

**THE CITY OF DUNDEE DISTRICT
LICENSING BOARD**



**BYELAWS
FOR
LICENSED PREMISES**

1978

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The City of Dundee District Licensing Board (hereafter referred to as the "licensing board") in exercise of the powers conferred on them by section 38 of the Licensing (Scotland) Act 1976 hereby enact the following byelaws:-

1. Unless the context otherwise requires the interpretation provisions of section 139 of the Licensing (Scotland) Act 1976 apply to these byelaws.
2. The Interpretation Act 1889 applies to the interpretation of these byelaws as it applies to the interpretation of an Act of Parliament.
3. The holder of a licence other than a hotel licence or a restricted hotel licence shall not reside in his licensed premises but he may reside in the tenement or building of which the premises form part, provided there is no door or other direct internal means of access between the licensed premises and his dwellinghouse.
4. All wines, made-wines and spirits sold by the holder of an off-sale licence shall be sold in corked, stoppered or sealed vessels, cans, jars or casks but this byelaw shall not apply to licensed premises where no groceries are kept or sold and where a bona fide wholesale business in alcoholic liquor is carried on.
5. Every holder of a hotel licence or a public house licence shall keep prominently displayed on all bar counters on his premises, and shall as necessary renew, a sufficient supply of drinking water for the use of patrons of the premises and shall also prominently display and keep for sale within the premises and renew as necessary a reasonable supply of eatables such as potato crisps, filled sandwiches or biscuits.
6. The licensing board may cause a list of all applications to be submitted to the licensing board at any of its meetings to be printed and such printed lists may contain a statement of the number of licensed premises in The City of Dundee District, together with such other information as the licensing board may from time to time determine.
7. The licensing board may attach the following conditions specified in the following Column 1 to licences granted by them of the types specified in the following Column 2.

COLUMN 1 CONDITIONS WHICH MAY BE ATTACHED TO LICENCES	COLUMN 2 TYPES OF LICENCE TO WHICH CONDITIONS MAY BE ATTACHED
<p>The licence holder shall ensure that -</p> <p>(i) So long as there is not in force with respect to the licensed premises a fire certificate in terms of the Fire Precautions Act 1971 the licensed premises are provided with (a) adequate means of escape in case of fire, and (b) adequate means for securing that the means of escape with which the licenses premises are provided from time to time can be safely and effectively used at all material times.</p>	<p>(i) All types of licences except off-sale licenses.</p>

<p style="text-align: center;">COLUMN 1 CONDITIONS WHICH MAY BE ATTACHED TO LICENCES</p>	<p style="text-align: center;">COLUMN 2 TYPES OF LICENCE TO WHICH CONDITIONS MAY BE ATTACHED</p>
<p>(ii) The licensed premises are provided with sufficient toilet accommodation and such toilet accommodation shall be sufficiently ventilated and maintained in good and clean order and condition and shall at all times be provided with hot and cold running water, soap and hand drying facilities.</p> <p>(iii) The playing of darts within the licensed premises is not permitted unless in a part thereof clearly reserved for that purpose or unless in a separate room set apart for that purpose.</p> <p>(iv) Without the prior written approval of the licensing board, there is not permitted in a public or common part of the licensed premises as defined in section 35 of the Licensing (Scotland) Act 1976 (a) the playing of any musical instrument or the singing by hired artistes or customers, or (b) the use of wireless, television, gramophones, tape reproducers and automatic music systems (including coin operated record players). The licence holder shall also ensure that all wireless and television sets in use in a public or common part of the licensed premises are under control of the licence holder or his staff, that no charge is made for the use of these facilities and that normal lighting is retained when television sets are in operation. Any licensing board approval of the provision of music and/or signing in the premises may be within by the Clerk of the licensing Board on him being informed by the Chief Environmental Health Officer that the music or singing is causing annoyance or inconvenience to residents in the building of which the licensed premises form part or to residents in nearby buildings. The control of all gramophones, tape reproducers and automatic music systems (including coin operated record players) permitted by the licensing board in the premises shall be retained by the licence holder or his staff and in the case of coin operated record players this control shall be exercised by means of an on/off switch and a volume control panel with reject button all situated behind the bar counter and such players shall be regulated to ensure that the playing of all selected records therein is completed prior to the end of the relative permitted hours.</p>	<p>(ii) All types of licences except off-sale licences.</p> <p>(iii) All types of licences.</p> <p>(iv) All types of licences.</p>

8. Where an application is made to the licensing board for the grant of a hotel licence or a public house licence the licensing board may, if it thinks it inexpedient to grant the applicant the type of licence for which the application has been made, grant to an applicant for a hotel licence a public house licence, a restricted hotel licence or a restaurant licence and to an applicant for a public house licence an entertainment licence, a refreshment licence or a restaurant licence.

9. If the holder of any licence or any employee or agent of his commits a breach of any of the foregoing byelaws or of any condition attached to a licence by virtue of these byelaws he shall be guilty of an offence and on conviction thereof shall be liable to the penalties prescribed in section 67 of the Licensing (Scotland) Act 1976 and in Schedule 5 to that Act.
10. The byelaws made and enacted by the Licensing Court for The City of Dundee District in terms of section 64 of the Licensing (Scotland) Act 1959 on 28th October 1875 and confirmed by the Secretary of State for Scotland on 12th February 1976 are hereby repealed.

Dated at Dundee this Fourteenth day of June, Nineteen Hundred and Seventy Eight.

GORDON S WATSON
Clerk of the Licensing Board.

Confirmed by the Secretary of State for Scotland

A.T.F. OGILVIE
Assistant Secretary

Scottish Home and Health Department
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27th July 1978