

## **Byelaws - Greater Fort William Area and Kinlochleven**

The Highland Council Byelaws Prohibiting Consumption of Alcoholic Liquor in Designated Places (Fort William Area and Kinlochleven) 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 areas 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 (Fort William Area and Kinlochleven) 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.

Proper Officer of the Council Date  
Lochaber House  
High Street  
Fort William

### **Schedule**

#### **List of Specified Areas**

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

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The town of Fort William and villages of Caol and Corpach, including, but not exclusively, Abrach Road, Achintee Road, Achintore Road, Albyn Drive, Alma Road, Angus Crescent, An Aird, Annat View, Ardgour Road, Arkaig Crescent, Ardlinnhe Road, Ardnevis Road, Argyll Road, Argyll Terrace, Ashburn Lane, Ayr Place, Badabrie Road, Battlefield Crescent, Banff Crescent, Bank Street, Banavie Road, Belford Road, Ben Nevis Drive, Birch Road, Blar Mhor Road, Braemore Place, Broom Drive, Bruce Place, Bute Place, Caithness Place, Caledonian Road, Camaghael Road, Camanachd Crescent, Cameron Place, Cameron Road, Camesky Road, Carn Dearg Road, Castle Drive, Charlecote Road, Claggan Road,

Clerk Drive, Clunes Avenue, Connochie Road, Croft Road, Cromarty Crescent, Crown Cottages, The Corries, Douglas Place, Drumfada Terrace, Dudley Road, Dumbarton Road, Dumfries Place, Earl of Inverness Road, Erracht Drive, Erracht Terrace, Farrow Drive, Fassifern Road, Fern Court, Fife Place, Galloway Place, Glasdrum Road, Glasdrum Court, Glasdrum Mews, Glendessary Street, Glenkingie Street, Glenkingie Terrace, Glenloy Street, Glenmallie Road, Glenmallie Terrace, Glen Nevis Place, Glen Nevis Road Glenpane Street, Gordon Square, Gorse Place, Grant Place, Grange Road, Grange Terrace, Guisach Terrace, Gulvain Crescent, Heathercroft, Heather Grove, Henderson Row, High Street, Hill Road, Hillview Drive, Inverlochy Court, Inverlochy Place, Kennedy Road, Kilmallie Road, Kincardine Place, Kinross Place, Lady Maragaret Drive, Laggan Road, Lanark Place, Lochaber Place, Lochaber Road, Lochiel Crescent, Lochiel Road, Lochview Drive, Lochy Crescent, Lochy Road, Lothian Place, Lundavra Crescent, Lundavra Road, Lundy Gardens, Lundy Road, MacKay Crescent, MacMillan Place, Mamore Crescent, Mary Street, McAlpine Place, MacQuarrie Court, Melantee, Montrose Avenue, Montrose Mansions, Montrose Square, Monzie Square, Moray Place, Morvern Place, Mossfield Drive, Moss Road, Nairn Crescent, Nevis Road, North Road, Orkney Place, The Parade, Parkan Dubh, Perth Place, Pob's Drive, Polmona, Ravensdale Reclaim Way, Renfrew Place, Riverside Park, Ross Place, Roxburgh Place, Seafield Gardens, Seaview Terrace, Selkirk Place, Shaw Place, Stirling Place, St John's Road, Strone Place, Sutherland Avenue, Telford Place, Telford Road, Tomonie, Torlundy Road, Treig Road, Union Road, Victoria Road, Wades Road, Wallace Place, Walter Cameron Way, Wigtown Place, Young Place, Zetland Avenue and other roads and streets, public gardens, parks and playing fields within the area outlined in red on the Plan annexed and signed as relative hereto.

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The village of Kinlochleven, including but not exclusively Appin Road, Back Foyers Road, Brown Terrace, Callart Road, Corrie Road, Foyers Road, Garbhein Crescent, Garbhain Road, Glendale Road, Gordon Square Heatherlea Court, Hill Crescent, Kearan Road, Leven Road, Leys Road, Lismore Road, Lochaber Road, Lochaber Crescent, Locheilde Road, Lovat Road, Mamore Road, Morrison Crescent, Nevis Road, Park Road, Riverside Road, Rob Roy Road, Stevenson Terrace, Sutherland Avenue, Wades Road, Walker Court and other roads and streets, public gardens and playing fields within the area outlined in red on the Plan annexed and signed as relative hereto.