

Licensing Sub Committee of Corporate Services Committee  
3 December 2001

**IRVINE, 3 December 2001** - At a Meeting of the Licensing Sub Committee of the Corporate Services Committee of North Ayrshire Council at 2.00 p.m.

**Present**

David Munn, Robert Reilly, Jack Carson, Ian Clarkson, David Gallagher, Elizabeth McLardy, John Moffat, David O'Neill, Robert Rae and John Reid.

**In Attendance**

A Fraser, Principal Legal Officer, J Kerr, Principal Licensing and District Court Officer and M McCann, Administrative Assistant (Legal and Regulatory); and A Sobieraj, Corporate and Democratic Support Officer (Chief Executive's).

**Chair**

Councillor Munn in the Chair.

**Apologies for Absence**

Samuel Gooding

**1. Gaming Act 1968**

Submitted report by the Assistant Chief Executive (Legal and Regulatory) on applications under Section 34 of the Gaming Act 1968 for permits for gaming machines.

The Sub Committee agreed (a) to approve the undernoted applications:-

**Applicant**

Matchurban  
118 High Street  
Irvine

**Machines**

Renewal

J Newton  
The Deep Sea Chip Shop  
Quayhead  
Millport  
Isle of Cumbrae

1 Machine (Renewal)

and (b) to proceed to a Hearing in respect of the application submitted by A Morrison, 55 Main Street, West Kilbride.

**2. Gaming Act 1968 and Lotteries and Amusements Act 1976**

Submitted report by the Assistant Chief Executive (Legal and Regulatory) on a decision by the Sub Committee on 12 November 2001, to convene a hearing to consider the undernoted application in respect of premises at 96 Main Street, Kilwinning as a result of a number of objections.

The Sub Committee heard representation from the applicant's solicitor Mr R Gordon and representative Mr R Taylor. Mr R Paterson and Mr Jamieson were present to represent objections from four members of the Kilwinning Development Association and Mr W W Palmer, Managing Director, Palmer Bros. Kilwinning Ltd.

Having considered the submission of both parties, Councillor O'Neill seconded by Councillor Carson moved that the Committee approve the application.

As an amendment Councillor I Clarkson seconded by Councillor McLardy moved that the Sub Committee refuse the application on the grounds of major concerns of objectors.

On a division there voted for the amendment three and for the motion seven and the motion was declared carried.

Accordingly the Sub Committee agreed to approve the application.

### **3. Regulation of Private Security Industry in Scotland**

Submitted report by the Assistant Chief Executive (Legal and Regulatory) on the Consultation Paper issued by the Scottish Executive on the private security industry in Scotland.

This Consultation document covers a wide range of activities and individuals comprising private investigators, security consultants, transportation and security of cash and those guarding people and property, with the largest number of people employed in this field being in the licensed trade and entertainment sector.

Four options are identified and assessed for the private security industry within the document. Option 1 would control the industry through self regulation and a voluntary code of practice but this option was not considered viable. The second option proposes that the extension of the remit of the Private Security Industry Authority for England and Wales be amended to cover Scotland but this was not considered viable as this sector fell within the devolved responsibility of the Scottish Parliament. Option 3 examines the establishment of a Scottish Private Security Industry along similar lines to that of England and Wales, whilst the final option looks at the introduction of a mandatory licensing system under the powers of the Civic Government (Scotland) Act 1982, which would require companies and individuals, working in the industry, to obtain their licence from the local authority.

The Consultation Paper concludes that the most appropriate method of dealing with this industry is to adopt a twin track approach whereby the local authority would deal with the sector of the industry covering stewarding and the Scottish Private Security Industry Authority would regulate, inspect and oversee companies operating at a national level.

The Sub Committee agreed to advise the Scottish Executive of its support for this twin track approach to regulate the private security industry in Scotland.

#### **4. Civic Government (Scotland) Act 1982: Taxi Fare Review**

Submitted report by the Assistant Chief Executive (Legal and Regulatory) on the ongoing consultation procedure for the Taxi Fare Review for 2002.

The Sub Committee on 22 October 2001 agreed (a) to commence the consultation procedure for the Taxi Fare Review for 2001/2002; (b) that the Assistant Chief Executive (Legal and Regulatory) submit a report on progress at this meeting; and (c) to approve the draft timetable for the review process with a view to implementing the new fare structure by 1 June 2002.

The progress report recommends that consideration be given to increases in taxi fares and that as part of the review an early consultation meeting be held with taxi operators to hear their views.

The Committee agreed (a) to approve the recommendations detailed in the report; and (b) to arrange a special meeting of the Licensing Sub Committee during February 2002, details of which would be finalised at a later date.

#### **5. Exclusion of Public**

The Sub Committee resolved in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in Paragraphs 6, 13 and 14 of the Schedule 7A of the Act.

#### **6. Civic Government (Scotland) Act 1982: Application for Licences**

Submitted report by the Assistant Chief Executive (Legal and Regulatory) on (a) applications for the grant or renewal of Licences; and (c) individual licences where a formal hearing has been convened and which will require to be determined by the Sub Committee.

The Sub Committee agreed to dispose of these matters as indicated in the attached Appendix LS1.

The meeting ended at 4.40 p.m.