



*THE FIFE COUNCIL
BYELAWS PROHIBITING
CONSUMPTION OF
ALCOHOLIC LIQUOR IN
DESIGNATED PUBLIC
PLACES
1999*

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, 203 of the Local Government (Scotland) Act 1973, and of all other powers enabling them in that behalf, hereby make 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 meanings 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;

"the 1997 Byelaws" means "The Fife Council Prohibition of Consumption of Alcoholic Liquor in Designated Public Places Byelaws 1997".

(2) These byelaws may be cited as "The Fife Council Prohibition of Consumption of Alcoholic Liquor in Designated Public Places Byelaws 1999".

Application/

Application

2. (1) Subject to paragraph (2) below these byelaws shall not apply:-

(a) on 31st December from 6.00pm until the end of that day;

and

(b) on 1st January until 6.00am.

(2) These byelaws shall not apply:-

(a) on 31st December 1999 from 6.00 am until the end of that day;

(b) on 1st January 2000, for the whole of that day, and

(c) on 2nd January 2000, until 6.00am.

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 provisions of the 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) 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)/

(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.

Amendment of the 1997 Byelaws

6. In byelaw 2 of the 1997 Byelaws:-

(a) at the beginning insert "(1) Subject to paragraph (2) below;" and

(b) at the end add:-

"(2) These byelaws shall not apply –

(a) on 31st December 1999 from 6.00am until the end of that day;

(b) on 1st January 2000, for the whole of that day; and

(c) on 2nd January 2000 until 6.00am."

7. In the Schedule to the 1997 Byelaws, the designated places specified in numbers 6, 17, 18, 19 and 22 and corresponding plans referred to therein are hereby repealed.

Dated the Twenty-fifth day of February, 1999



Head of Law and Administration and
the Proper Officer of The Fife Council

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

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 11 November 1999 as the date on which the byelaws shall come into operation.

DB Carmichael

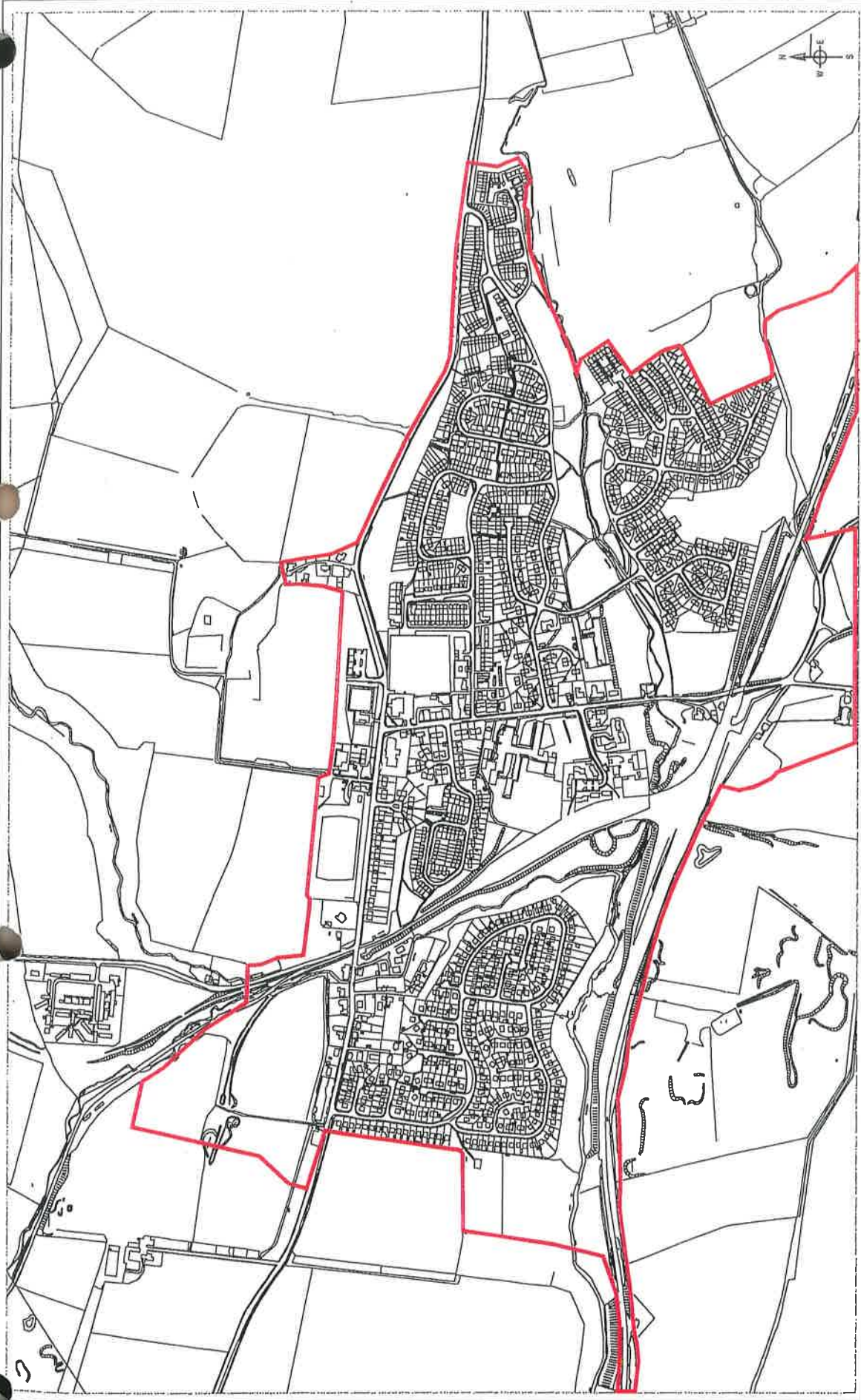
D B CARMICHAEL
Assistant Secretary

Scottish Executive Justice Department
Saughton House
Broomhouse Drive
EDINBURGH
30 September 1999

SCHEDULELIST OF SPECIFIED AREAS

1. The villages of Oakley and Comrie shown within the boundary edged red on Plan 1 annexed and executed as relative hereto.
2. The village of Cairneyhill shown within the boundary edged in red on Plan 2 annexed and executed as relative hereto.
3. The village of Pittenweem shown within the boundary edged in red on Plan 3 annexed and executed as relative hereto.
4. The village of St. Monans shown within the boundary edged in red on Plan 4 annexed and executed as relative hereto.
5. The village of East Wemyss shown within the boundary edged in red on Plan 5 annexed and executed as relative hereto.
6. The town of Rosyth shown within the boundary edged in red on Plan 6 annexed and executed as relative hereto, (which Plan replaces Plan 19 annexed and executed as relative to the 1997 Byelaws).
7. The town of Kincardine shown within the boundary edged in red on Plan 7 annexed and executed as relative hereto, (which Plan replaces Plan 21, annexed and executed as relative to the 1997 Byelaws).
8. The town of Dalgety Bay and the village of Hillend shown within the boundary edged in red on Plan 8 annexed and executed as relative hereto, (which plan replaces Plans 17 and 18 annexed and executed as relative to the 1997 Byelaws).
9. The towns of Glenrothes, Leslie and Markinch shown within the boundary edged in red on Plan 9 annexed and executed as relative hereto, (which Plan replaces Plan 6 annexed and executed as relative to the 1997 Byelaws).

D. S. Allen



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

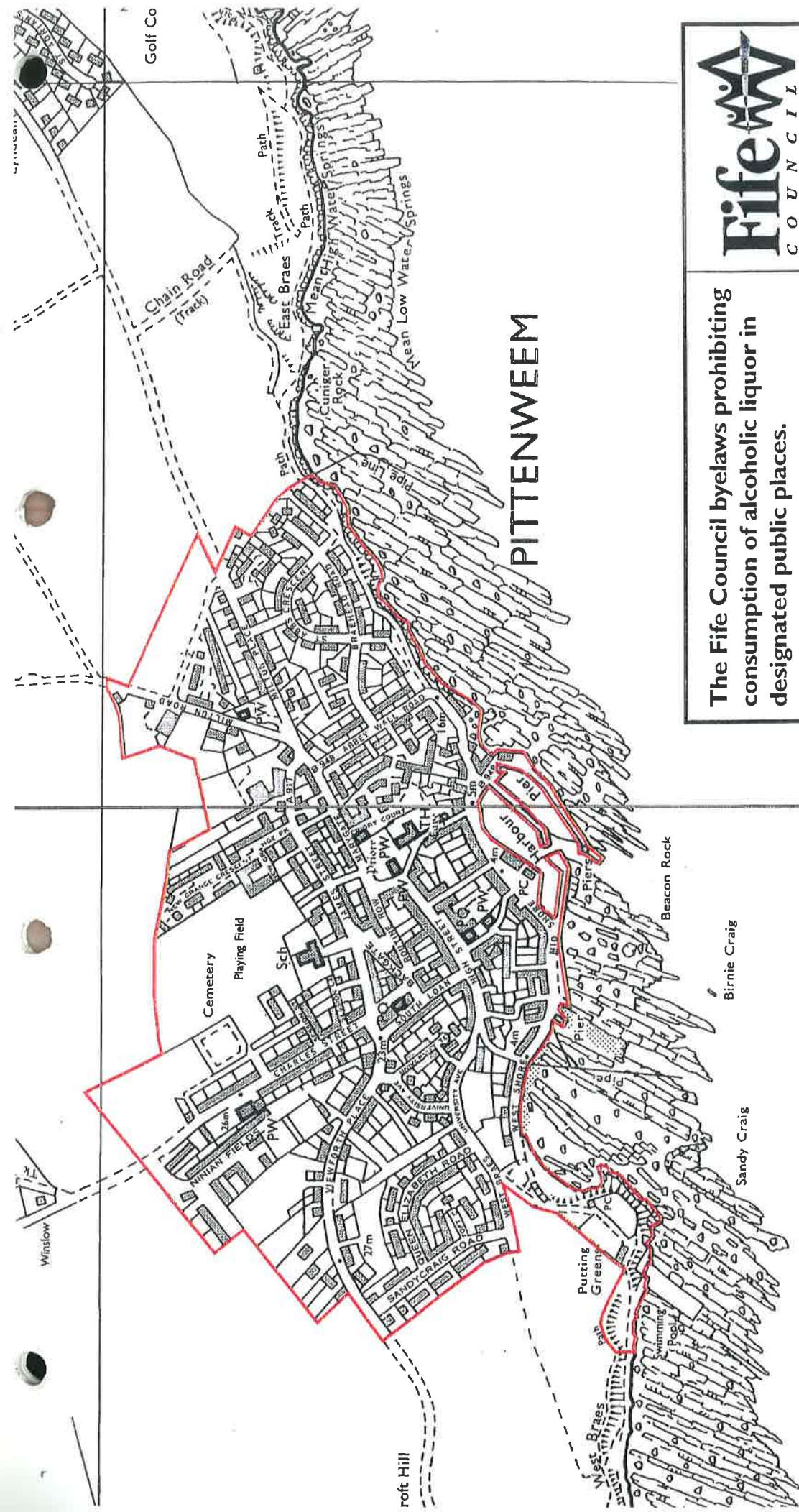


**OAKLEY AND COMRIE
PLAN No. 1**

D. S. S.

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

PLAN No. 3

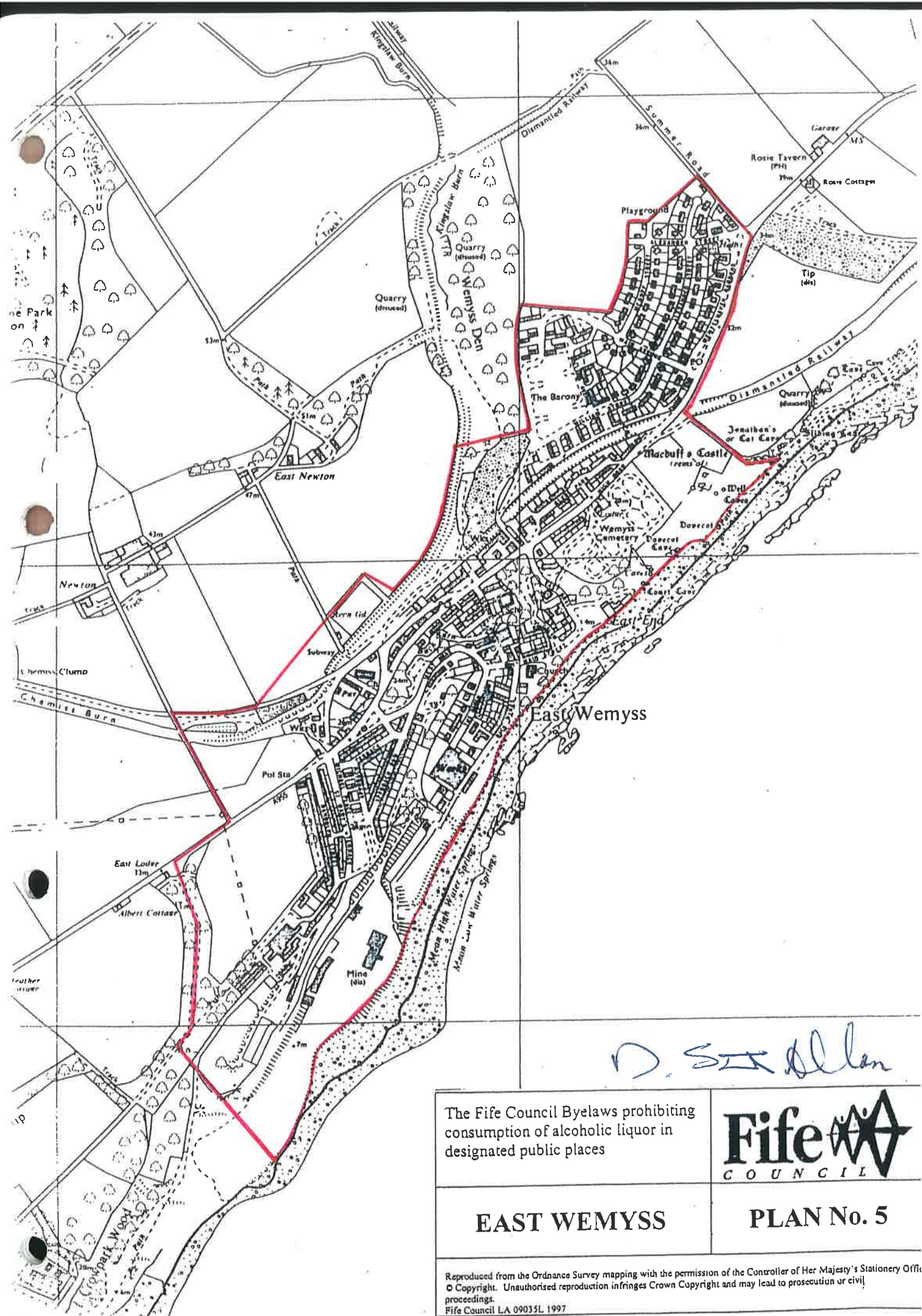
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DATE 19.02.99

PITTENWEEM

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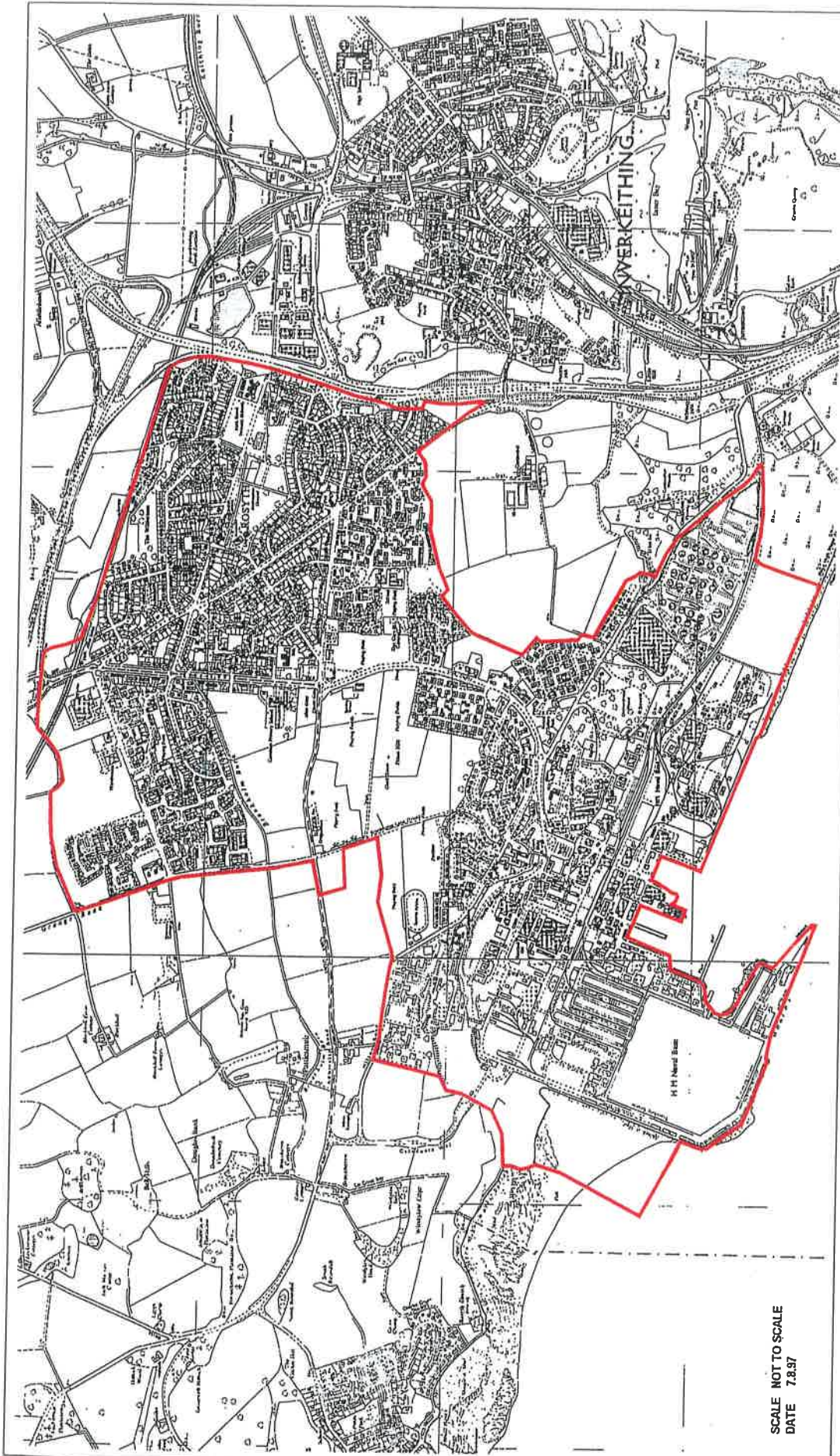
The Fife Council Byelaws prohibiting consumption of alcoholic liquor in designated public places



EAST WEMYSS

PLAN No. 5

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 Fife Council LA 09035L 1997



SCALE NOT TO SCALE
DATE 7.8.97

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



D. S. S. Allen

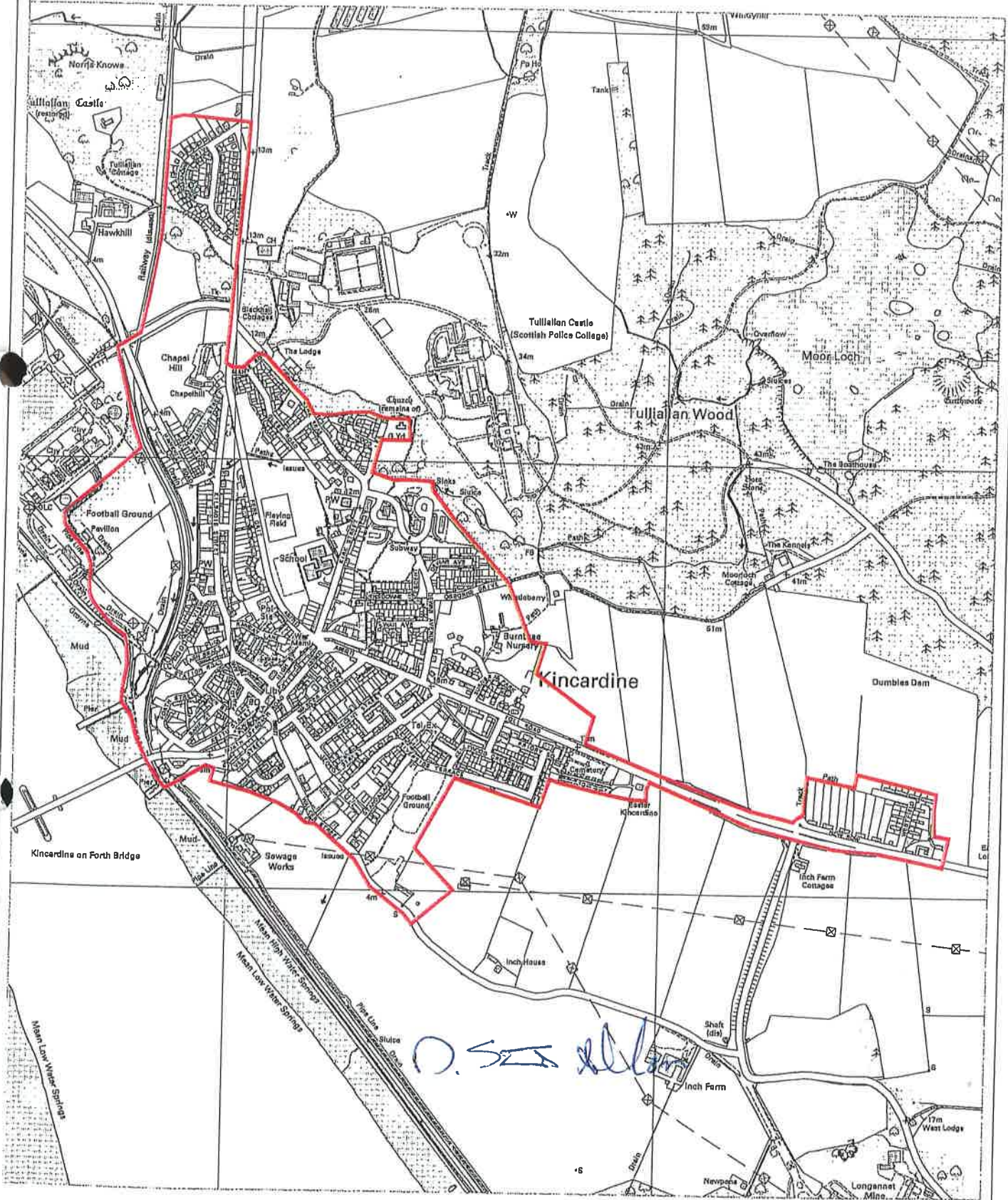
ROSYTH
PLAN No. 6

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The Fife Council Byelaws Prohibiting
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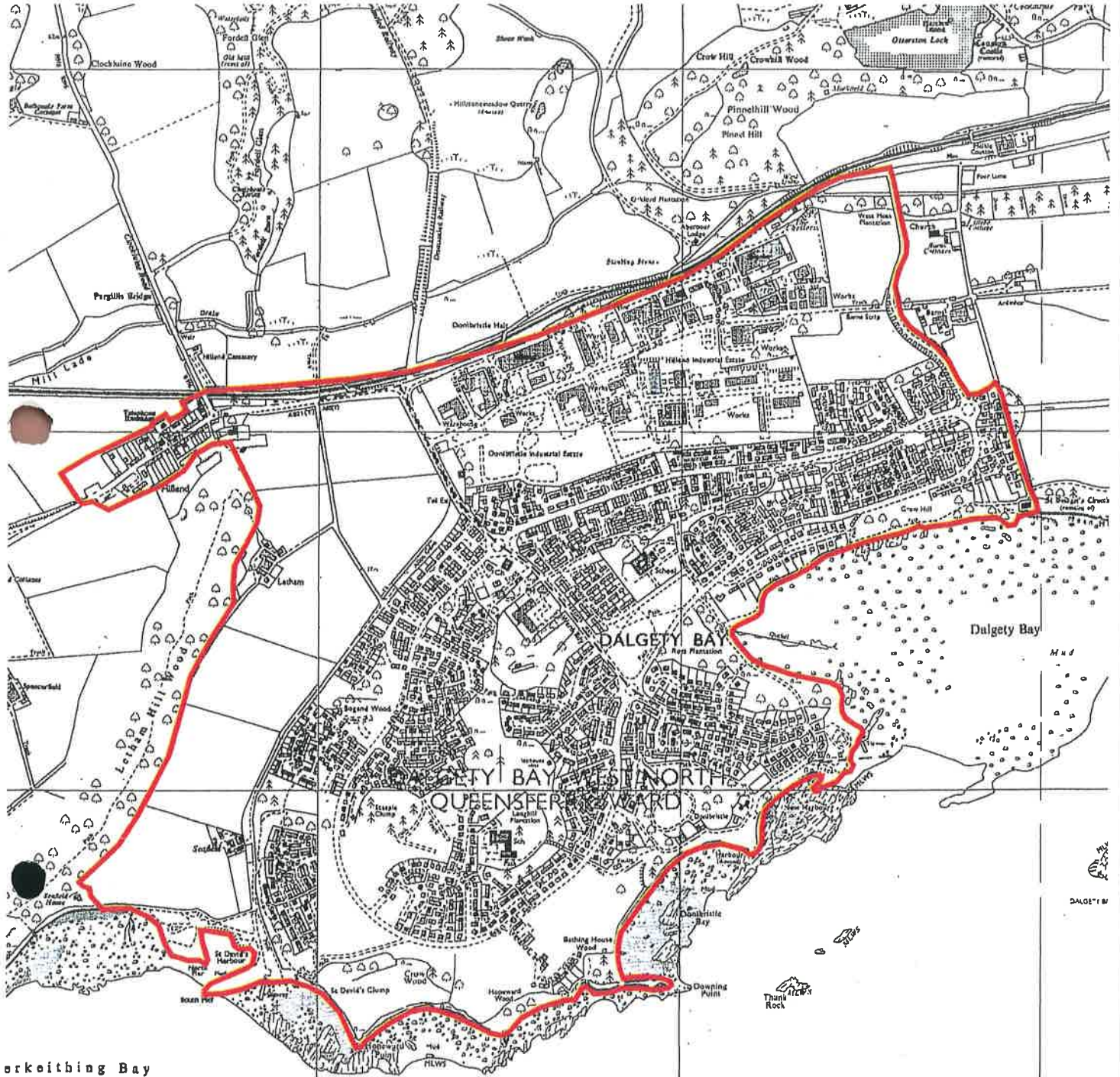
KINCARDINE PLAN No. 7



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



DALGETY BAY AND HILLEND PLAN No. 8



D. S. Allen

SCALE 1/16,000
DATE 7.8.97

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consumption of alcoholic liquor in designated public places



GLENROTHES

PLAN No. 9

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