



Customer Services
Executive Director: Douglas Hendry

Governance and Law

Local Area Community Planning Partnership
C/o Shirley MacLeod
Area Governance Manager
Customer Services
Argyll and Bute Council
Hill Street
Dunoon

Kilmory, Lochgilphead PA31 8RT
Tel: 01546 604192 Fax: 01546 604373
DX No: 599700 LOCHGILPHEAD
e-mail: charles.reppke@argyll-bute.gov.uk
Website: www.argyll-bute.gov.uk

Our Ref: CR/SM/000776
Your Ref:
Date: 26 July 2012

Dear Madam

**BYELAWS PROHIBITING THE CONSUMPTION OF ALCOHOLIC DRINK
IN DESIGNATED PUBLIC PLACES - OBAN**

Argyll and Bute Council is reviewing the existing byelaw within Oban prohibiting the consumption of alcoholic drink in designated public places.

The Oban, Lorn and the Isles Area Committee recommended to the Council that a revision of the existing byelaw is investigated to include the Soroba, Glengallan and Pulpit Hill areas of Oban. The Executive Director – Customer Services was instructed to initiate the process for this revision.

Where Elected Members of Argyll and Bute Council have resolved to investigate an amendment to the geographical area of an existing byelaw the views of relevant parties are sought. You have been identified as a party whose views should be obtained and set out below is further information detailing the matters on which your views are sought.

I would be grateful if you would consider the proposal and provide a response to the questions posed together with any other information you feel might be relevant.

Proposal:

The proposal is to extend the area in Oban covered by the byelaw prohibiting the consumption of alcoholic drink in designated public places to include Soroba, Glengallan and Pulpit Hill areas of Oban.

Accompanying this letter is a plan which shows the geographical boundary of the Oban byelaw as it presently stands together with the proposed extension areas and the revised boundary clearly marked.

If all of the area shown on the plan is covered by a byelaw the effect would be that any person consuming alcohol in any place within that area to which the public have access would be committing a criminal offence.



Creation of Bye-Law:

Argyll and Bute Council has the power to create and promote byelaws in accordance with Sections 201, 202 and 203 of the Local Government (Scotland) Act 1973 as amended by Section 110 of the Civic Government (Scotland) Act 1982. Any proposal for the amendment to the byelaw must be subject to application to the Scottish Ministers for approval. Prior to this, notice must be given in newspapers circulating within the area where the byelaws are to have effect stating that application is to be made to the Scottish Ministers and that the byelaw may be inspected by the public who may object to the byelaw. If objections are made the Scottish Ministers may order a Public Local inquiry be held to hear the case for and against the byelaw.

Consultation:

It is essential to the process that there is consultation involving relevant and interested parties. It is considered that the relevant parties for such a consultation are Strathclyde Police, the Procurator Fiscal, the Licensed Trade Association, Community Safety Forum, Local Area Community Planning Partnership and the Community Council.

As part of the consultation process responses are requested from these bodies to the following:

13. Do you agree with the proposal to amend the existing area covered by the byelaw prohibiting the consumption of alcoholic drink within the environs of Oban?

If yes, please specify your reasons why.

If not, please specify your reasons why.

14. Do you agree with the proposed scope of the geographical area to be covered by the byelaw as shown on the plan annexed to this consultation document?

If you do not agree, please indicate on the map what area should be designated.

Please provide detailed reasons and any evidence available for this.

15. Are there any other comments you wish to make on the proposal to extend the Oban byelaw

Consultation Period:

Responses are requested by **24 August 2012**.

Responses should be sent to Argyll and Bute Council, Customer Services, Scotcourt House, 45 West Princes Street, Helensburgh G84 8BP.

A response will be collated in a report submitted to the Council as soon as possible after the close of the consultation period.

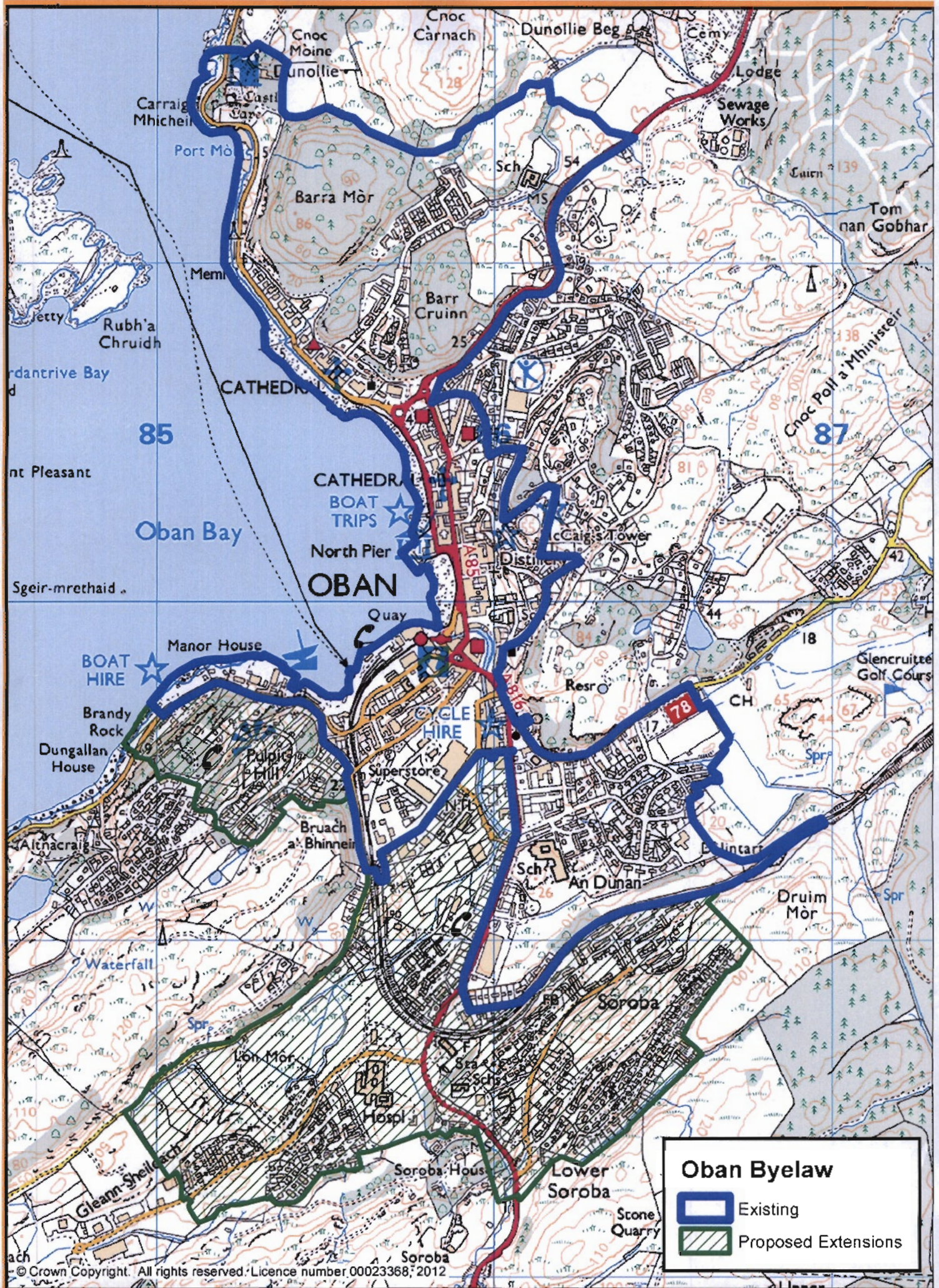
Yours faithfully

Stella M Macfarlane

Charles Reppke
Head of Governance and Law

If 'phoning please ask for: Robert Cowper





Customer Services
Executive Director: Douglas Hendry

Governance and Law

Community Safety Partnership
C/o Shirley MacLeod
Area Governance Manager
Customer Services
Argyll and Bute Council
Hill Street
Dunoon

Kilmory, Lochgilphead PA31 8RT
Tel: 01546 604192 Fax: 01546 604373
DX No: 599700 LOCHGILPHEAD
e-mail: charles.reppke@argyll-bute.gov.uk
Website: www.argyll-bute.gov.uk

Our Ref: CR/SM/000776
Your Ref:
Date: 26 July 2012

Dear Madam

BYELAWS PROHIBITING THE CONSUMPTION OF ALCOHOLIC DRINK IN DESIGNATED PUBLIC PLACES - OBAN

Argyll and Bute Council is reviewing the existing byelaw within Oban prohibiting the consumption of alcoholic drink in designated public places.

The Oban, Lorn and the Isles Area Committee recommended to the Council that a revision of the existing byelaw is investigated to include the Soroba, Glengallan and Pulpit Hill areas of Oban. The Executive Director – Customer Services was instructed to initiate the process for this revision.

Where Elected Members of Argyll and Bute Council have resolved to investigate an amendment to the geographical area of an existing byelaw the views of relevant parties are sought. You have been identified as a party whose views should be obtained and set out below is further information detailing the matters on which your views are sought.

I would be grateful if you would consider the proposal and provide a response to the questions posed together with any other information you feel might be relevant.

Proposal:

The proposal is to extend the area in Oban covered by the byelaw prohibiting the consumption of alcoholic drink in designated public places to include Soroba, Glengallan and Pulpit Hill areas of Oban.

Accompanying this letter is a plan which shows the geographical boundary of the Oban byelaw as it presently stands together with the proposed extension areas and the revised boundary clearly marked.

If all of the area shown on the plan is covered by a byelaw the effect would be that any person consuming alcohol in any place within that area to which the public have access would be committing a criminal offence.

/...

Creation of Bye-Law:

Argyll and Bute Council has the power to create and promote byelaws in accordance with Sections 201, 202 and 203 of the Local Government (Scotland) Act 1973 as amended by Section 110 of the Civic Government (Scotland) Act 1982. Any proposal for the amendment to the byelaw must be subject to application to the Scottish Ministers for approval. Prior to this, notice must be given in newspapers circulating within the area where the byelaws are to have effect stating that application is to be made to the Scottish Ministers and that the byelaw may be inspected by the public who may object to the byelaw. If objections are made the Scottish Ministers may order a Public Local inquiry be held to hear the case for and against the byelaw.

Consultation:

It is essential to the process that there is consultation involving relevant and interested parties. It is considered that the relevant parties for such a consultation are Strathclyde Police, the Procurator Fiscal, the Licensed Trade Association, Community Safety Forum, Local Area Community Planning Partnership and the Community Council.

As part of the consultation process responses are requested from these bodies to the following:

10. Do you agree with the proposal to amend the existing area covered by the byelaw prohibiting the consumption of alcoholic drink within the environs of Oban?

If yes, please specify your reasons why.

If not, please specify your reasons why.

11. Do you agree with the proposed scope of the geographical area to be covered by the byelaw as shown on the plan annexed to this consultation document?

If you do not agree, please indicate on the map what area should be designated.

Please provide detailed reasons and any evidence available for this.

12. Are there any other comments you wish to make on the proposal to extend the Oban byelaw

Consultation Period:

Responses are requested by **24 August 2012**.

Responses should be sent to Argyll and Bute Council, Customer Services, Scotcourt House, 45 West Princes Street, Helensburgh G84 8BP.

A response will be collated in a report submitted to the Council as soon as possible after the close of the consultation period.

Yours faithfully

Charles Reppke

Charles Reppke
Head of Governance and Law

If 'phoning please ask for: Robert Cowper



