

# THE HIGHLAND COUNCIL

## THE HIGHLAND COUNCIL BYELAWS PROHIBITING CONSUMPTION OF ALCOHOLIC LIQUOR IN DESIGNATED PLACES (DINGWALL) 2001

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

Interpretation, Application 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 area specified in the Schedule to these byelaws and shown outlined in red on the Plan annexed and signed as relative hereto.

(2) These byelaws shall not apply -

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

(b) on 1 January, until 6.00am.

(3) These byelaws may be cited as "The Highland Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Places (Dingwall) 2001".

Offence.

2.(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 or to do anything which is specifically authorised by any of the provisions of the Licensing (Scotland) Act 1976

(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) 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.

3.(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 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) A person shall not be entitled to lead evidence for the purpose of rebutting a presumption mentioned in paragraphs (2) and (3) above unless, not less than 7 days before the date of trial, he has given notice to the prosecutor of his intention to do so.

Public Notices of Effect.

- 4.(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.

Seal

"David N J Neill"  
David Norman John Neill  
Proper Officer of the Council  
Council Offices,  
High Street,  
Dingwall

16th November 2001  
Date

This is the Schedule referred to in the foregoing "The Highland Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Places (Dingwall) 2001" dated 16th November 2001

## SCHEDULE

### SPECIFIED AREA

The area specified below, in the Highland Local Government area (as defined in Section 1 of and Schedule 1 to the Local Government etc (Scotland) Act 1994) is the specified area for the purpose of these byelaws.

The town of Dingwall, including, but not exclusively,  
Academy Crescent, Academy Park, Achany Road, Argyle Court, Athole Court, Balaclava Buildings, Balnabeen Drive, Bayne Drive, Blackwells Street, Boggan Bank, Bridaig Avenue, Bridaig Cottages, Bridaig Square, Bridgend Avenue, Bridgend Road, Brown Square, Bruce Avenue, Buchanan Court, Burn Place, Burns Crescent, Caberfeidh Avenue, Caberfeidh Terrace, Cambrai Court, Cameron Court, Castle Gardens, Castle Street, Castle Wynd, Castlehill Road, Chestnut Road, Church Street, Churchill Drive, Cluny Hill Road, Cluny Road, Cnoc Place, Commercial Court, Craig Road, Craig Wood, Crawford Street, Cromartie

Car Park, Cromwell Row, Davidson Drive, Deas Avenue, Dewar Square, Dingwall Academy Grounds, Dingwall Bay Water Works, Dingwall Business Park, Dingwall Canal Banks and Footpaths, Dingwall Primary School Grounds and Road, Dingwall Railway Station, Docharty Road, Drumdyre Road, Drynie Court, Ferry Road, Ferry Road Picnic Area, Fingal Road, Firthview, Fodderty Way, Fraser Road, George Street, Gladstone Avenue, Goyal Road, Grant Street, Greenhill Street, Harpers Court, Highland Council Area Office Car Park, High Street, Hill Street, Hill Terrace, Inchvannie Court, Jubilee Park, Jubilee Park Road, Kempfield Court, Kinnairdie Avenue, Kinnairdie Brae, Kintail Place, Knockbain Road, Laurel Bank, Ledvargid Access Road, Leopold Place, Lochiel Place, Logan Drive, Lower Docherty, Macdonald Road, Macintyre Place, Mackay Square, Macleod Place, Macrae Crescent, Macrae Grove, Maggie's Drive, Mansefield, Mayfield, Mayfield Car park, McGregor's Court, Meiklefield Road, Meiklefield Square, Mill Street, Millbank Road, Millcraig Road, Mitchell Hill Cemetery, Mitchell Road, Munro Place, Neil Gunn Place, Neil Gunn Road, Nicols Court, Old Distillery Road, Old Evanton Road, Old River Road, Ormidale Place, Park Street, Pavilion Court, Pefferside Park, Peffery Road, Pitglassie Access Roads, Riverside Field Industrial Estate, Riverside Field Recreational Area, Robert's Bridge, Ross Memorial Hospital Grounds, Ross Wynd, St. Andrew's Road, St. Clement's Burial ground, St. James Street, Seaforth Gardens, Simpson Place, Skiach Gardens, South Car and Lorry Park, Stafford Place, Station Road, Station Square, Strath View, Strathpeffer Road, Strathpeffer Road Industrial Estate, Trinity Court, Tulloch Avenue, Tulloch Castle Drive, Tulloch Farm Road, Tulloch Court, Tulloch Place, Tulloch Square, Tulloch Street, Upper Knockbain Road, Urquhart Road, Ussie Place, Wallace Court, Warden's Lane, Warden's Lane Car Park, War Memorial Garden, Waterloo Place, West Drive, Woodlands Road, Wyvis Terrace, and all other roads and streets, public footpaths, public vehicular parks, burial grounds, gardens, parks, play areas and playing fields within the area outlined in red on the Plan annexed and signed as relative hereto.

Seal

"David N J Neill"  
Proper Officer

The Dingwall Byelaws were confirmed and came into operation on 17th February 2002.  
The map which encompasses the whole town is not available electronically.