neighbourhood team), Officer Safety Trainer (Police Self Defence Instructor) and Licensing Unit. On 1st June 2015 I transferred to Westminster Borough and on 23rd July 2015 I was seconded to the Licensing Unit. I am also BIIAB Level 2 Practitioner qualified.

My only involvement in this investigation has been supervisory advice to PC LEWIS throughout his meetings and communication with Mr Barry PHILLIPS Head of Retail Security and Safety for LADBROKES Betting and Gaming Ltd.

I have read the review paperwork and subsequent statement by PC LEWIS and I am fully supportive of the contents. However, since PC LEWIS requested the review, I have been privy to further information after conversations with my colleagues from the Serious Organised Crime Operations Unit who appear to be engaged with LADBROKES in Corporate initiatives.

Signature:

[Handwritten signature]

Signature witnessed by:

.....

Continuation of Statement of Paul HOPPE PS 180CW

History:

On THURSDAY 19th NOVEMBER 2015 there was an incident at LADBROKES 25 ARGYLL STREET W1F during which time a member of staff beat a homeless male with an umbrella and a stool from the venue. The victim was knocked unconscious but eventually left the venue with a serious head wound that was bleeding; leaving a pool of blood inside the venue. The member of staff had telephoned the LONDON AMBULANCE SERVICE (LAS) but not police. The LAS informed Police and officers attended. This member of staff was a customer service manager and was on his own to lock up at the time of the incident. The victim was not on scene and due to the blood on the floor and the fact that he had lost consciousness from attacks to the head, Police responders needed to find the victim to ascertain whether he required hospital treatment. Unfortunately CCTV was not available from the due to the operating processes of LADBROKES and officers could not get a full description. This delay meant the victim was not identified until five days later when he was at last spoken to by Police.

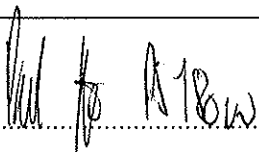
The suspect was arrested by officers on scene, based solely on circumstantial evidence of the blood and call to the LAS, but due to lack of immediately available evidence, their actions could have been called into question. In interview the suspect claimed self defence which could not be challenged at the time and released on Police bail. I believe that he no longer works for LADBROKES.

I also believe that the victim had been banned from the venue previously, but there was no method in place to prevent him from re-entering.

Issues Raised:

1) Previous to this incident the victim had been banned from the venue for causing problems.

Signature:



Signature witnessed by:

Continuation of Statement of **Paul HOPPE PS 180CW**

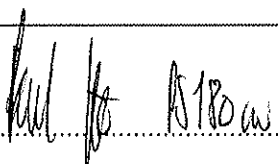
- 2) There appears to have been little support for the local store staff to prevent the victim from re-entering
- 3) The suspect beat the victim with two different weapons.
- 4) The victim received head injuries and lost consciousness. He left a pool of blood on the floor of the venue.
- 5) The suspect telephoned the LAS not Police nor his head office.
- 6) Even though the venue has a CCTV system there was no CCTV available for officers to identify the injured victim.
- 7) Even though the venue has a CCTV system, CCTV was not available for officers to make an informed decision on whether an arrest would be appropriate or not in this situation.
- 8) Initial Investigating Officers were informed that CCTV would be available from head office after 0900 hours the following day.

None of the above is acceptable when Police Officers are called to investigate a potential crime. The use of a weapon which has broken the skin and caused bleeding is generally classed as a Grievous Bodily Harm (GBH) offence; a very serious matter. I have seen Police figures which estimate each GBH can cost up to Ten Thousand Pounds (£10000) to investigate.

Police Licensing Investigation:

I tasked PC LEWIS to carry out a proportionate licensing investigation into the circumstances of this incident, considering the Gaming Licensing Objectives, particularly *preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime.*

PC Lewis carried out a proportionate investigation and a stepped approach in engaging with LADBROKES Head of Retail Security and Safety, Mr. Barry PHILLIPS. His findings are outlined in his excellent review paperwork.

Signature:  Signature witnessed by:

Continuation of Statement of Paul HOPPE PS 180CW

I was concerned to discover the following points:

1) There was no CCTV available when Initial Investigating Officers requested this at the scene. They were presented with a scene where Police had not been called, there was a pool of blood and no victim. At best the victim has just cut himself and was not affected by the beating he received. At worst, this was a murder and the suspect had removed the victim from the venue.

The lack of CCTV availability is unbelievable and does not promote the licensing objective of preventing crime and disorder.

2) Even though PC LEWIS met with Mr. PHILLIPS, there was no response to his concerns or letters.

I subsequently now find that Mr. PHILLIPS has been off sick. I am not clear on the time-line of this sickness, but I am amazed that a large organization such as LADBROKES does not have a system in place to deal with important issues raised and reply to Police emails.

3) There must be a staff training or employment selection issue - This member of staff was allowed to work alone and has the title of 'Manager'. He then felt it necessary to attack the victim with weapons. After which he called the LAS not Police to assist.

4) Processes Issue - as described above, the member of staff did not call Police for assistance nor does he appear to have called the security control room.

5) Lone working issue - the member of staff was working alone in the venue to close the shop. He does not appear to have any other staff support to assist him or advise him.

I agreed with PC LEWIS that as his emails and letters had not been responded to, he should review the venue and allow the Licensing sub-Committee the opportunity to hear the evidence and decide whether his suggested conditions were appropriate in the circumstances.

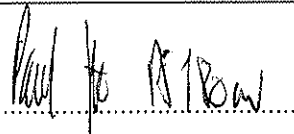
Review Request:

The review paperwork has been submitted by PC LEWIS and accepted by WESTMINSTER CITY COUNCIL. The paperwork speaks for itself.

However, it was only once the review application had been lodged with Westminster City Council, that LADBROKES took some positive engagement action. It appears that part of their defence has been to engage with other Police departments to support their stance on CCTV provision.

I have spoken to senior officers from the Serious Organised Crime Operations, after they were contacted by staff at LADBROKES. I believe this is because there has been some considerable partnership work being done around armed robberies and identifying suspects.

This line of work is very specialized and clearly there is a benefit to all gaming companies to identify those persons concerned in such a heinous crime. However this style of Policing and investigation is *considerably* different to the more common, and possibly mundane Policing requirement at a local level where officers will deal with assaults on staff and criminal damage.

Signature: 

Signature witnessed by:

Continuation of Statement of Paul HOPPE PS 180CW

I should also point out that according to the information I have at hand, Mr. PHILLIPS did not inform Westminster Licensing Police that there such partnerships on a Corporate level. Had he done so, these would have been investigated before a review was requested.

Police Partnership:

I now understand that there is some partnership working going on between LADBROKES and specialist Police units at a Corporate level. However, this does not alter the fact that there are local priorities such as Police officers requiring CCTV to be available to them immediately on request when dealing with crime and disorder after they have been called by the venue to assist.

The reason being; officers will have to make decisions based on the best evidence available at the time. The frustration in this LADBROKES case is that the evidence was available but not there and then. If moving images had been available, officers could have saved considerable time circulating the victim description to other Police units, instead of chasing around London collecting CCTV.

It is disappointing that LADBROKES does not appear to be consistent in its approach to Corporate and local issues. All gaming licences are considered on their merits and granted locally by Councils, after the applicant has evidenced promotion of the gaming licence objectives. If these objectives are not promoted at this local level the venue will not be granted a licence.

It is therefore not unreasonable to expect that the needs of the local Community are taken into account when a large Corporation is designing its processes.

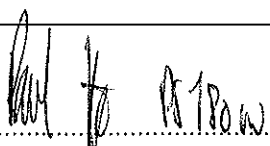
There are also issues around the protection of LADBROKES staff from harm. My understanding is that when there is an incident, staff contact the control room or press an emergency button. The control room then dials into the CCTV and watches the CCTV. The Control room then contact Police. This process only works if *all* areas of the venue are covered by CCTV. There are blind spots in every venue.

I have also heard of anecdotal evidence that LADBROKES does not trust its staff with having responsibility for operating the CCTV. I have to say that I cannot understand this. If a Company employs staff to run a shop for them, they must give them access to CCTV in the event of crime or disorder.

Partnership is a two way process. It requires Police to support the venue, but also for the venue to support Police action.

Conditions:

I understand that the reason for this review was that PC LEWIS could not make headway with Mr. PHILLIPS through engagement. PC LEWIS visited the venue, met with Mr. PHILLIPS and then submitted suggested proportionate conditions which would achieve the gaming licence objectives (pages 4 and 5 of PC LEWIS statement).

Signature:  Signature witnessed by:

Continuation of Statement of **Paul HOPPE PS 180CW**

LADBROKES eventually re-submitted alternative conditions. These alternatives do *not* give officers immediate access to the CCTV at the venue. They would have to return to a Police station and await a download. This is not acceptable in a fast-moving investigation or when, as on 19th November 2015, someone has been possibly seriously injured.

This now is the sticking point: There is no doubt that there is CCTV in LADBROKES premises and that LADBROKES will provide it to Police. The issues are:

When the CCTV is provided and What is provided

Because staff (and therefore Police) at a venue cannot access the CCTV, all parties present on scene are reliant on another member of staff at a control room to access the right CCTV and download it at some point.

I have heard further evidence that each venue shall have tablet computers with all incidents of note downloaded to them. This is not always the case. I have a statement from PC JANES who affirms that on a visit to a LADBROKES on EDGWARE ROAD W2 on 19th FEBRUARY 2016 after a criminal damage incident on 15th FEBRUARY 2016, the images of the suspect still had not been uploaded four days later, and the manager stated that the images are not uploaded for staff viewing in case the tablet is stolen.

It should be possible, with today's technology, to supply Police immediately with CCTV evidence, while at the same time protecting the integrity of the overall system. LADBROKES must have access to technology which allows this expedited supply of CCTV.

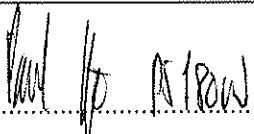
SUMMARY:

I fully support the review called by PC LEWIS. After the serious incident on 19th NOVEMBER 2015, he carried out a proportionate investigation, engaged with the venue through meetings and emails and made suggestions to promote the gaming licence objectives.

LADBROKES appears to have resisted the suggestions and assistance PC LEWIS has provided. It is only when this review was requested to add sensible conditions that LADBROKES took some action.

The Westminster Police Licensing Team is fully supportive of all partnership work entered in to at a Corporate level and the expectation is that this partnership shall extend to a local level as it is locally where the gaming licences are issued through demonstration of promoting the licensing objectives.

The key to this issue appears to be the fact that the member of staff was alone in a LADBROKES venue. He had no means of immediate support or advice and took a questionable course of action. If there had been two members of staff, one could have telephoned for help while one engaged with the victim. It is also very possible though that two members of staff could have prevented this banned person from entering the venue in the first place. Consideration could be given to SIA door supervisors.

Signature:  Signature witnessed by:

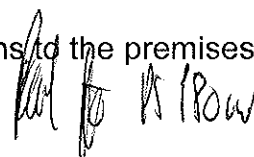
Continuation of Statement of **Paul HOPPE PS 180CW**

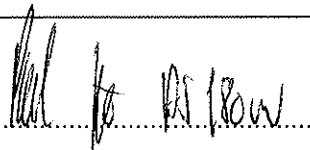
This review seeks to add four (4) simple conditions which are not difficult to implement. They will allow local officers to access CCTV through staff as they do at every licensed premises which has these conditions on the premises licence. I feel these conditions are proportionate to the incident which triggered this engagement and promote the gaming licence objectives.

Having considered all the evidence PC LEWIS provides in his statement, I believe this matter is so serious that he has not requested sufficient conditions to fully ensure this venue deals swiftly with an incident that happened three months ago. I would request the Licensing sub-Committee add a further Condition:

5) No licensable activities shall take place at the premises until the premises CCTV system has been assessed as satisfactory by the Westminster Police Licensing Team. At which time, the condition shall be removed from the premises gambling licence by the Licensing Authority.

I strongly request the Licensing sub-Committee add all five (5) conditions to the premises licence of LADBROKES 25 ARGYLLY STREET LONDON W1F7TU.



Signature:  Signature witnessed by:

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:
Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **No**. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No**. If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **Insp 183516 G IRONSIDE** Station: **CWHQ**.....

Time and place statement taken:

APPENDIX E5

Sumeet

This extract from the Ladbrokes Risk Assessment for 25 Argyll Street is relevant to this review because of the following: The two entries referring to homeless persons and then about the need to exclude them, suggests that this was a known risk. Ladbrokes describe this event as an “unforeseeable incident” however it was clearly known that homeless people entering the premises was a problem and that they were to be treated as vulnerable persons. Excluding homeless persons from the premises, would inevitably involve confronting and removing them or preventing them entry. The Risk Assessment suggests that Ladbrokes had given consideration to this risk. In addition we know that Ladbrokes Security Management had been aware of this specific homeless male for some time and his habit of visiting the premises to use the toilet facilities.



Ladbrokes Local Risk Assessment

Local Regulatory Authority: Westminster City Council

Shop Name: Argyll St

Location: 223 1173

Address: 25, Argyll St, London, W1F 7TU

Date of assessment: Shop visit conducted on 16/2/15

Assessor: Neil Harris Divisional Security & Safety Manager

Location details.

Argyll St is off Oxford St and Oxford Circus underground station, which are well known London landmarks. Daily footfall is very heavy and made up of shoppers, tourists, commuters and West End workers. Premises in and around our shop include pubs, restaurants, coffee houses and fast-food premises as well as retail outlets and there are also portable fast-food operations in the pedestrianised area directly outside our shop. The general locality is covered extensively with street CCTV. This is in the in the Borough of Westminster and The Safer Neighbourhood Team are led by PS Guy Elwood working out of West End Central police station, which is 0.03 miles from our shop. The policing priorities are ASB, pick-pocketing and street begging. Policing levels are high and commensurate with a world famous shopping and tourist area. The nearest underground station is Oxford Circus and 75 metres from our shop. **Homeless persons sleeping on the streets are a local problem.** The nearest schools to our premises are 2 primary schools 0.05 miles from our shop and the nearest secondary school is St Marylebone C of E 0.7 miles from us.

This shop has an entrance door at street level and the main shop is in the basement and has all the security equipment for a modern Inner London betting shop as detailed in the control measures. The current security measures installed at this LBO includes a counter-to-ceiling security screen. Ladbrokes have traded from this outlet since 7/9/76.

The nearest LBO's to this outlet are both Ladbrokes. The first is 27, Maddox St, W1S 2QJ, which currently has a full security screen. We have traded from this outlet since 21/4/10. Current trading hours are between 0930 – 2200. The other LBO is situated at 22-44, Great

Portland St, W1W 8QS, which currently has a full security screen. We have traded from this outlet since 27/9/79. Current trading hours are between 0800 – 2200

Local Risks: Vulnerable persons	Licensing objective(s) at risk: Protecting children and other vulnerable persons from being harmed or exploited by gambling.				
Hazard	Who/what might be harmed and how?	Control Measures	Comment of assessor and recommendation(s)	Action by whom? Include target date	Completed
Customers developing gambling problems and Self excluded persons gambling	<p>Individual customers losing control of spend level leading to leading to physical, mental, financial problems for them and their families.</p> <p>Issues leading to involvement in crime i.e. criminal damage</p> <p>Risk to individual PML Holders and operating Licence</p>	<p>Colleague Training</p> <p>Positive interaction training</p> <p>Behaviour indicator training</p> <p>Area Manager responsible gambling expert training</p> <p>Positioning of Game Machines and SSBTs enabling staff to monitor activity.</p> <p>Machine alerts and interaction logging</p> <p>Central Responsible Gambling Compliance team tasked with identification and reporting of potential gambling problems with individual customers</p> <p>Self Exclusion Scheme (Multi-Operator)</p> <p>Colleagues fully trained in managing breaches of SE</p>	<p>Awareness of CBT content and customer interaction procedures.</p> <p>Report all incidents to the Control Room and record any challenges in the diary for inspection purposes.</p> <p>This is a West End shop and homelessness in the locality is a reality. Some of these homeless persons beg for money in the street and also display signs of mental health issues and are to be treated as vulnerable persons and excluded from the premises.</p>	<p>No specific action required at present</p> <p>Awareness and vigilance of who is coming onto the premises in current and on-going.</p>	

		Updating / regular review of Self Exclusion breach process and procedures Area Manager Responsible Gambling expert training			
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APPENDIX F

Mrs Sumeet Anand-Patel
Westminster City Council
64 Victoria Street
London
SW1E 6QP

Mr Steven Rowe
Senior Licensing Officer

Tel: 020 7641 7825
Fax: 020 7641 7815
Email : srowe@westminster.gov.uk
Team Email : licensing@westminster.gov.uk

Date: 8th February 2016

Ref: 16/00086/LIREVG

Dear Mrs Anand-Patel

Ladbrokes, 25 Argyll Street, London, W1F 7TU

Please accept this letter as confirmation that the Licensing Authority supports the review application submitted by the Metropolitan Police Service in relation to the above premises. The Licensing Authority are concerned that the premises are not promoting the following licensing objectives:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Although the Licensing Authority has met with the operators and are satisfied that the premises have upgraded their CCTV the review by the Metropolitan Police Service is seeking to codify this by adding conditions to the licence.

This provides certainty to the Licensing Authority for the future and reassures us that such incidents will be prevented in the future.



If you have any questions relating to this matter or wish to discuss it further please do not hesitate to contact me.

Yours sincerely

Mr Steven Rowe
Environmental Health Case Officer
Premises Management

In partnership with



www.westminster.gov.uk/licensing

APPENDIX G

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E-Mail: rhiannon.daniel@trethowans.com
Our Ref: RLD01/CJP01/301550
Your Ref:
Doc Ref: 3540706v1

8 February 2016

BY POST & EMAIL: licensing@westminster.gov.uk

Dear Sirs

Ladbrokes - 25 Argyll Street, London W1F 7TU

Please find enclosed Ladbrokes representation in relation to the review of their Premises Licence at the above named shop.

We understand that the last day for making representations is today. Please therefore find enclosed Ladbrokes representation to the same.

We look forward to hearing from you in due course in relation to our other email.

Yours faithfully



Trethowans LLP

Enc

REPRESENTATIONS BY LADBROKES BETTING AND GAMING LIMITED
PURSUANT TO SECTION 197(6) GAMBLING ACT 2005

1. This review application has been brought by PC Bryan Lewis. The review is based on a single incident, involving a single staff member, at the above premises. The grounds for review are stated to be:

“On 19 November 2015 there was an alleged serious assault by a Ladbrokes member of staff on a member of the public”.

2. The assault was an unforeseeable incident by an experienced member of staff which Ladbrokes could not have prevented. Ladbrokes deeply regrets that a member of staff behaved in this way and have dismissed the staff member concerned.
3. Ladbrokes is a national company, with well-established procedures to reduce crime and protect staff. Ladbrokes is the only betting and gaming business to have assured advice from a Primary Authority in relation to single scheduling. Its primary authority is Liverpool City Council. The primary authority is satisfied with and has approved Ladbrokes' relevant policies and procedures.
4. Ladbrokes has also worked with the Metropolitan Police, Community Union, LACORS and others to produce a voluntary code of security and safety prevention measure, the Safe Bet Alliance, which is implemented within the Ladbrokes estate.
 - Following this incident, Ladbrokes has taken steps in relation to security and crime prevention in the premises, namely: Two additional CCTV cameras have been fitted.
 - The camera at the top of the stairs has been repositioned to improve monitoring of the front door, to enable staff to operate the maglock if necessary; A new light has also been fitted above the door on the exterior side to aid with the above.
 - A new monitor and quad unit has been fitted on the counter to enable staff to view four cameras simultaneously rather than the single camera monitor previously installed.
5. It is respectfully submitted that Ladbrokes, which is a responsible organisation with a strong relationship with its primary authority and with statutory authorities locally, is taking all appropriate measures in light of this incident.
6. PC Bryan Lewis has proposed draft conditions to Ladbrokes. The conditions have yet to be fully agreed, but it is hoped and expected that agreement will be reached before the hearing of this matter. The conditions proposed by PC Bryan Lewis and Ladbrokes' comments are as follows:-

Proposed Condition 1:-

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirement of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

CCTV images from each Ladbrokes betting office are held, stored and administered nationally.

- **CCTV footage can be supplied electronically direct to Westminster City Council's CCTV control room.**
- **Still images can be supplied electronically direct to individual betting offices.**

This system has occasioned no difficulty or complaint from any local authority or Police force. It results in images being held securely by Police without the need for them to be burned onto disks or memory sticks, and resolving issues as to compatibility. Moreover, it enables the Westminster City Council control room immediately to cascade the footage to Council or Police personnel as required.

Ladbrokes suggest that in the proposed condition the word "immediately" be replaced with "as soon as reasonably practicable."

Condition 2:-

A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised Council Officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

Ladbrokes agree to this condition, although "staff member" in line two should be replaced with "Ladbrokes"

Condition 3:-

An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:-

- (a) All crimes reported to the venue
- (b) All ejections of patrons
- (c) Any complaints received concerning crime and disorder
- (d) Any incidents of disorder
- (e) Any faults in the CCTV system
- (f) Any visit by a relevant authority or emergency service

Ladbrokes agree to this condition.

Condition 4:-

There shall be no preplanned single staffing after 8pm. Should the premises be single staffed after this time, the magnetic door locking system must be in constant use.

Ladbrokes have a well-established process of risk assessment in relation to single staff, which has been approved by Ladbrokes' Primary Authority and which has not been subject to any relevant criticism. Moreover, only staff members willing to single-staff do so. These premises have not been assessed as requiring double-staffing after 8 p.m.

Ladbrokes propose the following condition:

At all times when the premises are manned by a single member of staff, he or she will be provided with and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff for a pre- determined period of time. Should the premises be single manned after 8pm, the magnetic door locking system must be in constant use.

7. As stated above it is hoped that these conditions can be agreed. The real question in this case is whether the attack on the customer by the Ladbrokes staff member occurred as a consequence of any regulatory breach, and whether Ladbrokes can be relied upon to take appropriate steps in consequence thereof. It is not being suggested by the applicant that there was any regulatory breach or that Ladbrokes cannot be trusted to react appropriately. The Sub-Committee will therefore be invited to attach the agreed conditions to the licence.

Dated this 8 February 2016

Trethowans LLP
Trethowans LLP

London Road Office Park

London Road

Salisbury SP1 3HP

Reference:RLD/ Ladbrokes/301550

APPENDIX H

Conditions proposed by Metropolitan Police:

Proposed amended conditions for Ladbrokes, 25 Argyll Street. These conditions are proposed following two meetings with Ladbrokes representatives, the Police and Licensing Authority. The amendments from the original proposed conditions or reasoning for the additional conditions are detailed below each condition in *italics*.

1. The licensee shall:
 - (a) install and maintain a comprehensive CCTV system on the premises as per the minimum requirements of the Westminster Police Licensing Team,
 - (b) ensure that all entry and exit points will be covered by this system to enable frontal identification of every person entering and / or exiting in any light condition,
 - (c) ensure that the system continually records whilst the premises is open for licensable activities and during all times when customers remain on the premises, and
 - (d) store all recordings from the system for a minimum period of 31 days with date and time stamping.

This condition has been amended from the original proposed version to remove the last sentence relating to the viewing of recordings being made available immediately upon request of the Police, Authorised Officer throughout the preceding 31 day period. It has been replaced in part by condition 2 and 3 below.

3. The licensee shall provide a facility for the viewing of recorded CCTV video (moving images) footage on the premises upon the request of a Police Officer, Enforcement Officer of the Gambling Commission or an Authorised Officer of the Licensing Authority.

This will enable police officers and other authorised officers to view CCTV footage on the premises upon request. This will enable Ladbrokes to provide either a tablet device or the use of an existing computer to enable the viewing of CCTV footage. It is essential that the images shown to the police or other authorised officers are not stills and show the incident in full. This was demonstrated on site via the use of a shop computer which was operated remotely to show the footage.

4. The licensee will provide recorded CCTV footage to the police on a DVD, memory stick or other easily accessible storage device within 3 hours from the time of the request when a suspect is in custody or a serious incident has occurred. For all other requested for recorded CCTV footage this shall be provided within 36 hours from the time of request.

It was agreed that Ladbrokes staff that when serious incidents occurred or an offender had been taken into custody that there would be a need for them to provide CCTV footage in a usable format to the Police. This was to enable offenders to be questioned about the offence in question and for the CCTV footage to be shown as evidence. It would also be used in any investigation associated with a serious incident. It was agreed that in these incidences that CCTV footage could be provided within 3 hours. For any other requests for CCTV Ladbrokes are being required to provide the CCTV footage within 36 hours from the time and date of the request.

5. An Infra-Red Beam connected to a sounder will be installed and maintained at the entrance of the premises so as to notify staff when a customer enters or exits the premises.

Ladbrokes are installing an infra-red alarm for the entrance of this premises and the condition is being requested to meet our concerns about staff not being aware when customers are entering the basement premises. Although Ladbrokes have installed a CCTV monitor behind the counter where staff can view CCTV images from the internal cameras staff need to be alerted when they are on the shop floor and cannot see the CCTV monitor.

6. An incident log shall be kept at the premises, and made available on request to a Police Officer, Enforcement Officer from the Gambling Commission or Authorised Officer from the Licensing Authority, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visits by a relevant authority or emergency service

No change to the original proposed condition.

7. The licensee shall ensure that a magnetic door locking system (Maglock) shall be in constant use when the premises are single staffed and between the hours of 8pm and 10pm.

This condition has been split from the original proposed single staffing and maglock condition. The premises already have a maglock device installed and the use of this system is an integral part of the risk assessment associated with single staffing. This condition will address our concerns associated with door control when single manning is in use in this basement premises and later into the evening.

8. There shall be no pre-planned single staffing after 8pm.

We believe that the premises should not be singled manned beyond 8pm at night. Although Ladbrokes do have specific policies in place concerning single manning there are still concerns that this premises and the issues that it has had with the local homeless population warrant double staffing beyond 8pm to closing time.

Conditions proposed by the Licensee

1. The licensee shall:
 - (a) install and maintain a comprehensive CCTV system on the premises,
 - (b) ensure that all entry and exit points will be covered by this system to enable frontal identification of every person entering and / or exiting in any light condition,
 - (c) ensure that the system continually records whilst the premises is open for licensable activities and during all times when customers remain on the premises, and
 - d) store all recordings from the system for a minimum period of 31 days with date and time stamping.

2. The licensee will provide recorded CCTV footage to the police on a DVD, memory stick or other easily accessible storage device within 3 hours from the time of the request when a suspect is in custody or a serious incident has occurred. If the CCTV footage cannot be provided due to exceptional circumstances, notification will be given to the requesting officer within 1 hour of the request. For all other requests CCTV footage shall be provided within 48 hours from the time of request.

3. The licensee shall provide a facility for the viewing of recorded CCTV video (moving images) footage on the premises upon the request of a Police Officer attending a serious incident.

4. An incident log shall be kept at the premises, and made available on request to a Police Officer, Enforcement Officer from the Gambling Commission or Authorised Officer from the Licensing Authority, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visits by a relevant authority or emergency service