

**Item: 7**

**Orkney Islands Area Licensing Board: 1 May 2025.**

**Application for Licensed Premises Gaming Machine Permit.**

**Lanes, 18 Bridge Street, Kirkwall.**

**Report by Clerk to the Licensing Board.**

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## **1. Overview**

- 1.1. Neil Stevenson, on behalf of Kirkjuvagr Limited, has submitted an application for a licensed premises gaming machine permit for three or more gaming machines in respect of Lanes, 18 Bridge Street, Kirkwall.
- 1.2. Pursuant to section 283 of the Gambling Act 2005 (the “2005 Act”), the holder of an alcohol premises licence may make three or more gaming machines of Category C or D available if they obtain a licensed premises gaming machine permit. Such a licensed premises gaming machine permit is a permit issued by a licensing authority authorising a person to make gaming machines of Category C or D (or both) available for use on licensed premises.
- 1.3. In Scotland, The Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007 (“the 2007 Regulations”) provide the process through which alcohol licensed premises gaming machine permits for the operation of three or more Category C or D (or both) gaming machines are to be administered.
- 1.4. Section 20 of the Board’s Statement of Gambling Policy sets out the information that the Board expects to be provided in applications for alcohol premises gaming machine permits.
- 1.5. In terms of section 3.7 of the Scheme of Delegation, contained within the Board’s Statement of Gambling Policy, the Clerk is authorised to determine an application for a gaming machine permit for three or more machines in respect of alcohol licensed premises where no relevant representations have been made. The Clerk may elect not to use their delegated powers in any particular case, in which circumstances, the matter will be referred to the Board. In this case, the Clerk has elected not to use delegated powers, and the application therefore falls to be determined by the Board.
- 1.6. The Board’s Statement of Gambling Policy can be accessed [here](#).

## **2. Recommendations**

2.1. It is recommended that members of the Board:

- i. Determine the application for a licensed premises gaming machine permit for three or more Category C or D machines from Neil Stevenson on behalf of Kirkjuvagr Limited, in respect of Lanes, 18 Bridge Street, Kirkwall.

## **3. Application**

- 3.1. On 24 March 2025, Neil Stevenson, on behalf of Kirkjuvagr Limited, submitted an application for a licensed premises gaming machine permit for three or more gaming machines in respect of Lanes, 18 Bridge Street, Kirkwall.
- 3.2. The application requests that 12 Category D machines be provided within the premises (generally, Category D machines are low-stake fruit machine style machines, coin pushers (sometimes called penny falls), or crane grabs).
- 3.3. The Category D machines proposed to be provided and located within the premises are coin pushers and claw/grab machines.
- 3.4. A layout plan showing the position of the Category D machines in relation to other activities within the premises is attached as Appendix 1 to this report.
- 3.5. On 26 March 2025, the application was forwarded to Police Scotland by email intimating that any comments be provided no later than 16 April 2025. By email dated 12 April 2025, Police Scotland advised that the application had been reviewed and that there were no Police objections.

## **4. Legislative Position**

- 4.1. The 2005 Act provides that gaming machines may be made available at licensed premises which contain a bar at which alcohol is served for consumption on the premises.
- 4.2. The 2005 Act sets out the licensing objectives as follows:
  - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
  - Ensuring that gambling is conducted in a fair and open way, and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

- 4.3. In terms of the 2007 Regulations a Licensing Board, to which an application for a gaming machine permit is made, is to consider such application having regard to the licensing objectives, any relevant guidance issued by the Gambling Commission under section 25 of the 2005 Act and such other matters as it thinks relevant.
- 4.4. On considering an application for a gaming machine permit, a Licensing Board may:
- Grant the application.
  - Refuse the application.
  - Grant the application in respect of a smaller number of machines than that specified in the application; grant the application in respect of a different category of machines from that specified in the application; or both.
- 4.5. A Licensing Board may not attach conditions to a gaming machine permit.
- 4.6. The holder of a permit must pay an annual fee to the issuing Licensing Board before the anniversary of the issue of the permit. The first annual fee shall be paid within 30 days after the issue of the permit. The Licensing Board which issued the permit is to cancel it if the holder fails to pay the annual fee.
- 4.7. The permit holder must keep the permit on the premises and it must be produced on request for inspection by a constable, enforcement officer or local authority officer. Failure to do so is an offence.
- 4.8. In terms of the 2005 Act, the Gambling Commission's Code of Practice for gaming machines in clubs and premises with an alcohol licence can be located [here](#).
- 4.9. Should members of the Board be minded to grant this application for a gaming machine permit, the permit cannot take effect until the application for the grant of a provisional premises licence in respect of the premises (subject to a separate report at this meeting) is approved.

**For Further Information please contact:**

Gavin Mitchell, Clerk to the Board, extension 2233, [gavin.mitchell@orkney.gov.uk](mailto:gavin.mitchell@orkney.gov.uk).

**Implications of Report**

1. **Financial.** The application fee of £150 has been paid.
2. **Legal:** The legal aspects are contained within the body of this report.
3. **Corporate Governance:** The Gambling Act 2005 and The Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007 provide that the licensing authority

may arrange for the discharge of its functions to its Clerk. The Board's Statement of Gambling Policy provides that applications where no relevant representations have been received may be determined by the Clerk. The Clerk may, at their discretion, elect not to use their delegated authority, in which case, the matter will be referred to the Board.

4. **Human Resources:** None.
5. **Equalities:** None.
6. **Island Communities Impact:** None.
7. **Links to Council Plan:** None.
8. **Links to Local Outcomes Improvement Plan:** None.
9. **Environmental and Climate Risk:** None.
10. **Risk:** None.
11. **Procurement:** None.
12. **Health and Safety:** None.
13. **Property and Assets:** None.
14. **Information Technology:** None.
15. **Cost of Living:** None.

#### **List of Background Papers**

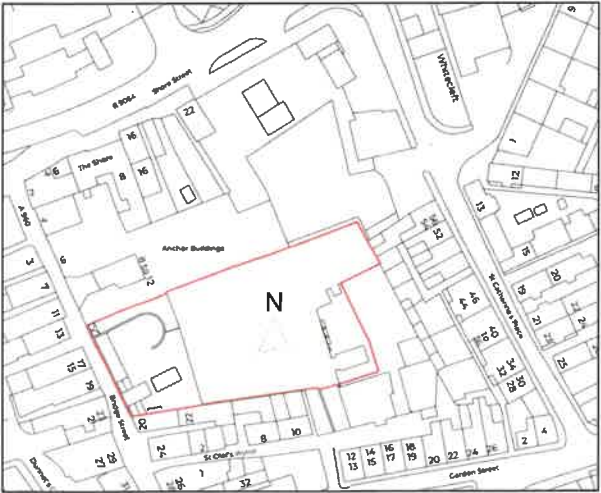
Application for Licensed Premises Gaming Machine Permit from Neil Stevenson on behalf of Kirkjuvgar Limited.

#### **Appendix**

Appendix 1 – Layout Plan showing position of Category D Gaming Machines.


FAMILY ENTERTAINMENT CENTRE SPACIAL LAYOUT

18 Bridge Street, Kirkwall, KW15 1HR.



LOCATION PLAN

PAGE TITLE	PAGE #
Cover Sheet	CS
Machine List	P1
Wheelchair Access	P2
Dimensions for Slope Assesment: North Wall	P3
Dimensions for Slope Assesment: North Wall, Karaoke Walls	P4
Dimensions for Slope Assesment: South Wall	P5
Dimensions for Slope Assesment: Floor Machines	P6



**SPACIAL LAYOUT**

Title: Family Entertainment Centre Layout  
18 Bridge Street, Kirkwall, KW15 1HR.

Sub-Title: Cover Page

This drawing is for conceptual design purposes only and may not reflect final construction details.

Design subject to change based on field conditions and project approvals.

All dimensions are in mm unless otherwise noted.

Bandai Namco Amusement Europe Limited 2025

Size: A3

Drawn by: Julia Strauss Zimbardi


Date: 24/03/2025

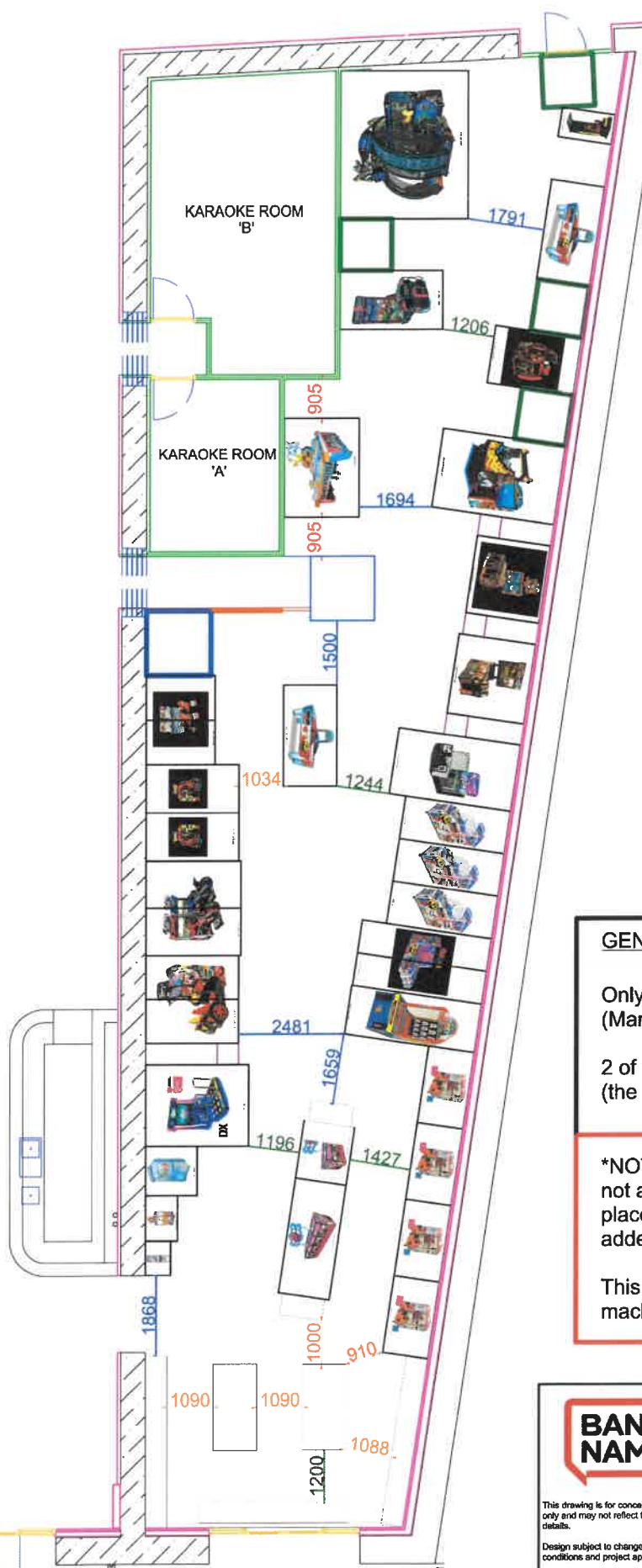
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REV 00

Page number: CS

MACHINE	DIMENSIONS in CM	QTY
Big Buck Reloaded Panoramic USED	W187 D180 H236	1
Down the Clown USED	W114 D305 H284	1
Find a key deluxe	W106 D74 H204	1
Goldstorm Pirates	W1850 X D2870 H?	1
Jurassic Park 2 PL USED	W135 D203 H219	1
Mario Karts	W104 D160 H239	2
Megashot 2PL	W137 D239 H208	1
Minecraft Dungeons 4PL USED	W182 D172 H296	1
Moto GP USED	W110 D221 H211	2
Halo 4 PL SDX USED	W345 D297 H297	1
Pac-man Airhockey	W125 D235 H80	2
Pac-man Baller	L100 W246 H242	3
Pac-Man Roller	W77 D303 H240	2
Fast and Furious Standard Slightly used	W102 D216 H162	2
Crusin' Blast Single DX Used	W112 D216 H236	2
Space Drop XL	W114 D120 H213	1
E-Claw 900 2 position	W180 D106 H211	4
Step Mania X	W190 D 240 H240	1
Strike Ten 8PL Pusher	W270 D120 H100	1
Tom and Jerry 4PL Airhockey	W231 D175 H188	1
Kalkomat - Boxer Cube	W70 D125 H223	1
Toy Tower	W80 D58 H193	1
World Football Pro	W155 D285 H274	1

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	Title: Family Entertainment Centre Layout 18 Bridge Street, Kirkwall, KW15 1HR.			
	Sub-Title Machine List			
	Size: A3	Drawn by: Julia Strauss Zimbardi	Date: 24/03/2025	REV 00
Scale: N/A		Page number: P1		



### COLOUR KEY

- PURPLE** : 500 mm (person standing, minimum space to prevent body entrapment)
- GREEN** : 1200/+ mm (wheelchair turn)
- BLUE** : 1500/+ mm (wheelchair turn around)
- ORANGE** : >1000mm (wheelchair straight path)
- RED** : 900-1000mm (minimum widths for wheelchair path)

### GENERAL NOTES:

- Only 1 racing game has side wheelchair access (Mario Kart)
- 2 of the 3 air hockey games are WC accessible (the one that is not is outside of Karaoke Room 'A')

**\*NOTE\***: the dimensioned "half" strike 10 pusher is not an actual machine, just a dimensional placeholder for 2, back to back, pushers to be added at the end of the 8 player pusher.

This configuration also includes theoretical change machines on both ends of the coin pushers.



### SPACIAL LAYOUT

Title: Family Entertainment Centre Layout  
18 Bridge Street, Kirkwall, KW15 1HR.

Sub-Title: Wheelchair Accessibility

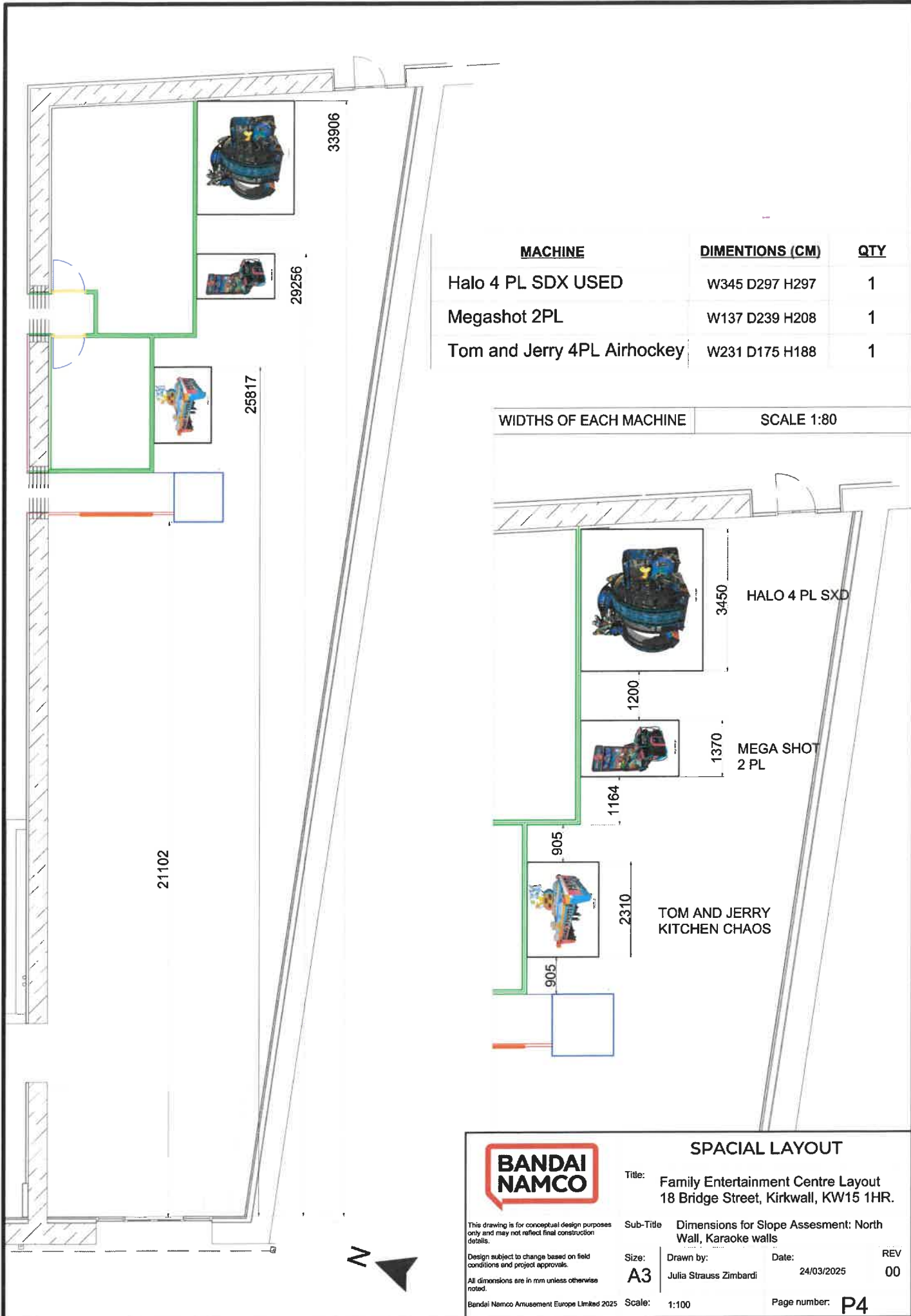
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Drawn by: Julia Strauss Zimbardi  
Date: 24/03/2025  
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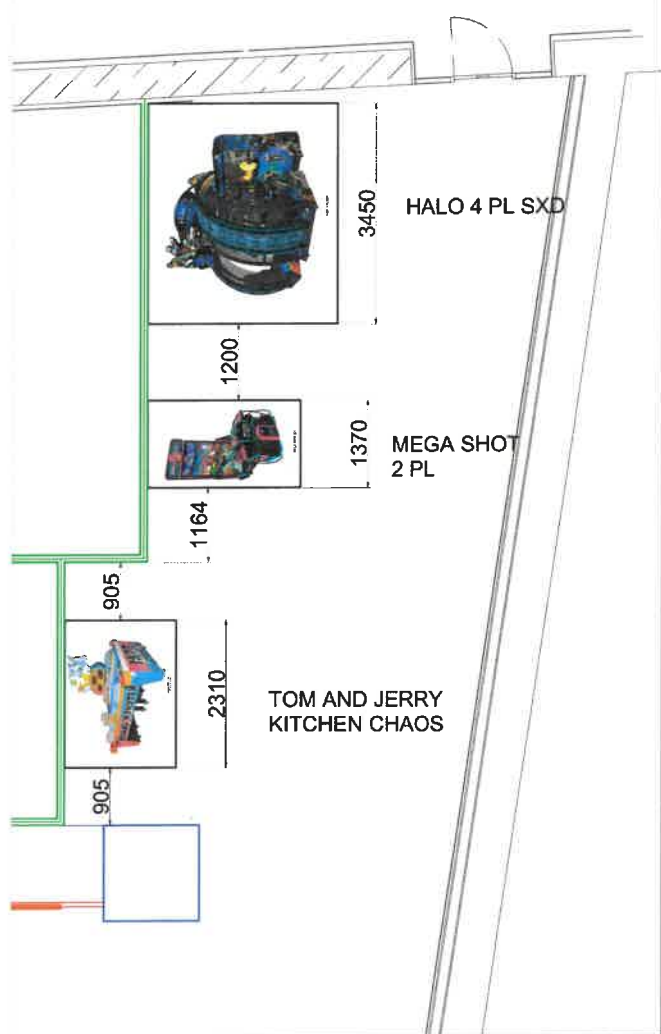






MACHINE	DIMENTIONS (CM)	QTY
Halo 4 PL SDX USED	W345 D297 H297	1
Megashot 2PL	W137 D239 H208	1
Tom and Jerry 4PL Airhockey	W231 D175 H188	1

WIDTHS OF EACH MACHINE	SCALE 1:80
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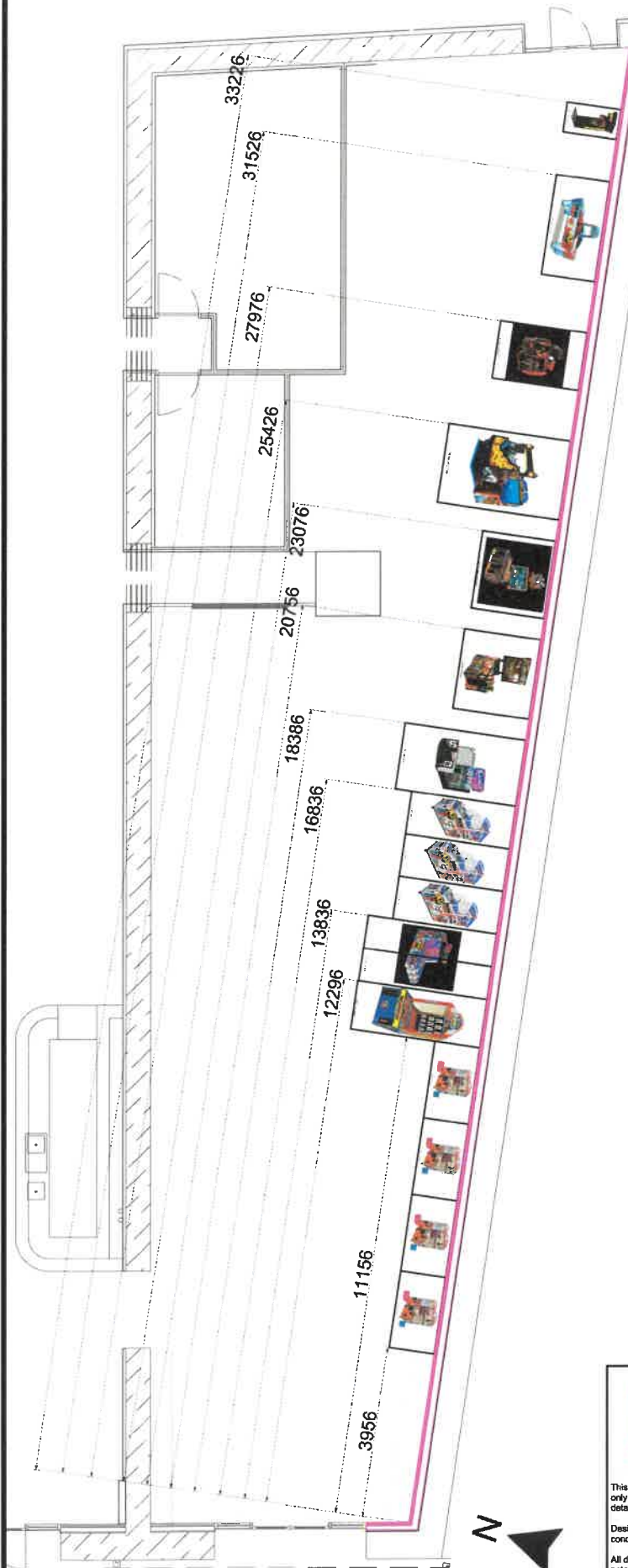


SPACIAL LAYOUT

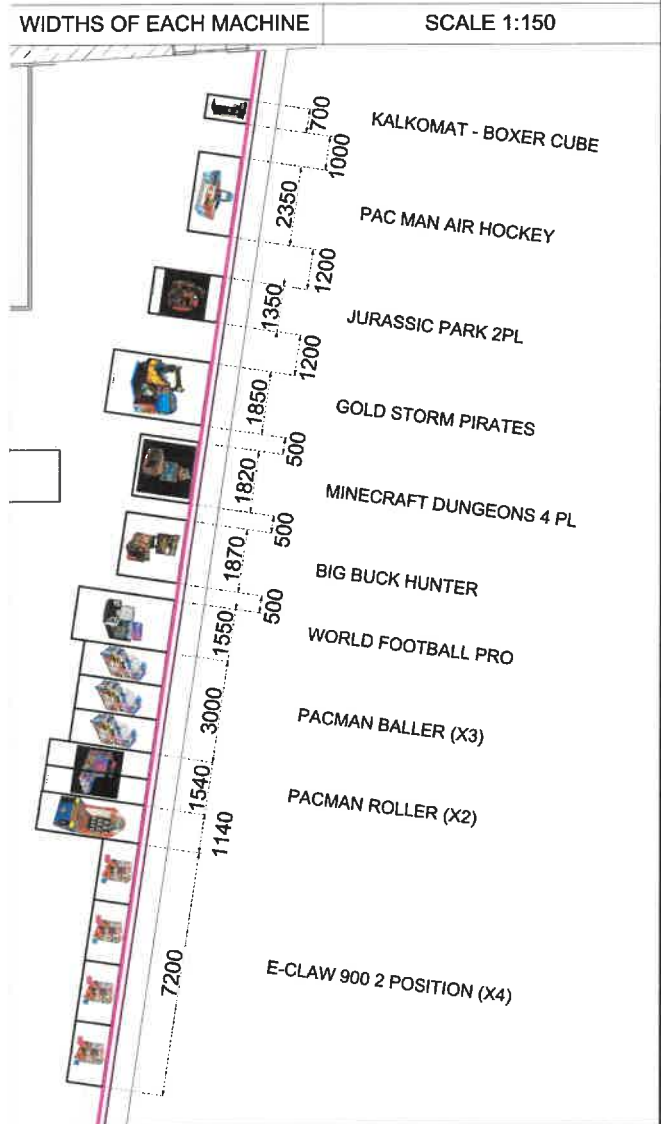
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18 Bridge Street, Kirkwall, KW15 1HR.

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Sub-Title Dimensions for Slope Assesment: North Wall, Karaoke walls  
Size: A3  
Drawn by: Julia Strauss Zimbardi  
Date: 24/03/2025  
Scale: 1:100  
REV 00  
Page number: P4



MACHINE	DIMENSIONS (CM)	QTY
Kalkomat - Boxer Cube	W70 D125 H223	1
Pac-man Airhockey	W125 D235 H80	1
Jurassic Park 2 PL USED	W135 D203 H219	1
Goldstorm Pirates	W1850 X D2870 H?	1
Minecraft Dungeons 4PL USED	W182 D172 H296	1
Big Buck Reloaded Panoramic USED	W187 D180 H236	1
World Football Pro	W155 D285 H274	1
Pac-man Baller	L100 W246 H242	3
Pac-Man Roller	W77 D303 H240	2
E-Claw 900 2 position	W180 D106 H211	4





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### SPACIAL LAYOUT

Title: Family Entertainment Centre Layout  
18 Bridge Street, Kirkwall, KW15 1HR.

Sub-Title: Dimensions for Slope Assesment: south wall

Size: A3

Drawn by: Julia Strause Zimbardi

Date: 24/03/2025

Page number: P5

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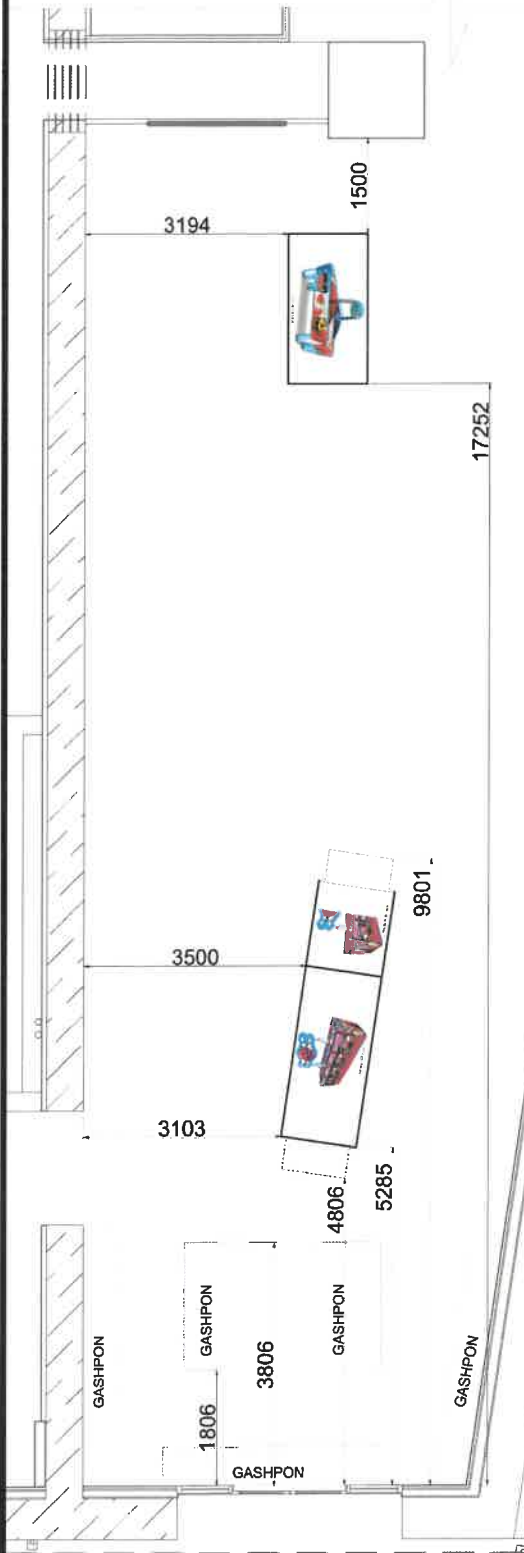
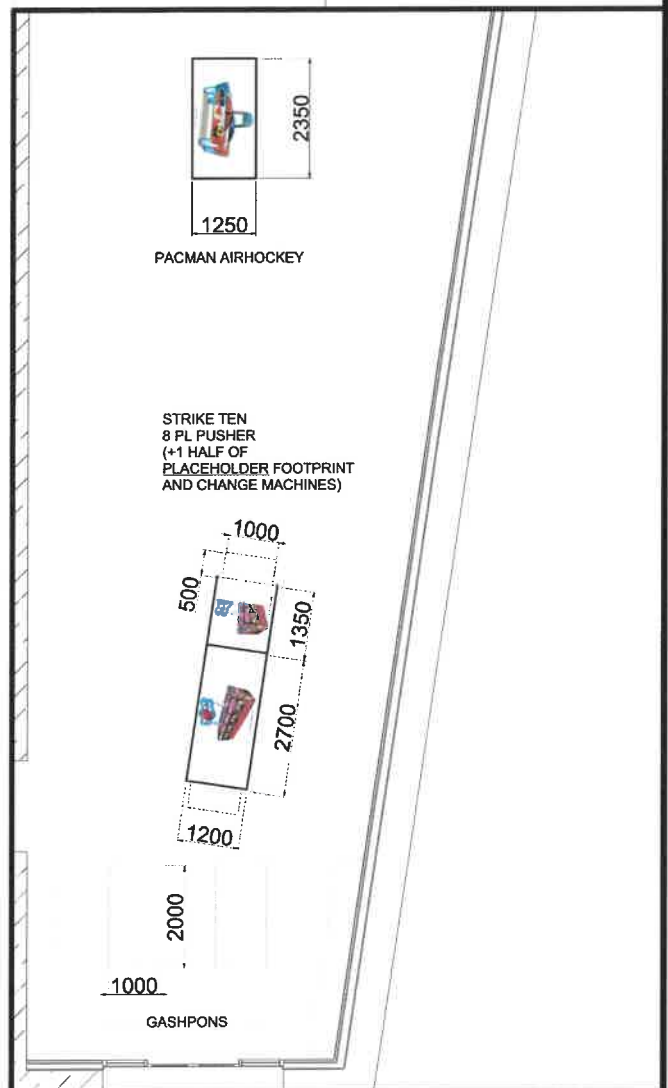
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**\*NOTE\*:** the dimensioned "half" strike 10 pusher is not an actual machine, just a dimensional placeholder for 2, back to back, pushers to be added at the end of the 8 player pusher.

This configuration also includes theoretical change machines on both ends of the coin pushers.

MACHINE	DIMENSIONS (CM)	QTY
Pac-man Airhockey	W125 D235 H80	1
Strike Ten 8PL Pusher	W270 D120 H100	1

WIDTHS OF EACH MACHINE SCALE 1:100



**BANDAI  
NAMCO**

## SPACIAL LAYOUT

Title: Family Entertainment Centre Layout  
18 Bridge Street, Kirkwall, KW15 1HR.

Sub-Title Dimensions for Slope Assessment: Floor  
Machines

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Bandai Namco Amusement Europe Limited 2025

Size: A3  
Drawn by: Julia Strauss Zimbardi

Scale: 1:80

Date: 24/03/2025

Page number: P6

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