

**APPENDIX III**

**EAST AYRSHIRE COUNCIL**

**LEISURE SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON TUESDAY 27 AUGUST 1996 AT 1400 HOURS  
IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors John Smith, Gordon McCredie, Gordon Cree, Bob Beattie, Kim Nicoll, Jimmy Carmichael and Robert Taylor.

**ATTENDING:** William Stafford, Director of Community Services, Irene Townson, Principal Solicitor, Julie Armstrong, Senior Administrative Officer and Ian Gemmell, Administrative Officer.

**CHAIR:** Councillor John Smith, Chair.

**APOLOGIES:** Councillor Tommy Farrell.

**FOOTBALL PAVILION DEAN PARK KILMARNOCK**

1. There was submitted a report dated 8 August 1996 (circulated) by the Director of Community Services to advise the Sub-Committee of the extensive damage to the Football Pavilion at Dean Park, Kilmarnock and to seek permission to obtain tenders for the provision of replacement facilities.

It was agreed:-

- (i) to remit to the Director of Community Services, in consultation with the Director of Support Services, to seek tenders for the erection of a replacement Football Pavilion at Dean Park, Kilmarnock; and
- (ii) otherwise to note the report.

**VANDALISM**

2. There was submitted a report dated 8 August 1996 (circulated) by the Director of Community Services, advising the Sub-Committee of considerable damage to Leisure and Recreational Facilities due to vandalism in the period from 1 April to 31 July 1996.

It was agreed:-

- (i) to remit to the Director of Community Services to discuss ways of reducing the amount of vandalism to leisure and recreation facilities with Strathclyde Police and in consultation with the Local Committees; and
- (ii) otherwise to note the report.

**PRIDE AND PASSION EXHIBITION: PROGRESS REPORT**

3. There was submitted a report dated 1 August 1996 (circulated) by the Director of Community Services to update the Sub-Committee on the progress to date in bringing the Pride and Passion Exhibition to Kilmarnock in October 1996. The official opening would be the evening of 23 October 1996.

It was agreed:-

- (i) to remit to the Director of Community Services to make the necessary arrangements for the Exhibition; and
- (ii) otherwise to note the report.

**EAST AYRSHIRE PLAYDAY - HOWARD PARK KILMARNOCK - 7 AUGUST 1996**

4. There was submitted a report dated 9 August 1996 (circulated) by the Director of Community Services providing information on the background to Playday, outlining the success of this year's and previous years' events and making recommendations on how the Community Services Department could make Playday accessible to groups, parents and children from throughout East Ayrshire.

It was agreed:-

- (i) that Playday should continue to be an established part of the Community Services Events Programme;
- (ii) to remit to the Director of Community Services to investigate the use of transport from outlying areas to make the event more accessible; and
- (iii) otherwise to note the report.

**EARTH, WIND AND WATER: SCOTTISH SPORTS COUNCIL POLICIES FOR THE PLANNING OF NATURAL RESOURCES FOR SPORTS AND PHYSICAL RECREATIONS**

5. There was submitted a report dated 9 August 1996 (circulated) by the Director of Community Services outlining the key points of the Scottish Sports Council's Earth, Wind and Water Document and its impact upon the planning of natural resources for sports and physical recreations within the East Ayrshire Area.

It was agreed:-

- (i) to remit to the Directors of Community Services, Development Services and Education to take account of the above document when considering strategic issues related to sports development; and
- (ii) otherwise to note the report.

**PROPOSED LETTING CONDITIONS FOR HALLS AND  
COMMUNITY CENTRES**

6. There was submitted a report dated 9 August 1996 (circulated) by the Director of Community Services outlining the proposed letting conditions for Halls and Community Centres managed by the Community Services Department.

It was agreed:-

- (i) to approve the proposed letting conditions as detailed in Appendix 1 to these Minutes; and
- (ii) otherwise to note the report.

**REQUEST BY DARVEL JUNIORS FC TO LET DARVEL TOWN HALL FOR THE  
HIGHLANDER DANCE TROUPE (Item 9, Page 758)**

7. There was submitted a report dated 12 August 1996 (circulated) by the Director of Community Services outlining a request from Darvel Juniors Football Club to let Darvel Town Hall for a performance of the Highlander Dance Troupe on 29 November 1996.

Councillor Carmichael seconded by Councillor Taylor moved that the above application be refused.

Councillor McCredie seconded by Councillor Nicoll moved as an amendment that consideration of the application be deferred to next Meeting, and in the meantime be submitted for comment to the Irvine Valley Local Committee.

On a division by a show of hands the motion was carried by five votes to two.

**PROPOSED MANAGEMENT RULES FOR BELLFIELD ESTATE, KILMARNOCK,  
MORTON PARK, DARVEL, AND BROOMFIELD PARK, CUMNOCK**

8. There was submitted a report dated 2 August 1996 (circulated) by the Director of Community Services outlining proposed management rules for the public use of Bellfield Estate, Kilmarnock, Morton Park, Darvel and Broomfield Park, Cumnock.

It was agreed:-

- (i) to defer consideration to next meeting of the making of management rules in respect of Bellfield Estate;
- (ii) to approve the proposed Management Rules for the Regulation of Broomfield Park, Cumnock, as shown in Appendix 2 to these Minutes;
- (iii) to approve the proposed Management Rules for the Regulation of Morton Park, Darvel, as shown in Appendix 3 to these Minutes; and
- (iv) to remit to the Director of Community Services to proceed with the statutory process of public consultation in respect of the Management Rules for Broomfield Park, Cumnock and Morton Park, Darvel, in terms of section 112 of the Civic Government (Scotland) Act 1982.

**EAST AYRSHIRE SPORTS COUNCIL: PROGRESS REPORT**

9. There was submitted and noted report dated 9 August 1996 (circulated) by the Director of Community Services to update members on the progress taking place in the operation of East Ayrshire Sports Council.

The meeting terminated at 1455 hours.

**EAST AYRSHIRE COUNCIL**  
**COMMUNITY SERVICES**

**LETTING CONDITIONS**

**1. BOOKING, PAYMENT, CANCELLATION**

- 1.1 All applications for lets must be made in writing on the appropriate form and lodged at one of the nominated offices on the form prior to the let being confirmed. On receipt of the completed form Community Services will issue a confirmation notice to the lessee and only on receipt of this had the booking been confirmed.
- 1.2 All lets must be paid in advance unless alternative arrangements have been agreed. At the time of booking a 20% deposit must be paid on all one off lets with the remaining balance due ten days prior to function.
- 1.3 Any let cancelling within fourteen days of their booking will have their deposit refunded in full providing the cancellation is in writing. Any let failing to notify the Council of the cancellation of a let will automatically lose their deposit and may also be charged 50% of the fee.
- 1.4 Provisional bookings will be accepted but will only be held for fourteen days or it within that period another party enquires about the date in question they will be held for two days after the original party has been notified.
- 1.5 Regular lets may be subject to cancellation with timeous notice should the accommodation be required for a major function, but wherever possible, alternative accommodation will be offered.

**2. LESSEES RESPONSIBILITIES**

- 2.1 Lessees will be held responsible for any damage to the fabric of the building, its furnishings or its equipment caused by negligence.
- 2.2 Lessees must take all reasonable care to prevent fire, and all approaches, stairs and passages must be kept entirely free from obstruction or from members of the public. Lessees must observe written instructions regarding evacuation procedures on display.
- 2.3 All fittings, decorations or equipment provided by the lessees shall be subject to the approval of the Caretaker and shall be removed by the lessees immediately after the termination of the let.
- 2.4 The organiser of any function must ensure that they are aware of the first position of fire points, emergency exit doors, lighting switches and the nearest telephone. The Caretaker will be available to advise on all these points.

- 2.5 Kitchen facilities and equipment must be left in a clean and tidy condition if used by lessee during their let.
- 2.6 In the case of an emergency affecting the premises, the lessee shall be bound to comply with the instructions of the Management and/or the Police.

### **3. LICENSING REQUIREMENTS**

- 3.1 The sale directly or indirectly of intoxicating liquor in any part of the hall is prohibited except with the approval of the Community Services Department and where the appropriate licence has been obtained from East Ayrshire Licensing Board.
- 3.2 Drinks licences must be on prominent display prior to the let beginning. Failure to do so will result in cancellation of let.
- 3.3 The number of persons attending any performance/function shall be limited to the licensed capacity of the facility and tickets will not be issued in excess thereof.

### **4. GENERAL CONDITIONS**

- 4.1 Certain functions will require stewards to be appointed the Lessee to preserve order inside and outside the premises. Where the Council requests stewards be appointed this becomes a condition of the let proceeding and failure to comply with the Council's request may result in the let being terminated.
- 4.2 The Council, or its representative shall, at an time, be entitled to have free access to any part of the facility.
- 4.3 The premises must not be used for any other purpose than that stated on the application form and shall not be sub let without the prior consent of the Council.
- 4.4 The Council reserve the right to cancel any let at any time without compensation being payable to the hirer. Without prejudice to the foregoing generally the Council reserve the right to cancel any let in advance of the period of let commencing (in which circumstances the Council shall give the hirer as much notice as is practicable) and the right to cancel any let during a period of lets. The right reserved by this condition may be exercised on behalf of the Council by the Director of Community Services or his appointee.
- 4.5 It is a condition of let that the Council shall be indemnified against any claims from any party for loss or damage of property or goods used or exhibited in the hall or left by or belonging to the hirers or persons attending thereat.
- 4.6 The Council reserve the right to refuse to any applicant the use of the hall without assigning any reason thereof.

- 4.7 The Council reserve the right to add to, amend or cancel any of these rules and regulations at their discretion.

**EAST AYRSHIRE COUNCIL****MANAGEMENT RULES FOR THE REGULATION OF BROOMFIELD PARK,  
CUMNOCK**

The East Ayrshire Council, by virtue of the powers contained in Section 112 of the Civic Government (Scotland) Act 1982 and all other powers authorising or empowering them in that behalf, do hereby make and enact the following Management Rules to regulate the use of and the conduct of persons whilst using the Broomfield Park, Cumnock.

**1. Throughout these Management Rules:-**

- (i) The "Council" means the East Ayrshire Council.
- (ii) The "Park" means the whole of the Broomfield Park as defined by the boundary fences, and owned, occupied, managed or under the Control of the Council or its appointees.

**2. ENTRANCE TO PARK**

- 2.1** The Park shall be opened and closed to the public at such hours as the Council shall determine and which may from time to time be intimated by notice displayed at or near the entrance to the Park. Throughout the year the Park opening and closing times shall vary in accordance with the available hours of daylight. As a general rule the Park will be deemed to be closed during the hours of darkness with the exception of sporting activities run under the floodlight area.
- 2.2** No person shall enter or leave the Park except by the gateways or other openings provided for that purpose.
- 2.3** The Council may, by notice, close the Park or part thereof to the public for such time as they may consider expedient.
- 2.4** No person shall enter or remain in any part of the Park at any time when that part is closed to the public, except with the written permission of the Council.

**3. PROTECTION OF PROPERTY**

- 3.1** No person shall knowingly cause any damage to, or deface, any plant or property within the Park, or permit any child or animal in his care to do so.
- 3.2** No person shall climb or attempt to climb upon any tree, or any property, or permit any child in his care to do so, except where play equipment for children is provided for that purpose.

- 3.3 No person shall walk or permit any child or animal in his care to walk, or attempt to walk, upon any area upon which a notice is placed requiring persons not walk thereon.

#### **4. CONTROL OF DOGS**

- 4.1 All dogs must be kept on a lead and under the strict control of their owner whilst within the park boundaries.
- 4.2 No person shall permit any dog in his charge to foul any footpath or footway or grass verge adjacent to the park.
- 4.3 Dogs should be kept off designated sports and play areas.

#### **5. REGULATION OF VEHICLES**

- 5.1 No person shall bring into the Park any bicycle, barrow or other vehicle without the written permission of the Council except a pram or carriage used solely for the conveyance of a child or invalid or in connection with any function approved by the Council.

#### **6. REGULATION OF GAMES**

- 6.1 No person shall, or shall prepare to play or practice any game, sport or drill, except in any area set apart by the Council for that particular game or sport, and subject to such conditions as the Council may prescribe.
- 6.2 No person shall play in any area which may have been set apart by the Council for any game when a notice is set up in a conspicuous position prohibiting play in that area or when the result of playing on the ground would be likely to cause damage.
- 6.3 No goal posts or other fixed apparatus for games shall be allowed, and no person or body of persons shall have the exclusive right to use any area of the Park, without the written permission of the Council.

#### **7. REGULATION OF TRADING, MEETINGS ETC**

- 7.1 No person shall sell or offer or expose for sale or let or hire, any commodity or article, or offer to carry out any service, or distribute or post any bill, leaflet or paper, except with the written permission of the Council, this permission being required in addition to a licence required under the Civic Government (Scotland) Act 1982.
- 7.2 No persons shall, or shall prepare to deliver any speech, lecture or address, or give any musical or other entertainment or conduct or take part in any religious service, procession demonstration or any show or performance or erect any tent or other structure or lay down any materials of any description without the written permission of the Council and subject to such conditions as

the Council may determine, this permission being required in addition to a licence or order required under the Civic Government (Scotland) Act 1982.

- 7.3** No persons shall take part in any picnic, party or gathering exceeding twenty-five persons without the written permission of the Council and then only at the time and place allotted and subject to such conditions as the Council may determine.

## **8. PREVENTION OF NUISANCE**

- 8.1** No person shall knowingly obstruct, disturb, distract, interrupt or annoy any other person in the proper or authorised use of any Park, or any employee or contractor of the Council in the exercise of his duty.
- 8.2** No person shall light any fire, or discharge any firework except with the written permission of the Council.
- 8.4** No person who takes alcohol or drugs, except for medicinal purposes, or sniffs any solvent or who is intoxicated or under the influence of any drug or other substance, or otherwise conducts himself in a disorderly manner shall be allowed to remain in the Park.
- 8.5** No person shall use any profane, indecent or offensive language or behave in a manner deemed at the absolute discretion of the Council or its authorised officer to be in an offensive, disorderly, violent or insulting manner whilst in the Park.

## **9. OFFENCES**

- 9.1** The Council are empowered in terms of Section 117 of the Civic Government (Scotland) Act 1982 to make an exclusion order for a maximum period of one year if they deem that a person has persistently contravened or attempted to contravene these Management Rules and is, in their opinion, likely to contravene them again.
- 9.2** Every written permission required by these Management Rules must be exhibited on demand to any police officer in uniform or to any authorised officer of the Council or police officer not in uniform on production of his authorisation or identification.
- 9.3** In terms of Section 118 of the said Act, any person who:-
- (a) On being required to leave the Park by an authorised officer of the Council who has reasonable grounds for believing that the person has contravened, is contravening or is about to contravene any of these Management Rules, fails to leave;
  - (b) On being informed by an authorised Officer who has reasonable grounds for believing that the person is about to contravene any of

these management Rules that he is excluded from the Park, enters or attempts to enter the Park; or

- (c) Being a person subject to an exclusion order under Section 117 of the said Act enters or attempts to enter the Park to which the exclusion order relates

shall be guilty of an offence and liable on summary conviction, to a fine not exceeding level 1 on the standard scale.

**APPENDIX 3****EAST AYRSHIRE COUNCIL****MANAGEMENT RULES FOR THE REGULATION OF MORTON PARK,  
DARVEL**

The East Ayrshire Council, by virtue of the powers contained in Section 112 of the Civic Government (Scotland) Act 1982 and all other powers authorising or empowering them in that behalf, do hereby make and enact the following Management Rules to regulate the use of, and the conduct of persons whilst using the Morton Park, Darvel.

**1. Throughout these Management Rules:-**

- (i) The "Council" means the East Ayrshire Council.
- (ii) The "Park" means the whole of the Morton Park as defined by the boundary fences, and owned, occupied, managed, or under the control of the Council or its appointees.

**2. ENTRANCE TO PARK**

- 2.1** The Park shall be opened and closed to the public at such hours as the Council shall determine and which may from time to time be intimated by notice displayed at or near the entrances to the Park. Throughout the year the Park opening and closing times shall vary in accordance with the available hours of daylight. As a general rule the Park will be deemed to be closed during the hours of darkness with the exception of sporting activities run under the floodlight area.
- 2.2** No person shall enter or leave the Park except by the gateways or other openings provided for that purpose.
- 2.3** The Council may, by notice, close the Park or part thereof to the public for such time as they may consider expedient.

- 2.4 No person shall enter or remain in any part of the Park at any time when that part is closed to the public, except with the written permission of the Council.

**3. PROTECTION OF PROPERTY**

- 3.1 No person shall knowingly cause any damage to, or deface, any plant or property within the Park, or permit any child or animal in his care to do so.
- 3.2 No person shall climb or attempt to climb upon any tree, or any property, or permit any child in his care to do so, except where play equipment for children is provided for that purpose.
- 3.3 No person shall walk or permit any child or animal in his care to walk, or attempt to walk, upon any area upon which a notice is placed requiring persons not walk thereon.

**4. CONTROL OF DOGS**

- 4.1 All dogs must be kept on a lead and under the strict control of their owner whilst within the park boundaries.
- 4.2 No person shall permit any dog in his charge to foul within any area of the Park.
- 4.3 Dogs should be kept off designated sports and play areas.

**5. REGULATION OF VEHICLES**

- 5.1 No person shall bring into the Park any bicycle, barrow or other vehicle without the written permission of the Council except a pram or carriage used solely for the conveyance of a child or invalid or in connection with any function approved by the Council.

**6. REGULATION OF GAMES**

- 6.1 No person shall, or shall prepare to, play or practise any game, sport or drill,

except in any area set apart by the Council for that particular game or sport, and subject to such conditions as the Council may prescribe.

- 6.2 No person shall play in any area which may have been set apart by the Council for any game when a notice is set up in an conspicuous position prohibiting play in that area or when the result of playing on the ground would be likely to cause damage.
- 6.3 No goal posts or other fixed apparatus for games shall be allowed, and no person or body of persons shall have the exclusive right to use any area of the Park, without the written permission of the Council.
- 6.4 No person shall use any playground equipment in contravention of any notice displayed at or near the same regulating the use of such equipment.
- 6.5 In accordance with the equipment manufacturers' recommendations no person aged fourteen years and over shall be permitted to use the equipment in the park.

## **7. REGULATION OF TRADING. MEETINGS ETC.**

- 7.1 No person shall sell or offer or expose for sale or let or hire, any commodity or article, or offer to carry out any service, or distribute or post any bill, leaflet or paper, except with the written permission of the

Council, this permission being required in addition to a licence required under the Civic Government (Scotland) Act 1982.

- 7.2 No persons shall, or shall prepare to, deliver any speech, lecture or address, or give any musical or other entertainment or conduct or take part in any religious service, procession, demonstration or any show or performance or erect any tent or other structure or lay down any materials of any description without the written permission of the Council and subject to such conditions as the Council may determine this permission being required in addition to a licence or order required under the Civic Government (Scotland) Act 1982.
- 7.3 No persons shall take part in any picnic, party or gathering exceeding twenty-five persons without the written permission of the Council and then only at the time and place allotted and subject to such conditions as the Council may

determine.

## **8. PREVENTION OF NUISANCE**

- 8.1** No person shall knowingly obstruct, disturb, distract, interrupt or annoy any other person in the proper or authorised use of any Park, or any employee or contractor of the Council in the exercise of his duty.
- 8.2** No person shall light any fire, or discharge any firework except with the written permission of the Council.
- 8.4** No person who takes alcohol or drugs, except for medicinal purposes, or sniffs any solvent or 'who is intoxicated or under the influence of any drug or other substance, or otherwise conducts himself in a disorderly manner shall be allowed to remain in the Park.
- 8.5** No person shall use any profane, indecent or offensive language or behave in a manner deemed at the absolute discretion of the Council or its authorised officer to be in an offensive, disorderly, violent or insulting manner whilst in the Park.

## **9. OFFENCES**

- 9.1** The Council are empowered in terms of Section 117 of the Civic Government (Scotland) Act 1982 to make an exclusion order for a maximum period of one year if they deem that a person has persistently contravened or attempted to contravene these Management Rules and is, in their opinion, likely to contravene them again.
- 9.2** Every written permission required by these Management Rules must be exhibited on demand to any police officer in uniform or to any authorised officer of the Council or police officer not in uniform on production of his authorisation or identification.
- 9.3** In terms of Section 118 of the said Act, any person who-
- (a) On being required to leave the Park by an authorised officer of the Council who has reasonable grounds for believing that the person has contravened, is contravening or is about to contravene any of these Management Rules, fails to leave;
  - (b) On being informed by an authorised Officer who has reasonable grounds for believing that the person is about to contravene any of these management Rules that he is excluded from the Park, enters or

attempts to enter the Park; or

- (c) Being a person subject to an exclusion order under Section 117 of the said Act enters or attempts to enter the Park to which the exclusion order relates

shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding level 1 on the standard scale.