

Protective Services Committee  
15 August 1996

**Irvine, 15 August 1996** - At a Meeting of the Protective Services Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Jack Carson, Thomas Barr, Patrick Browne, James Clements, John Donn, David Gallagher, Elliot Gray, Thomas Morris, George Steven and Richard Wilkinson.

**In Attendance**

The Legal Services Manager, the Principal Licensing and District Court Officer, D. Nibloe, Principal Officer (Budgeting and Accountancy) and B. Hannah, Administration Officer.

**Chair**

Mr Carson in the Chair.

**Apologies for Absence**

Ian Clarkson and Joseph McKinney.

**1. Minutes Confirmed**

The Minutes of the Meeting of the Protective Services Committee held on 6 June 1996, copies of which had previously been circulated, were confirmed.

**2. Gaming Act 1968**

**(a) Section 34E: All Cash Machines**

Submitted report by the Legal Services Manager on the provisions of Section 34E of the Gaming Act 1968 which relates to all cash machines in amusement arcades, etc.

"All cash machines" (i.e. gaming machines which solely provide cash prizes) can only be provided in amusement arcades with age controlled designated areas prohibiting under 18 year olds. The total cash prize available from such gaming machines is £10.

Recent amendments to this legislation were introduced on 20 June 1996 without prior notification from the Scottish Office. Procedures for the disposal of such applications were therefore developed in consultation with the Chair. The proposed procedures involve the submission of 3 plans detailing the designated area in each premises which are the subject of consultations with Building Control and Strathclyde Fire Brigade.

The Council, as Licensing Authority, may set fees for such permits subject to a maximum of £250 and it is proposed to adopt a two tier system in relation to such applications.

Tier one would involve applications where all relevant plans and documentation are submitted with the fee payable being £160. Tier two would involve applications which do not enclose plans with the required information being obtained by inspection and the fee payable being £250. A number of applications have been submitted by the operators of amusement arcades in North Ayrshire and are currently being processed on the basis that the applicants will forward the Council the appropriate fee retrospectively.

The Committee agreed (a) to approve the licensing procedures as detailed in the report and

establish a two tier system of fee system of £160 (information supplied by applicant) or £250 (information obtained by inspection); (b) that the Legal Services Manager in consultation with the Chair approve the outstanding applications subject to satisfactory reports; and (c) that any further applications received for such permits be submitted to the Committee for consideration.

**(b) Gaming Act 1968: Section 34**

Submitted report by the Legal Services Manager on applications for permits under the Gaming Act 1968.

Strathclyde Police, Fire Brigade and the Director of Planning, Roads and the Environment have intimated no objections to the applications.

The Committee agreed to approve the applications as undernoted.

<u><b>Applicant</b></u>	<u><b>Premises</b></u>	<u><b>No. of Machines</b></u>
John Morris	The Market  13/14 Windmill Street  Saltcoats	6
John Morris	Indoor Market  Bank Street  Irvine	8

**3. Urgent Item**

The Chair agreed that the following item be dealt with as a matter of urgency.

**4. Civic Government (Scotland) Act 1982: Byelaws for the Prohibition of the Consumption of Alcohol in Public Places**

The Legal Services Manager reported on the terms of a meeting with representatives of Strathclyde Police to discuss Byelaws controlling the consumption of alcohol in public places.

A full report on the possible introduction of such Byelaws including possible liaison with the Licensing Board will be submitted to a future meeting of the Committee.

Noted.

**5. Exclusion of Public**

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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 6, 13 and 14 of Part I of Schedule 7A to the Act.

**6. Civic Government (Scotland) Act 1982: STL/O/103 & STL/E/069**

Submitted report by the Legal Services Manager detailing complaints received in relation to street trader operations in the Kilbirnie area.

The Committee agreed to defer consideration of the complaint and to invite the licence holders to attend the next meeting of the Committee.

**7. Civic Government (Scotland) Act 1982: Taxi and Private Hire Car Vehicle Inspections: TL/064 & PHCL/052**

Submitted report by the Legal Services Manager on licence holders who have failed to comply with the Council's requirements to have their vehicle inspected annually by the Automobile Association.

The Committee agreed to defer consideration of this matter and invite the 2 licence holders to attend the next meeting of the Committee.

**8. Civic Government (Scotland) Act 1982: Applications for Licences**

Submitted the annexed list (Appendix Pros1) of applications for licences under the Civic Government (Scotland) Act 1982.

In connection with each application shown on the list, the Committee took the decision indicated in the final column of the said Appendix.

**(a) Late Hours Catering Licence LHCL/040**

Submitted an application for the variation of a Late Hours Catering Licence from Mr. M.R.

The Committee agreed to defer consideration of the application and to invite the applicant to attend a Special Meeting of the Committee;

**(b) Late Hours Catering Licence LHCL/011**

Submitted an application for the variation of a Late Hours Catering licence from Mr. G.M. and Mr. M.K.

The Committee agreed to defer consideration of the application pending consultations with Strathclyde Police.

**(c) Street Traders Licence**

Submitted an application for variation of a Street Trader's Licence submitted by Mr. K.A.Y.

The Committee agreed to defer consideration of the application and invite the applicant to attend a Special Meeting of the Committee.

**9. Civic Government (Scotland) Act 1982: On the Beach 1996**

(Previous Minute Reference - Protective Services 6/6/96)

The organiser of the 1996 "On the Beach" concerts to be held on 31 August and 1 September 1996 had been invited to attend the Meeting to discuss the finalised proposals for the event but he was not present and no apology has been received.

Mr. R. McCarter, Mr. A. Johnstone and Miss F. Lee of the Planning, Roads and the Environment

Directorate gave details of outstanding requirements in relation to Building Control and Environmental Health matters. The Principal Licensing and District Court reported that Strathclyde Fire Brigade had yet to receive documentation from the applicant in relation to fire safety.

After discussion the Committee agreed to remit with powers to the Chair and Vice-Chair in consultation with the Legal Services Manager to grant the application subject to the condition that all outstanding matters in respect of public safety are attended to prior to the issue of the licence.

The Meeting ended at 3.20 p.m.