



***THE FIFE COUNCIL
BYELAWS PROHIBITING
CONSUMPTION OF
ALCOHOLIC LIQUOR IN
DESIGNATED PUBLIC
PLACES
2004***

THE FIFE COUNCIL

The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

The Fife Council (hereinafter referred to as "the Council") in exercise of the powers conferred upon them by sections 201, 202 and 203 of the Local Government (Scotland) Act 1973, and of all other powers enabling them in that behalf, hereby makes the following byelaws:-

Interpretation and Citation

1. (1) In these byelaws, unless the context otherwise requires -

"alcoholic liquor", "licensed canteen", "licensed premises" and "registered club" have the same meaning as in the Licensing (Scotland) Act 1976;

"designated place" means any place to which the public have access within the areas specified in the Schedule to these byelaws and shown outlined in red on the plans annexed and signed as relative hereto;

- (2) These byelaws may be cited as "The Fife Council Prohibition of Consumption of Alcoholic Liquor in Designated Public Places Byelaws 2004".

Application/

Application

2. These byelaws shall not apply:-

- (a) On 31st December in any year, from 6.00 p.m. until the end of that day;
and
- (b) On 1st January in any year until 6.00 a.m.

Offence

3. (1) Subject to paragraphs (2) and (3) of this byelaw, any person who consumes alcoholic liquor in a designated place shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (2) It shall not be an offence against these byelaws to do anything in any designated place which is a licensed canteen, licensed premises or a registered club.
- (3) It shall not be an offence against these byelaws to do anything in any designated place in respect of which there is in operation -
- (a) an occasional licence in terms of section 33(1) or (2) of the Licensing (Scotland) Act 1976; or
 - (b)/

(b) an occasional permission in terms of section 34(1) of that Act

during any period when alcoholic liquor may be sold there by virtue of that licence or, as the case may be, permission and for 15 minutes after the expiry of such period.

Presumptions

4. (1) This byelaw applies for the purposes of any trial for an offence against these byelaws.

(2) Any liquid found in a container shall, subject to the provisions of this byelaw, be presumed to conform to the description of the liquid on the container.

(3) A container which is found to contain:-

(a) no liquid; or

(b) insufficient liquid, to permit analysis

shall, subject to the provision of this byelaw, be presumed to have contained at the time of the alleged offence, liquid which conformed to the description of the liquid on the container.

(4)/

- (4) A person shall not be entitled to lead evidence for the purpose of rebutting a presumption mentioned in paragraph (2) or (3) above unless, not less than seven days before the date of the trial, he has given notice to the prosecutor of his intention to do so.

Public Notice of Effect

5. (1) The Council shall erect one or more signs at or reasonably adjacent to each designated place for the purpose of giving notice of the effect of these byelaws.
- (2) It shall be no defence in proceedings against a person for an offence under these byelaws that the Council failed to comply with paragraph (1) of this byelaw.

Dated the Twenty-seventh day of April, 2004



H.B. Tait,

Proper Officer of The Fife Council

**THE FIFE COUNCIL BYELAWS PROHIBITING
CONSUMPTION OF ALCOHOLIC LIQUOR IN DESIGNATED PLACES 2004**

In exercise of the powers conferred upon them by sections 201 and 202 of the Local Government (Scotland) Act 1973, Scottish Ministers hereby confirm the foregoing byelaws.

Scottish Ministers hereby fix 19 July 2004 as the date on which the byelaws shall come into operation.

A handwritten signature in black ink, appearing to read 'Richard Scott', is centered on the page.

RICHARD SCOTT
Head of Criminal Justice Division

Scottish Executive Justice Department
St Andrew's House
Edinburgh

24 June 2004

SCHEDULE

LIST OF SPECIFIED AREAS

Each of the areas in the Fife Local Government area specified below, is a designated area for the purpose of these byelaws:-

1. The village of Aberdour as shown within the boundary edged in red on Plan 1 annexed and executed as relative hereto.
2. The village of Auchtertool as shown within the boundary edged in red on Plan 2 annexed and executed as relative hereto.
3. The village of Blairhall as shown within the boundary edged in red on Plan 3 annexed and executed as relative hereto.
4. The village of Charlestown as shown within the boundary edged in red on Plan 4 annexed and executed as relative hereto.
5. The village of Culross as shown within the boundary edged in red on Plan 5 annexed and executed as relative hereto.

6./

6. The village of Guardbridge as shown within the boundary edged in red on Plan 6 annexed and executed as relative hereto.
7. The village of Kinglassie as shown within the boundary edged in red on Plan 7 annexed and executed as relative hereto.
8. The villages of Kingskettle and Kettlebridge as shown within the boundary edged in red on Plan 8 annexed and executed as relative hereto.
9. The town of Ladybank as shown within the boundary edged in red on Plan 9 annexed and executed as relative hereto.
10. The town of Leuchars as shown within the boundary edged in red on Plan 10 annexed and executed as relative hereto.
11. The villages of Limekilns and Pattiesmuir as shown within the boundaries edged in red on Plan 11 annexed and executed as relative hereto.
12. The village of Low Valleyfield as shown within the boundary edged in red on Plan 12 annexed and executed as relative hereto.
- 13./

13. The town of Newport and villages of Wormit and Forgan as shown within the boundary edged in red on Plan 13 annexed and executed as relative hereto.
14. The villages of Torryburn and Newmills as shown within the boundaries edged in red on Plan 14 annexed and executed as relative hereto.
15. The village of Springfield as shown within the boundary edged in red on Plan 15 annexed and executed as relative hereto.
16. The village of Strathkinness as shown within the boundary edged in red on Plan 16 annexed and executed as relative hereto.

This is the Schedule referred to in the foregoing byelaws and subscribed by the
Proper Officer.

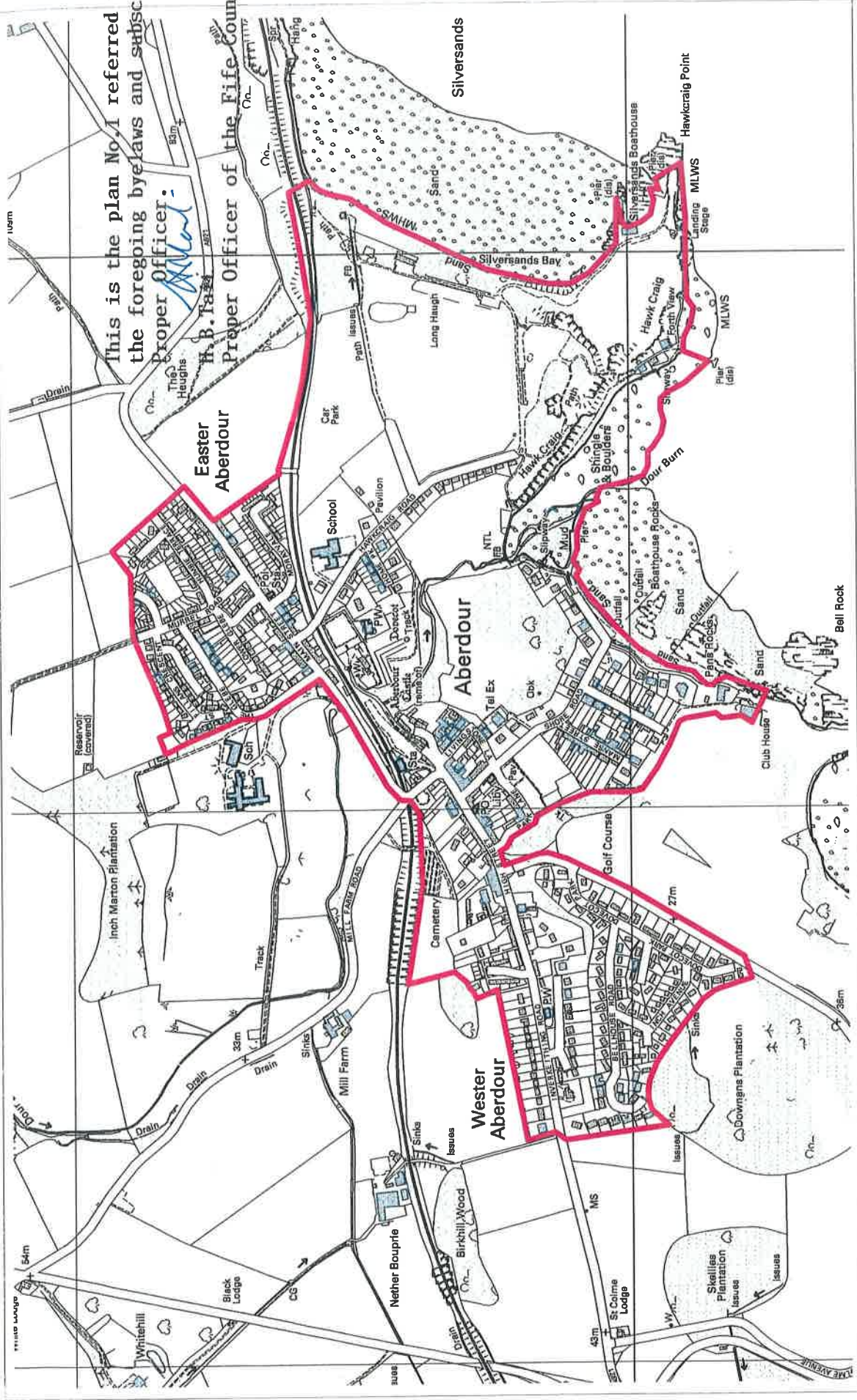


H.B. Tait,

Proper Officer of the Fife Council.

This is the plan No. 1 referred to in the foregoing bylaws and subscribed by the Proper Officer.

H. B. Taylor
Proper Officer of the Fife Council.



The Fife Council Bylaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

SCALE: 1:10000
DRAWING BY: Graphics Ltd
ORIGINATING GROUP:

DATE: 29/12/2003
DRAWING NO: L:\Graphics\

LA09035L/2000

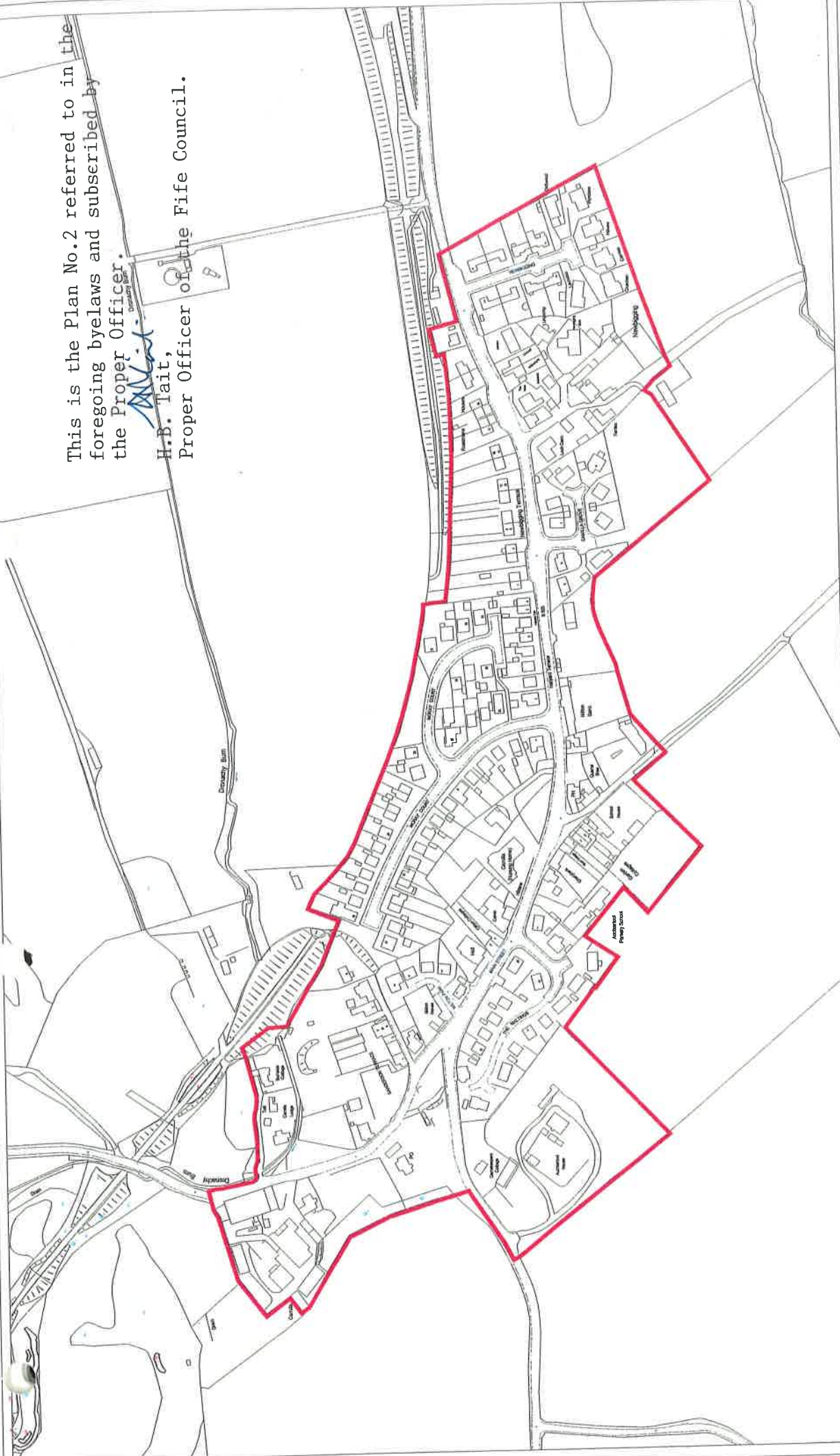
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This is the Plan No.2 referred to in the foregoing byelaws and subscribed by the Proper Officer.

H.B. Tait

H.B. Tait,
Proper Officer of the Fife Council.



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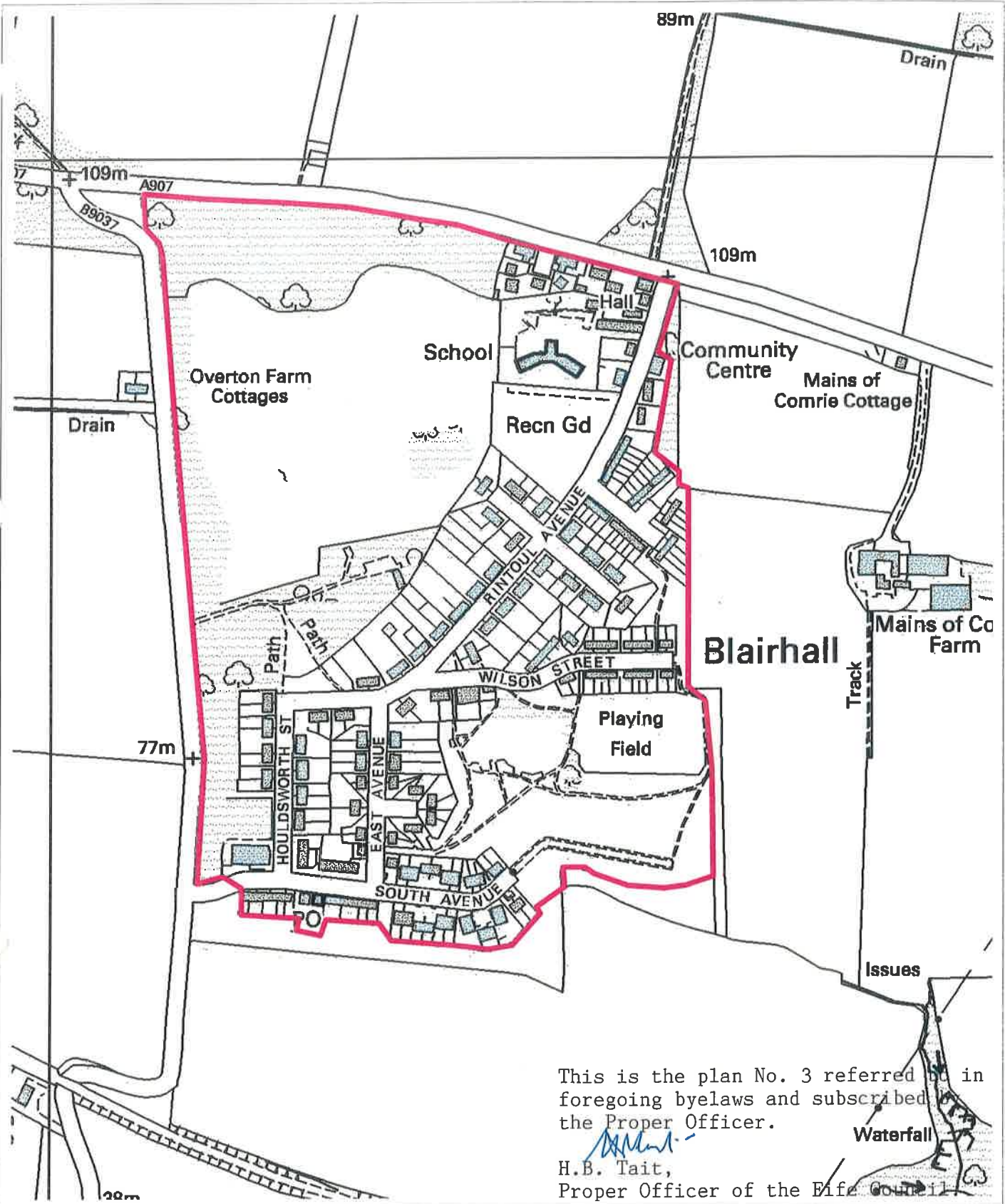
AUCHTERTOOL PLAN NO. 2

The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places



DATE: 20/2/2004

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This is the plan No. 3 referred to in foregoing byelaws and subscribed by the Proper Officer.

H.B. Tait
 H.B. Tait,
 Proper Officer of the Fife Council



The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

Blairhall - Plan 3

SCALE: 1:5000
 Originating Group:

DRAWN BY: Graphics Unit

DATE: 29/12/2003

Drawing No. L:\Graphics\

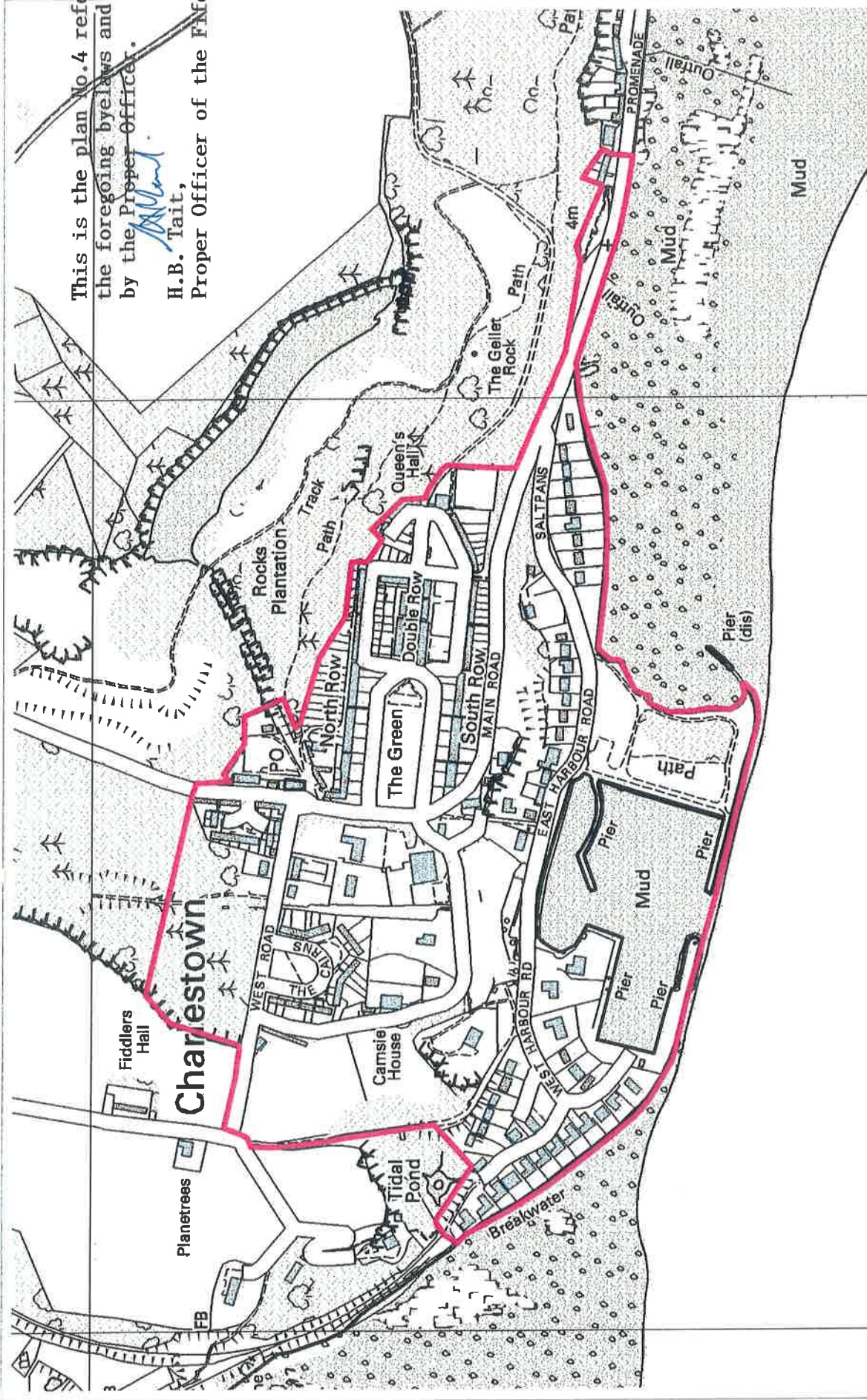
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H.B. Tait

H.B. Tait,
Proper Officer of the Fife Council.



The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

SCALE: 1:500
Drawing Group: []

DRAWN BY: [] Express Unit

DATE: 19/2/2004
Drawing No: L:\Graphics\

Charlestown - Plan 4

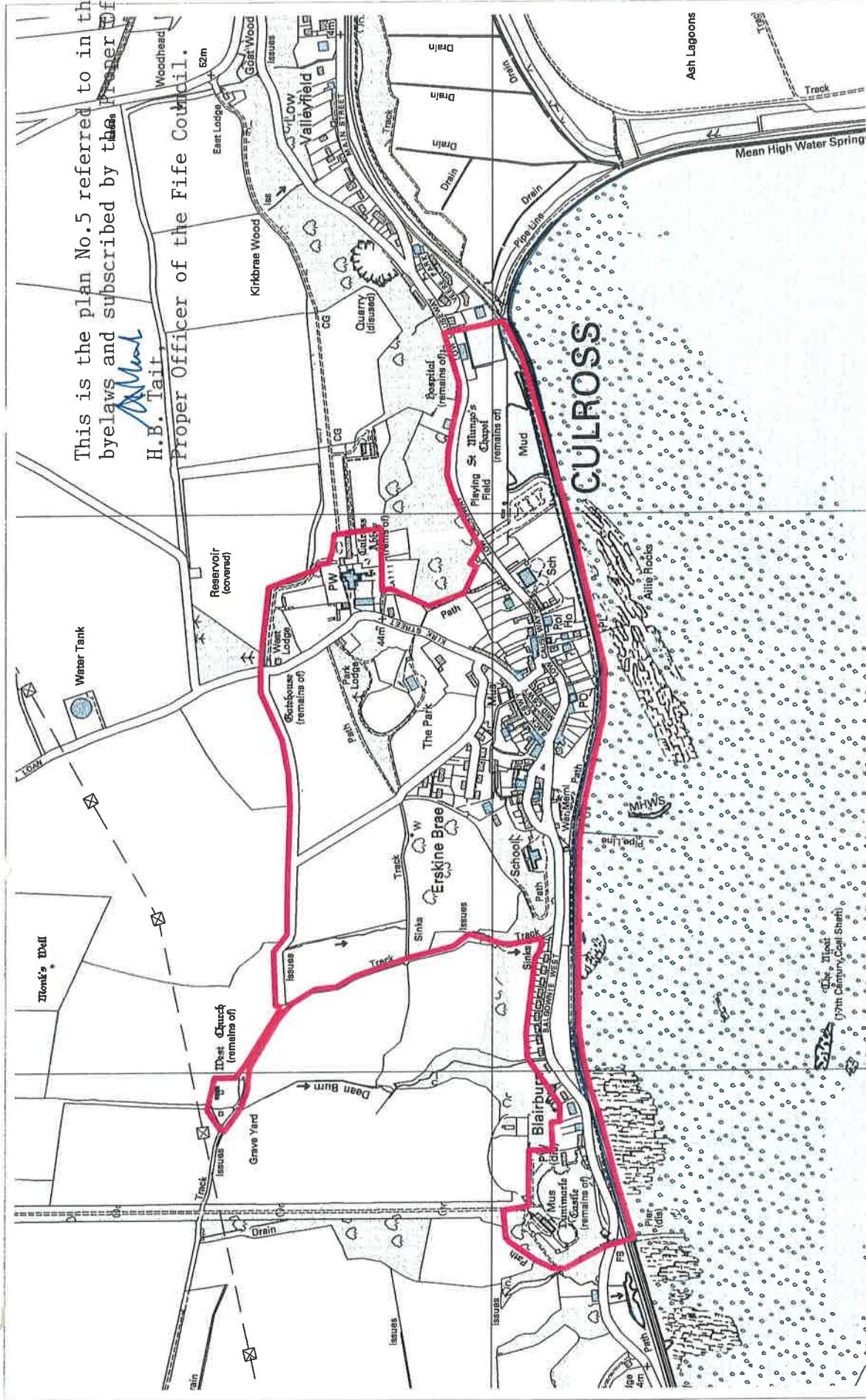
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This is the plan No.5 referred to in the foregoing byelaws and subscribed by the Proper Officer.

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Culross - Plan 5

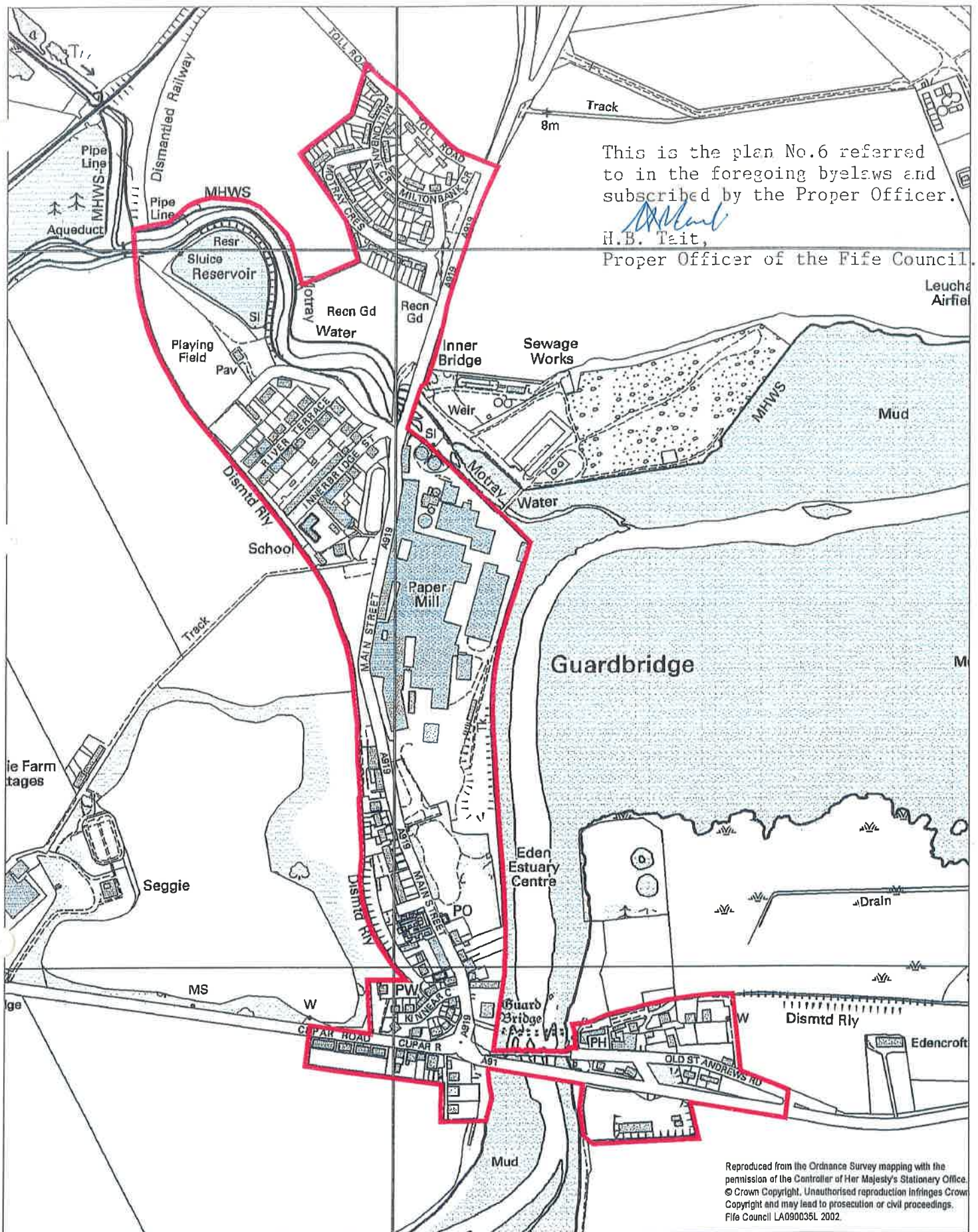
The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

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 DATE: 30/12/2005
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 Proper Officer of the Fife Council.

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The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

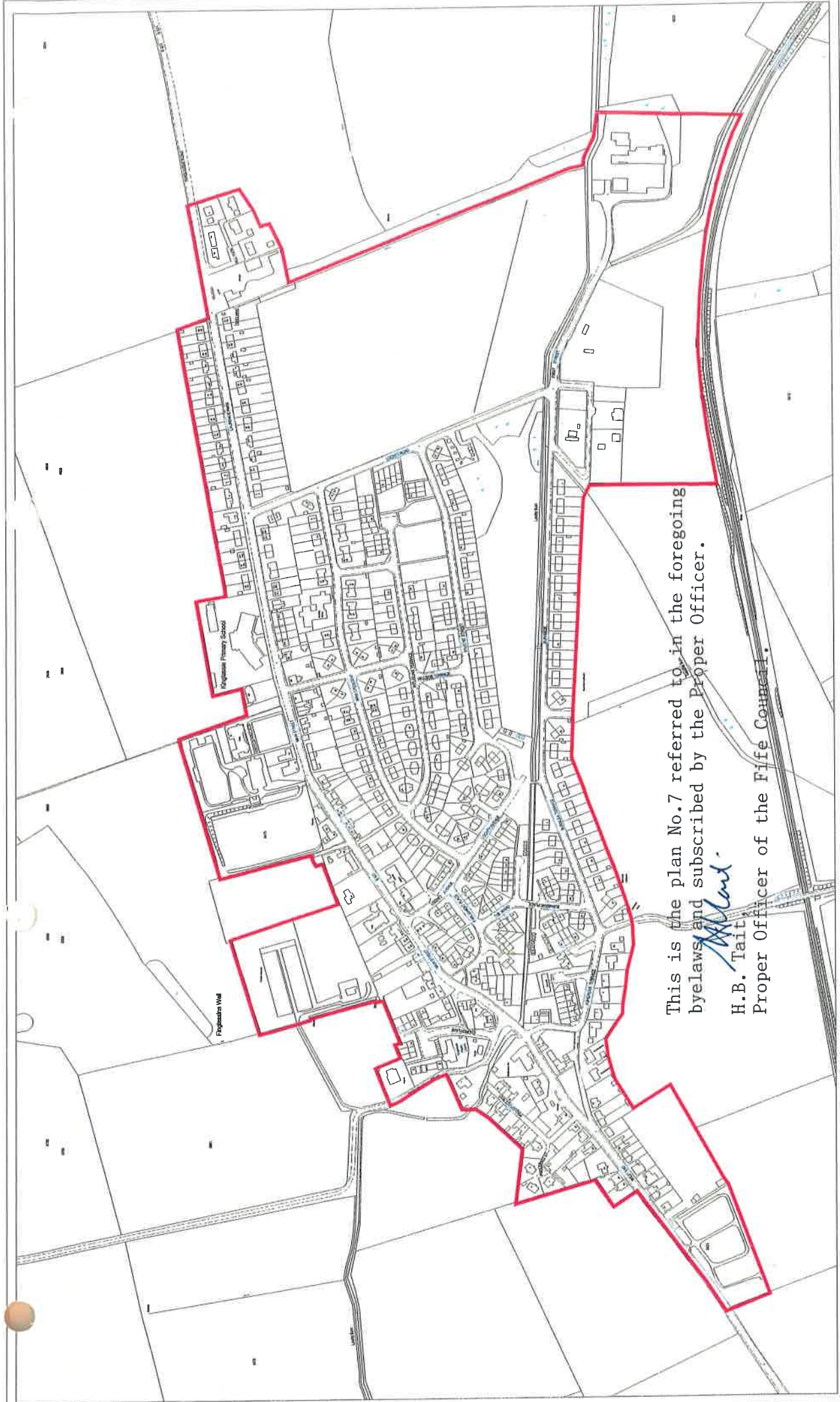
GUARDBRIDGE

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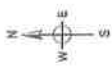
DATE: 3/2/2004

PLAN No. 6



This is the plan No.7 referred to in the foregoing byelaws and subscribed by the Proper Officer.

H.B. Tait
 H.B. Tait
 Proper Officer of the Fife Council.



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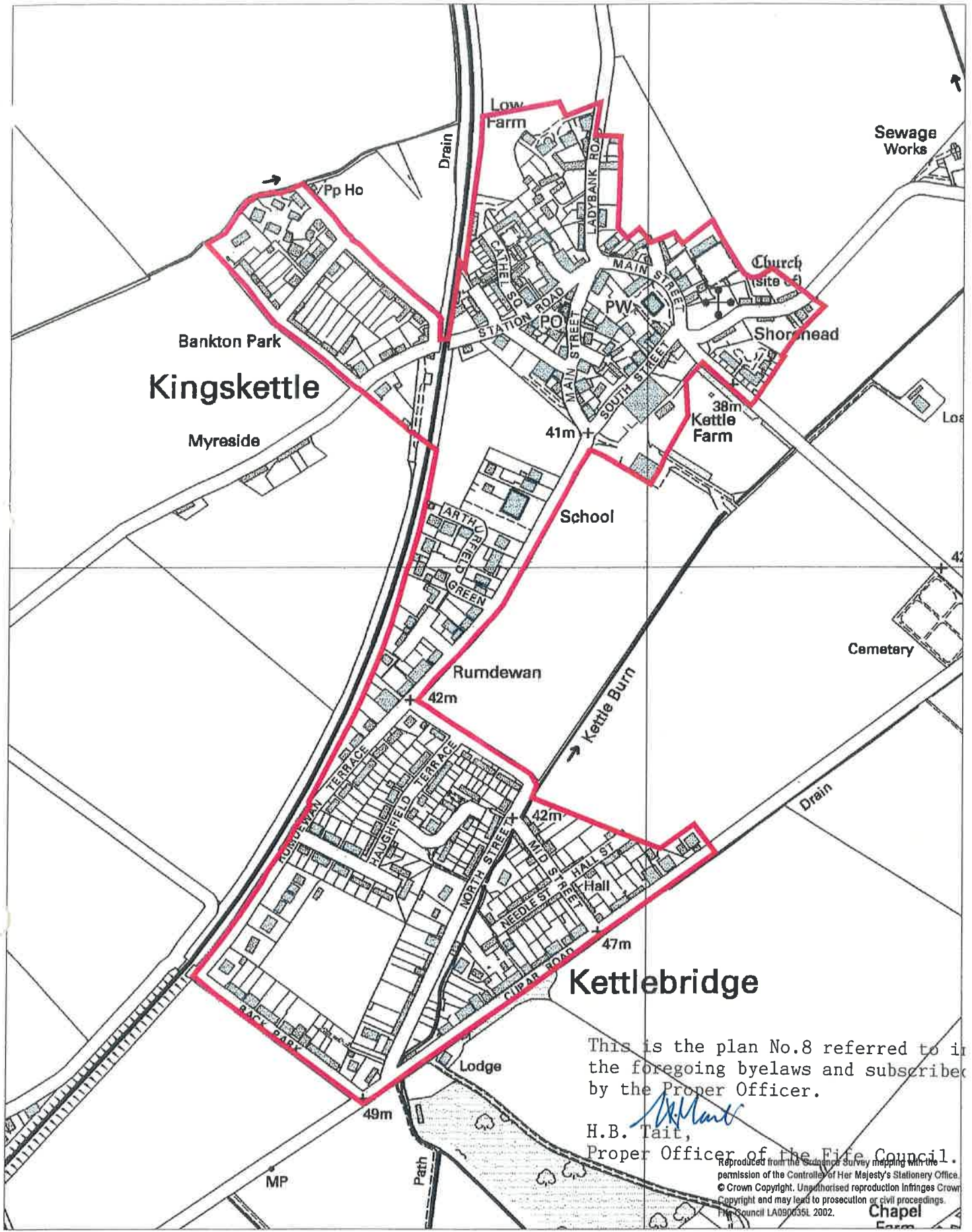
KINGLASSIE PLAN NO. 7

The Fife Council Byelaws Prohibiting
 Consumption of Alcoholic Liquor in
 Designated Public Places



DATE: 20/2/2004

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This is the plan No.8 referred to in the foregoing byelaws and subscribed by the Proper Officer.

H.B. Tait
 H.B. Tait,
 Proper Officer of the Fife Council.

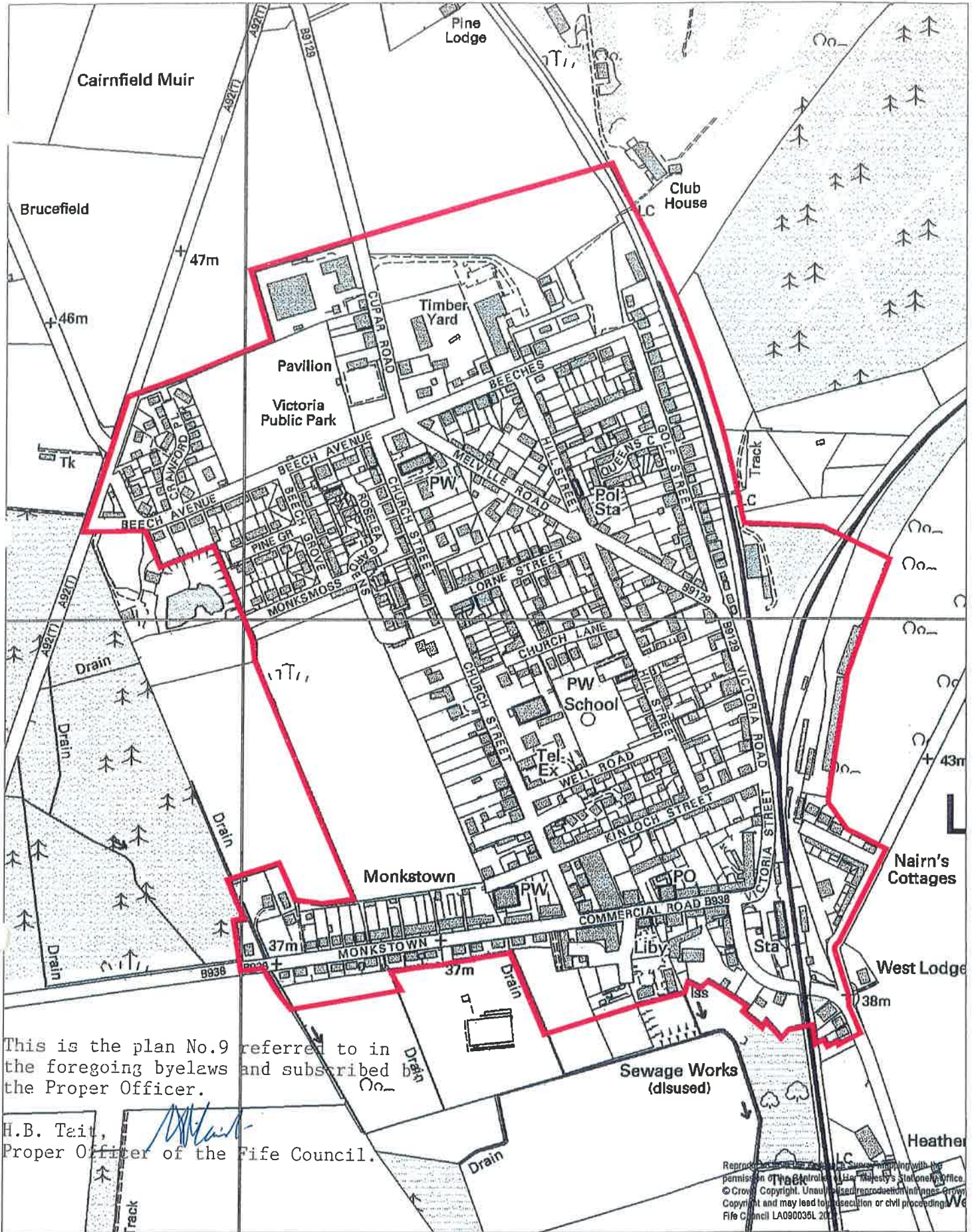
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The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

Kingskettle & Kettlebridge

SCALE: 1:6000
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DATE: 3/2/2004
PLAN No. 8



This is the plan No.9 referred to in the foregoing byelaws and subscribed by the Proper Officer.

H.B. Tait,
Proper Officer of the Fife Council.

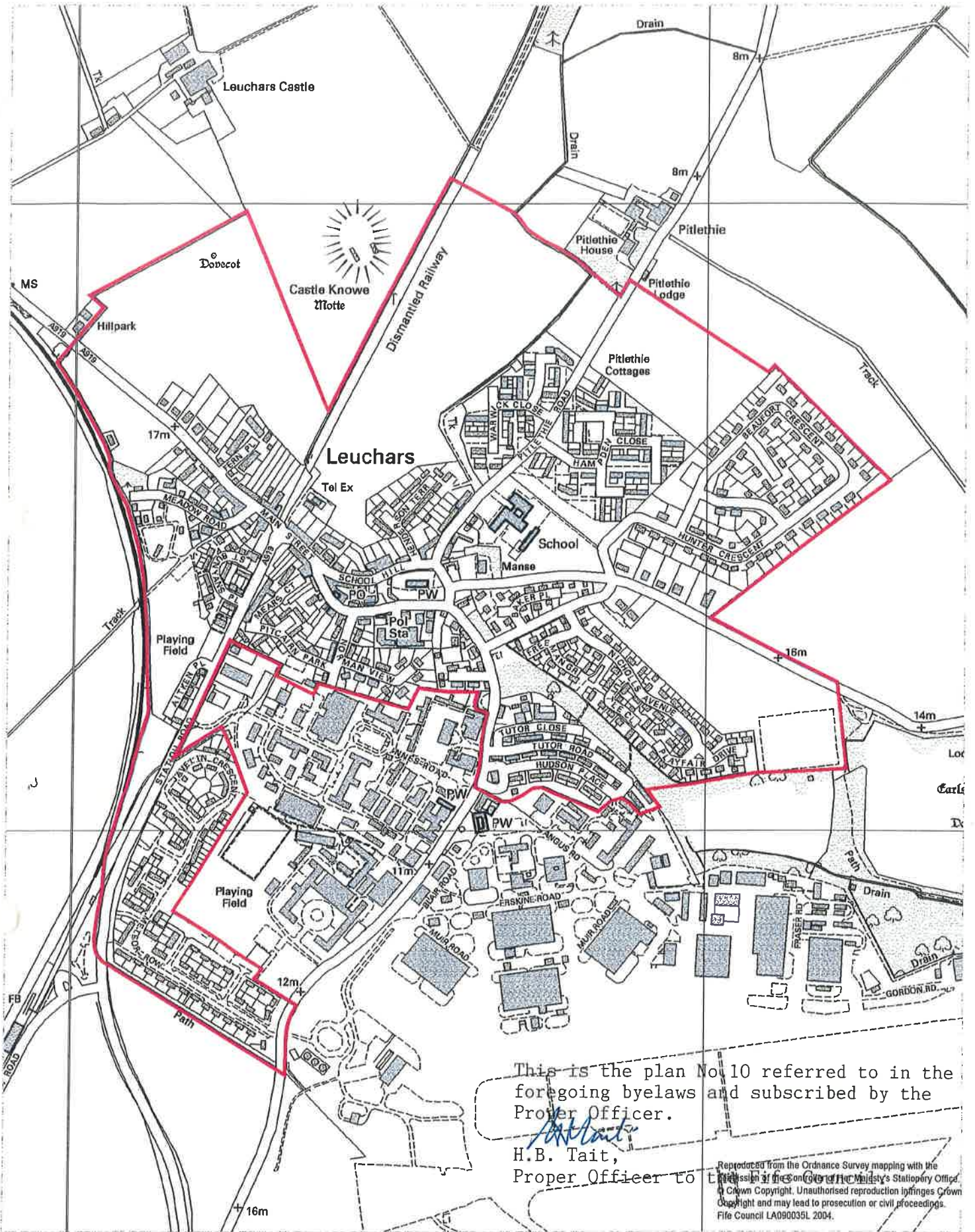
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The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

LADYBANK

SCALE: 1:6000
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DATE: 3/2/2004
PLAN No. 9



The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

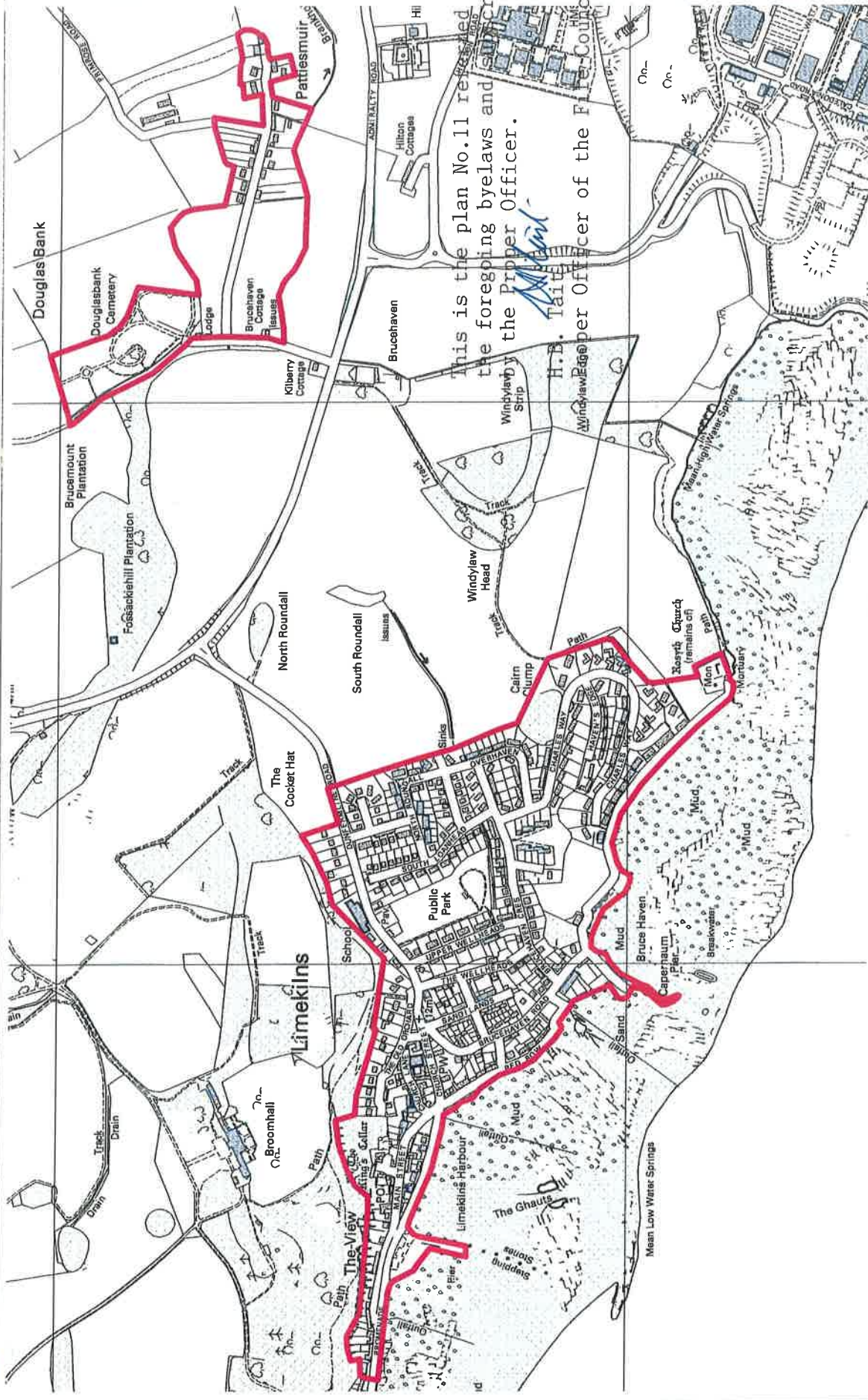
Leuchars

SCALE: 1:8000

DRAWN BY: RR

DATE: 8/1/2004

PLAN No. 10



This is the plan No.11 reviewed to in the foregoing byelaws and described the Proper Officer. H.D. Tait

Limekilns & Pattiesmuir - Plan 1

The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

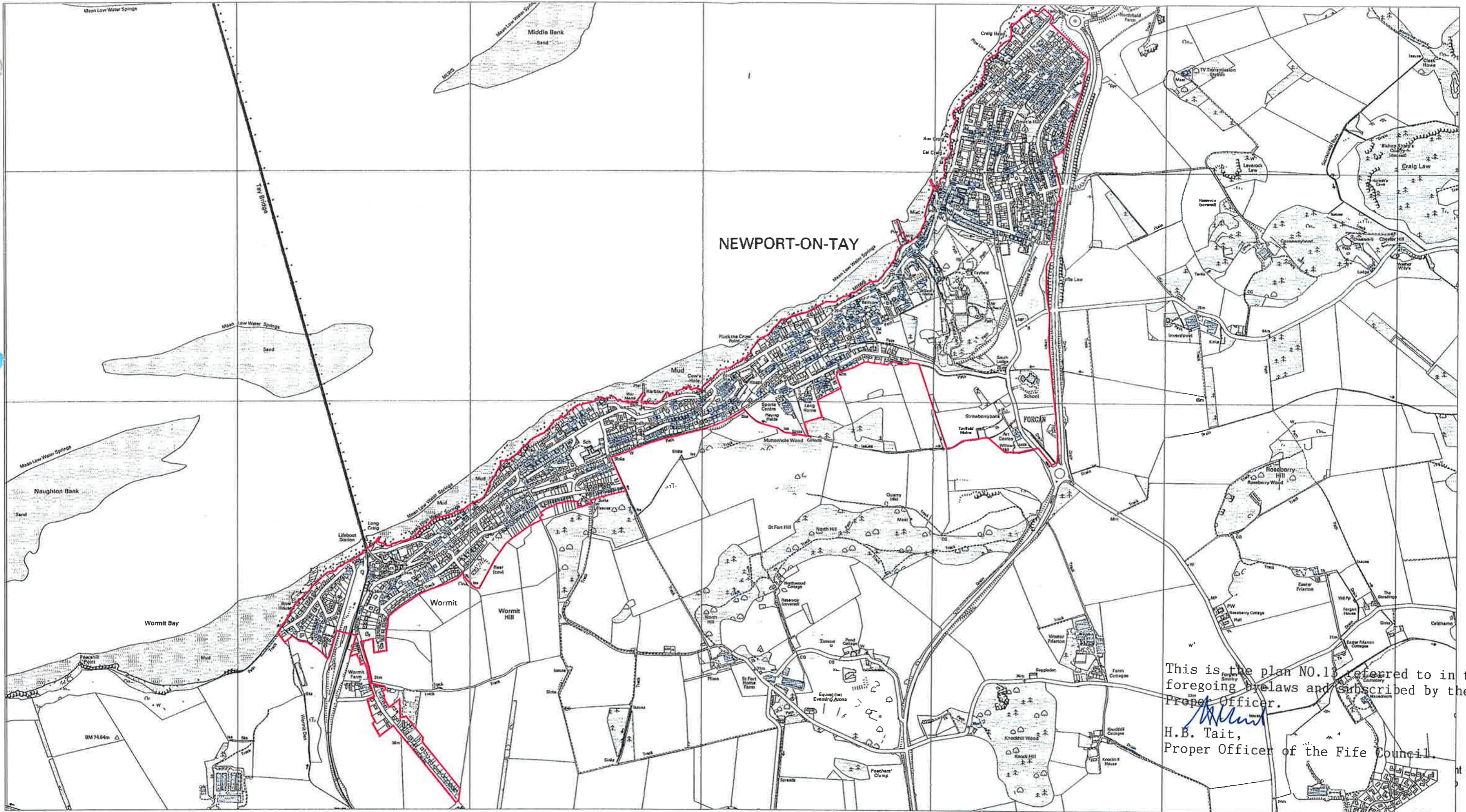
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Organisation

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The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

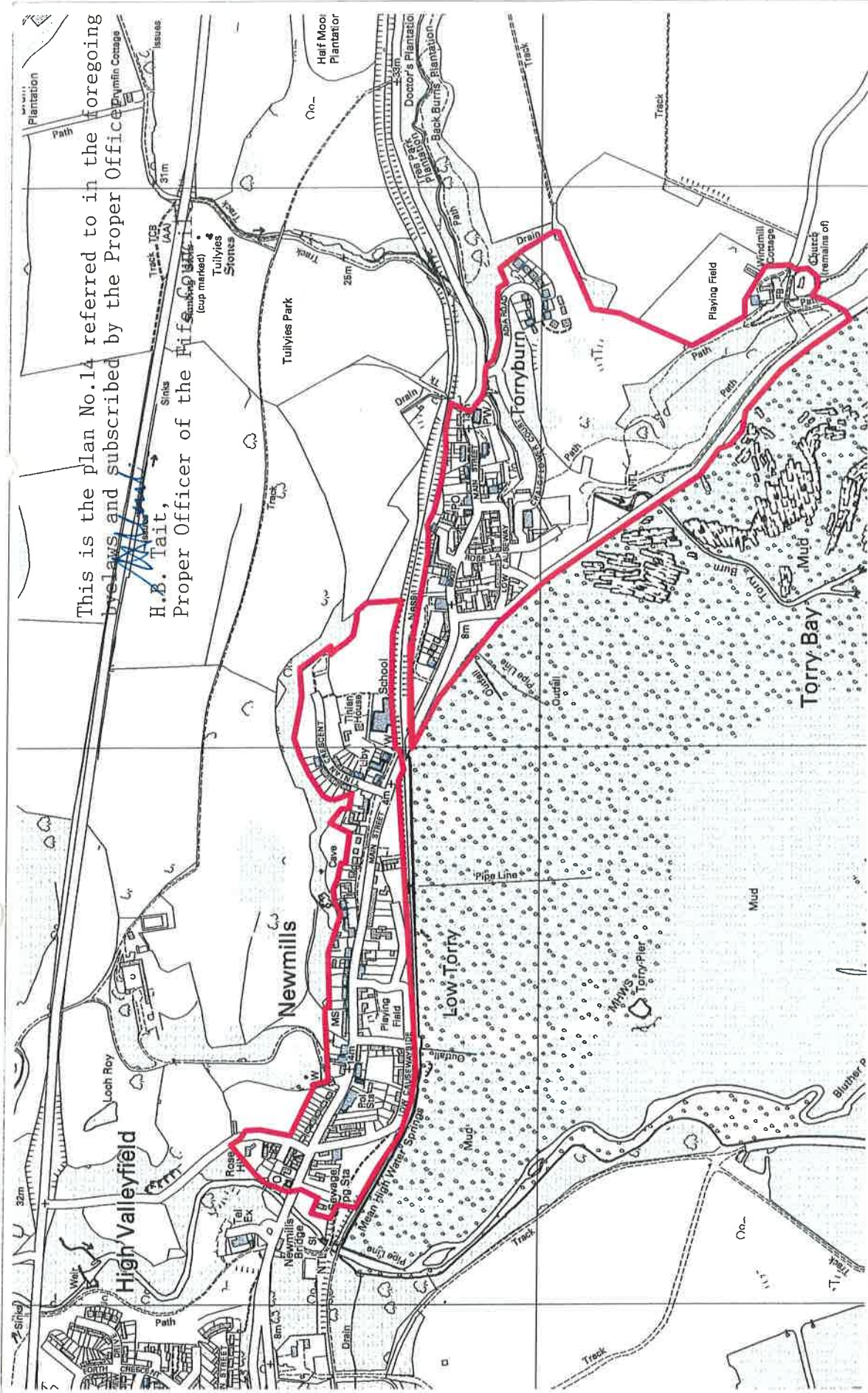
Newport, Wormit and Forgan

SCALE: 1:16000

DRAWN BY: RR

DATE: 8/1/2004

PLAN No. 13



This is the plan No.14 referred to in the foregoing by-laws and subscribed by the Proper Officer of the Fife Council.

H.B. Tait,
Proper Officer of the Fife Council

The Fife Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Public Places

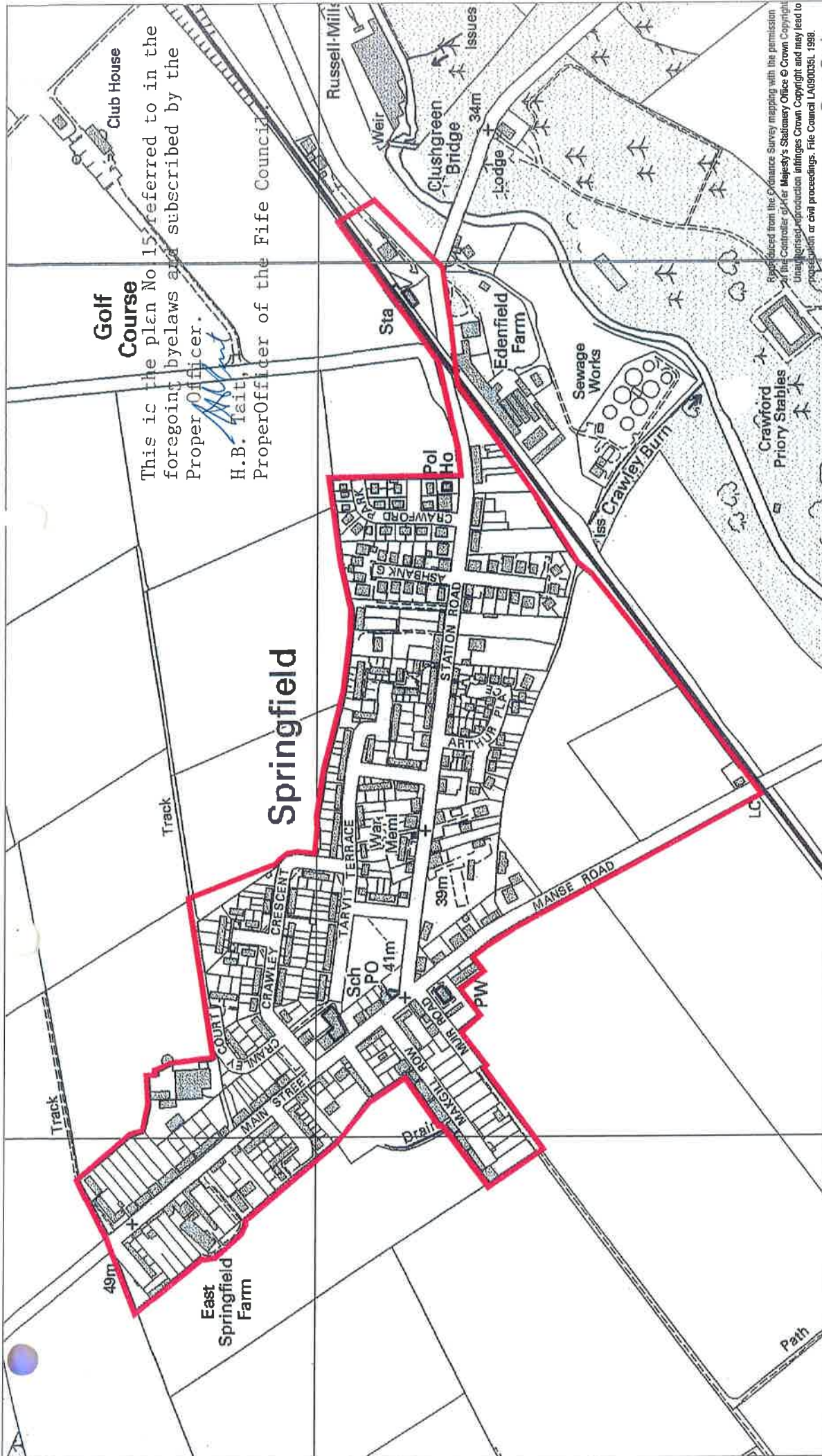
Torryburn and Newmills - Plan 14

SCALE: 1:10000
 DRAWN BY: G. James Ltd
 DATE: 30/12/2003
 Original Drawing No. L:\Graphics\



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The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

SPRINGFIELD

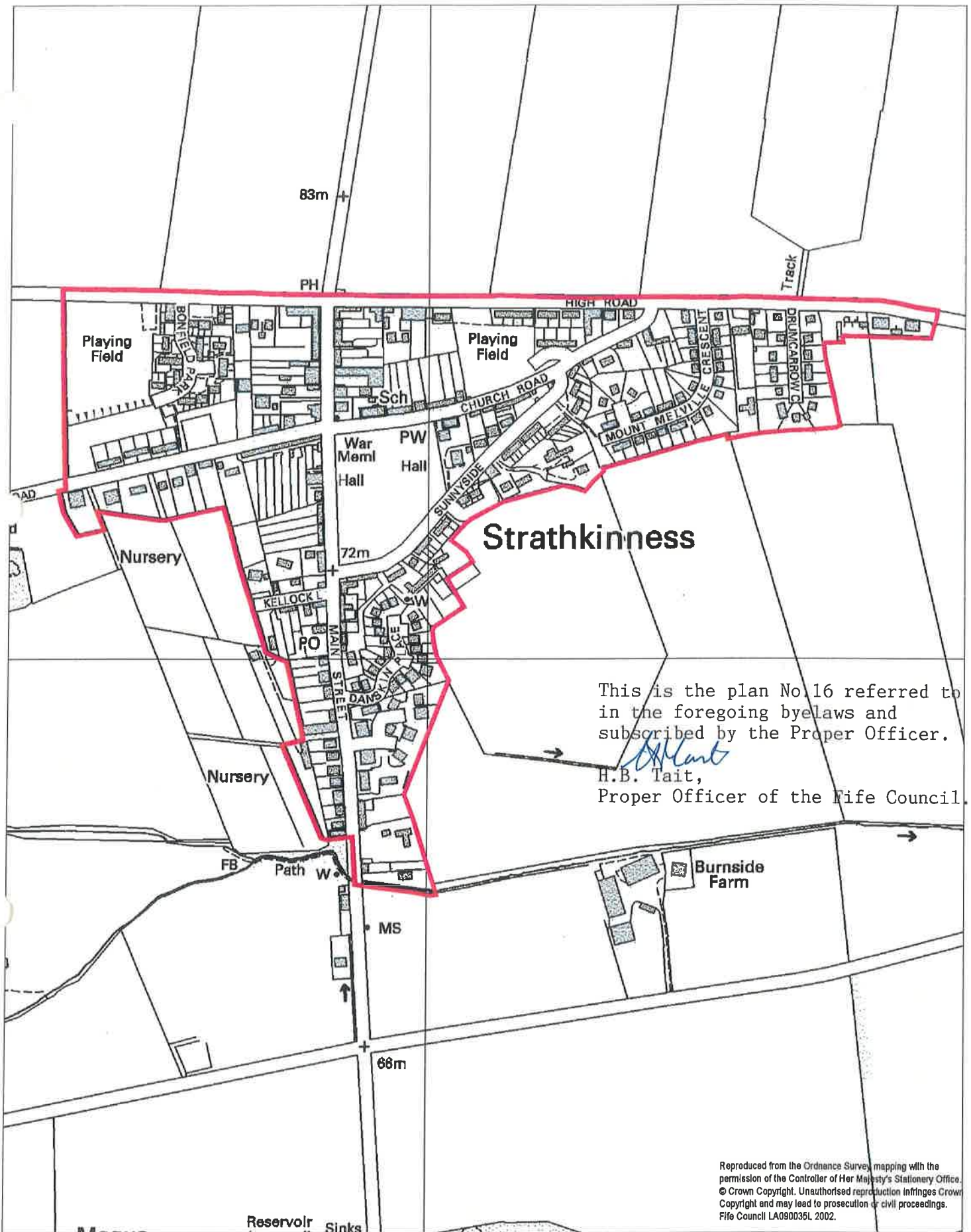
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DATE: 20/2/2004

PLAN No. 15





This is the plan No.16 referred to in the foregoing byelaws and subscribed by the Proper Officer.

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The Fife Council byelaws prohibiting consumption of alcoholic liquor in designated public places

Strathkinness

SCALE: 1:6000
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DATE: 8/1/2004
PLAN No. 16