

## **8 AMUSEMENT ARCADES AND CENTRE (AN36-2002)**

The adopted Dundee Local Plan 1998 contains Policy S26 relating to "Amusement Arcades". A recent planning application highlighted that case law indicates that there is legal distinction between an "Amusement Arcade" and an "Amusement Centre". The distinction focuses on the fact that the former is primarily associated with the provision of "entertainment" machines while the latter relates to "gaming" equipment, the primary function of which is gambling.

The principal difference between the two operations is that the latter is more similar to a betting office with the operations fairly well contained internally and entrance strictly limited to the over 18 age group. The land use planning considerations would, therefore, be similar to those for a betting office. As a result, they would be likely to be considered acceptable within Policy S5, Secondary Retailing Areas. NPPG 8 (Town Centres and Retailing, revised 1998) addresses both types of development under the heading of Amusement Centres (paragraphs 78-82) and only draws the distinction that amusements with prizes also need a licence under the Gaming Act 1968.

The Policy in the current Local Plan (S26) was specifically designed to apply to the circumstances pertaining to Amusement Arcades rather than Amusement Centres and is due for review as part of the overall review of the Local Plan currently underway. In the meantime, while the difference between the two operations and the nature of their clientele is recognised, it is considered that it is still appropriate to continue to apply the existing policy to both operations and that its title should be amended accordingly to 'Amusement Arcades and Centres'.

The Committee is asked to approve accordingly.