

- 3.4 Byelaws, once reviewed and established, are in situ for a period of 10 years. If a change of circumstances emerge within the designated areas, byelaws can be reviewed within the 10 year period in line with Scottish Government Guidelines. Changes to the byelaws would be subject to public consultation and require approval and confirmation by the Scottish Government.
- 3.5 Enforcement of the byelaw is provided for in sections 128 and 129 of the Antisocial Behaviour etc. (Scotland) Act 2004 which gives police powers to issue a fixed penalty notice for drinking alcohol in contravention of byelaws made under sections 201-203 of the 1973 Act. If an offender refuses to pay the fixed penalty notice or wishes to challenge the allegation in court and is found guilty, the offender is liable on summary conviction to a fine not exceeding level 2 (£500) on the standard scale.
- 3.6 Police Scotland have been consulted on a review of the Consumption of Alcohol Byelaw given their knowledge of crime figures and powers of arrest to tackle alcohol related anti- social behavior. They have not provided any comment.

4.0 CONCLUSION

- 4.1 The Byelaws in respect of consumption of alcohol designated places in Argyll and Bute is due for review in February 2024. In light of the fact that no comments have been received from Police Scotland, it is recommended that no change to the Byelaws is