EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order extends, by adding thereto the area specified in the Schedule, that part of the metropolis in which, under section 113 of the Licensing Act, 1953, special hours certificates may be granted for certain hotels and restaurants.

1954 No. 1180 (S. 111)

The Licensing (Scotland) Order, 1954

Made - - - -	*8th September*, 1954
Laid before Parliament	*14th September*, 1954
Coming into Operation	*15th September*, 1954

Whereas by subsection (2) of section 10 of the Licensing (Scotland) Act, 1903(a) (hereinafter referred to as "the Act of 1903") it is provided that as soon as may be after each census the Secretary of State shall issue an order or orders under his hand declaring the population of each county, burgh and district according to such census and may prescribe therein the date or dates at which alterations in the licensing courts and courts of appeal consequential on any increase or decrease of population shall take effect:

And whereas it is further provided by the said subsection that where according to the census last taken the population of a burgh or burghs in any county has so increased or decreased as to necessitate an alteration in the Second Schedule to the Act of 1903, the Secretary of State shall by order under his hand alter the said Schedule so that every burgh in the county containing a population of or exceeding seven thousand and under twenty thousand (and no other burgh) shall be included therein, and so as to provide for due representation on the court of appeal of every burgh so included:

And whereas the population according to the census of 1951 has been ascertained:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by subsection (2) of section 10 of the Act of 1903 and of all other powers enabling him in that behalf, hereby orders as follows:—

1. This order may be cited as the Licensing (Scotland) Order, 1954, and shall come into operation on the 15th day of September, 1954.

2.—(1) In this order the expression "licensing district" has the meaning assigned to it by subsection (1) of section 3 of the Act of 1903.

(2) The Interpretation Act, 1889(b) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

3. It is hereby declared that the population according to the census of 1951 of each county, burgh and licensing district is the population specified in respect of such county, burgh or licensing district in Part I of the Schedule to this order.

4. The Second Schedule to the Act of 1903 is hereby altered so that it shall be read and have effect in the form set out in Part II of the Schedule to this order instead of in the form set out in Appendix II to the Licensing (Scotland) Order, 1933(c).

(a) 3 Edw. 7. c. 25. (b) 52 & 53 Vict. c. 63.
(c) S.R. & O. 1933/111 (Rev. XI, p. 53: 1933, p. 941).

5. Any alteration in the constitution of a licensing court or court of appeal consequential on a change of population shall take effect, and any new licensing court or court of appeal which falls to be established in consequence of such a change shall come into existence, on the nineteenth day of October, nineteen hundred and fifty-four.

6.—(1) Where in consequence of a change of population and by virtue of this order a member falls to be elected to any licensing court or court of appeal, the magistrates, county councillors or justices of the peace concerned, as the case may be, shall meet and elect a duly qualified person as such member, and any person so elected shall hold office until the date of the next ordinary meeting for elections provided by the Act of 1903.

(2) Where in consequence of a change of population and by virtue of this order a reduction falls to be made in the number of members of any licensing court or court of appeal, being—

(*a*) members elected by the magistrates of a particular burgh ; or

(*b*) members elected by county councillors ; or

(*c*) members elected by justices of the peace ;

the magistrates of the burgh concerned or the county councillors or justices of the peace of the county concerned, as the case may be, shall meet and designate those of the said members who are to vacate office as such members in order that the reduction may be given effect to ; and the members so designated shall vacate office immediately before the date on which, in accordance with the provisions of the last foregoing article, the reduction takes effect.

(3) Where in consequence of a change of population and by virtue of this order a new court of appeal falls to be established, the election of the members of such court shall, subject to the provisions of the next following article, be held in the manner provided by the Act of 1903, and the members so elected shall hold office until the date of the next ordinary meeting for elections provided by the said Act.

7. Any meeting of magistrates, county councillors or justices of the peace, and any proceedings by way of election or otherwise, necessary for the purpose of giving effect to any alteration in the constitution of a licensing court or court of appeal or of establishing a new licensing court or court of appeal, may be held or taken before the date on which, in accordance with the provisions of article 5 of this order, such alteration takes effect or such new court comes into existence, as the case may be, and any such meeting or proceedings shall be held or taken as soon as possible after the commencement of this order in order that such alteration may be given effect to, or such new court may come into existence, on the said date.

8. Anything authorised or required by or under any statute to be done by or to the clerk of a licensing court or court of appeal shall before, on and after the date specified in article 5 of this order be done by or to the clerk of the court having jurisdicton for the time being, and where jurisdiction is transferred shall be deemed to have been duly done by or to the clerk of the court having jurisdiction.

Dated this 8th day of September, 1954.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

SCHEDULE

PART I

POPULATION OF COUNTIES, LICENSING DISTRICTS AND BURGHS ACCORDING TO CENSUS OF 1951

NOTE: R=Royal Burgh; P=Parliamentary Burgh, i.e., a burgh which had the right, prior to the Representation of the People Act, 1918, of sending or contributing to send a member to Parliament.

Licensing Districts formed by County Council, if any	Population (inclusive of all R. and P. Burghs less than 4,000 and all other Burghs less than 7,000)	Burghs (other than R. and P.) containing population of less than 7,000		R. and P. Burghs containing population of less than 4,000		R. and P. Burghs containing population of 4,000 and less than 7,000		Burghs containing population of 7,000 and less than 20,000		Burghs containing population of 20,000 or over	
		Name	Population	Name	Population	Name	Population	Name	Population	Name	Population
COUNTY OF ABERDEEN											
Total Population (1951): 308,008											
Aberdeen	25,815	—	—	—	—	—	—	—	—	*Aberdeen (part of —remainder in Kincardine County).	163,208
Alford	9,744	—	—	—	—	—	—	—	—	—	—
Deer	24,579	Rosehearty ...	1,173	—	—	—	—	Fraserburgh ...	10,444	—	—
								Peterhead ...	12,763		
Deeside	10,211	Ballater	1,302	—	—	—	—	—	—	—	—
Ellon	13,165	Ellon	1,491	—	—	—	—	—	—	—	—
Garioch	10,920	Old Meldrum ...	1,103	Kintore	870	Inverurie ...	5,057	—	—	—	—
Huntly	10,197	Huntly	4,198	—	—	—	—	—	—	—	—
Turriff	11,905	Turriff	2,994	—	—	—	—	—	—	—	—
		* Aberdeen—Part in Aberdeen County					163,208				
		Part in Kincardine County					19,521				
		Total—City and Burgh of Aberdeen					182,729				
COUNTY OF ANGUS											
Total Population (1951): 274,876											
Not divided into Licensing Districts.	50,018	Carnoustie ...	5,197	—	—	—	—	Arbroath ...	19,511	Dundee	177,340
		Kirriemuir ...	3,570					Brechin	7,264		
		Monifieth ...	3,419					Forfar	9,981		
								Montrose ...	10,762		

Licensing Districts formed by County Council, if any	Population (inclusive of all R. and P. Burghs less than 4,000 and all other Burghs less than 7,000)	Burghs (other than R. and P.) containing population of less than 7,000		R. and P. Burghs containing population of less than 4,000		R. and P. Burghs containing population of 4,000 and less than 7,000		Burghs containing population of 7,000 and less than 20,000		Burghs containing population of 20,000 or over	
		Name	Population	Name	Population	Name	Population	Name	Population	Name	Population
COUNTY OF ARGYLL											
Total Population (1951): 63,361											
Ardnamurchan and Mull.	5,862	Tobermory ...	693	—	—	—	—	—	—	—	—
Cowal	7,961	—	—	—	—	—	—	Dunoon ...	9,940	—	—
Islay	4,766	—	—	—	—	—	—	—	—	—	—
Lorne	8,389	—	—	—	—	Oban	6,226	—	—	—	—
Mid-Argyll	8,792	Lochgilphead ...	1,229	Inveraray ...	503	—	—	—	—	—	—
Kintyre	4,253	—	—	—	—	—	—	Campbeltown ...	7,172	—	—
COUNTY OF AYR											
Total Population (1951): 321,237											
Ayr	49,435	Cumnock and Holmhead.	4,607	—	—	—	—	Prestwick ...	11,387	Ayr	42,377
Carrick	23,160	Girvan	5,990	—	—	—	—	—	—	—	—
		Maybole ...	4,766	—	—	—	—	—	—	—	—
Kilmarnock ...	38,658	Darvel	3,239	—	—	—	—	*Irvine	14,745	Kilmarnock ...	42,123
		Galston	4,559					Troon	10,063		
		Newmilns and Greenholm.	4,047								
Northern	58,777	Kilwinning ...	6,552	—	—	—	—	Ardrossan ...	8,799	—	—
		Stewarton ...	2,800					Largs	8,605		
								Saltcoats ...	13,108		
		*Part in Kilmarnock District					5,719				
		Part in Northern District					9,026				
COUNTY OF BANFF											
Total Population (1951): 50,148											
First	26,881	Aberchirder ...	800	Cullen	1,559	—	—	Buckie	7,703	—	—
		Banff and Macduff	6,679								
		Findochty ...	1,490								
		Portknockie ...	1,456								
		Portsoy	1,788								
Second	15,564	Aberlour ...	1,153	—	—	—	—	—	—	—	—
		Dufftown ...	1,460								
		Keith	4,365								
COUNTY OF BERWICK											
Total Population (1951): 25,068											
Not divided into Licensing Districts.	25,068	Coldstream ...	1,295	Lauder	623	—	—	—	—	—	—
		Duns	2,028								
		Eyemouth ...	2,269								

County of Bute
Total Population (1951): 19,283

Not divided into Licensing Districts.	9,142	Millport	2,012	—	—	—	—	Rothesay ...	10,141	—	—

County of Caithness
Total Population (1951): 22,710

Wick	7,565	—	—	—	—	—	—	Wick	7,161	—	—
Thurso	7,984	Thurso	3,203	—	—	—	—	—	—	—	—

County of Clackmannan
Total Population (1951): 37,532

Not divided into Licensing Districts.	24,096	Alva ... ... Dollar ... ... Tillicoultry ...	4,106 1,386 3,819	—	—	—	—	Alloa	13,436	—	—

County of Dumfries
Total Population (1951): 85,660

Not divided into Licensing Districts.	54,707	Langholm ... Lockerbie ... Moffat	2,404 2,621 2,114	Lochmaben ... Sanquhar ...	1,127 2,381	Annan	4,631	—	—	Dumfries ...	26,322

County of Dunbarton
Total Population (1951): 164,269

Not divided into Licensing Districts.	64,458	Cove and Kilcreggan.	890	—	—	—	—	Helensburgh ... Kirkintilloch ... Milngavie ...	8,760 14,826 7,885	Clydebank ... Dumbarton ...	44,638 23,702

County of East Lothian
Total Population (1951): 52,258

Not divided into Licensing Districts.	39,644	Cockenzie and Port Seton.	3,180	—	—	Dunbar	4,115	—	—	—	—
		East Linton ...	991	—	—	Haddington ...	4,498				
		Prestonpans ...	2,907	—	—	North Berwick ...	4,001				
		Tranent	5,639	—	—						

County of Fife
Total Population (1951): 306,778

Cupar	20,377	Ladybank ...	1,149	Auchtermuchty ... Falkland ... Newburgh ...	1,330 1,039 2,367	Cupar	5,530	—	—	—	—
Dunfermline ...	37,967	—	—	Culross ... ... Inverkeithing ...	578 3,695	—	—	Cowdenbeath ...	13,151	Dunfermline ...	44,719
Kirkcaldy	55,192	Leslie	2,612	Kinghorn ...	2,337	Burntisland ...	5,668	Leven	8,868	Buckhaven and Methil.	20,152
		Markinch ...	2,306					Lochgelly ...	9,103	Kirkcaldy ...	49,050
St. Andrews ...	22,931	Newport ...	3,274	Crail	1,139	Kilrenny ...		St. Andrews ...	9,457	—	—
		St. Monance ...	1,518	Elie and Earlsferry	1,190	Anstruther Easter and Anstruther Wester.	2,991				
		Tayport	3,223			Pittenweem ...	1,622				
							4,613				

Licensing Districts formed by County Council, if any	Population (inclusive of all R. and P. Burghs less than 4,000 and all other Burghs less than 7,000)	Burghs (other than R. and P.) containing population of less than 7,000		R. and P. Burghs containing population of less than 4,000		R. and P. Burghs containing population of 4,000 and less than 7,000		Burghs containing population of 7,000 and less than 20,000		Burghs containing population of 20,000 or over	
		Name	Population	Name	Population	Name	Population	Name	Population	Name	Population
COUNTY OF INVERNESS Total Population (1951): 84,930											
1st or Inverness ...	8,434	—	—	—	—	—	—	—	—	Inverness ...	28,107
2nd or Aird ...	8,551	—	—	—	—	—	—	—	—	—	—
3rd or Badenoch ...	7,342	Kingussie ...	1,075	—	—	—	—	—	—	—	—
4th or Lochaber ...	12,004	Fort William ...	2,674	—	—	—	—	—	—	—	—
5th or Skye	8,632	—	—	—	—	—	—	—	—	—	—
Outer Islands ...	11,860	—	—	—	—	—	—	—	—	—	—
COUNTY OF KINCARDINE Total Population (1951): 47,403											
Not divided into Licensing Districts.	27,882	Banchory ...	1,960	Inverbervie ...	885	—	—	—	—	*Aberdeen (part of —remainder in Aberdeen County).	19,521
		Laurencekirk ...	1,485								
		Stonehaven ...	4,436								
		* Aberdeen—Part in Aberdeen County					163,208				
		Part in Kincardine County					19,521				
		Total—City and Burgh of Aberdeen					182,729				
COUNTY OF KINROSS Total Population (1951): 7,418											
Not divided into Licensing Districts.	7,418	Kinross	2,496	—	—	—	—	—	—	—	—
COUNTY OF KIRKCUDBRIGHT Total Population (1951): 30,725											
Not divided into Licensing Districts.	30,725	Castle Douglas ...	3,322	Kirkcudbright ...	2,499	—	—	—	—	—	—
		Dalbeattie ...	3,285	New Galloway ...	305						
		Gatehouse ...	877								
COUNTY OF LANARK Total Population (1951): 1,614,363											
No. 1 Lanark ...	48,222	Biggar	1,437	—	—	Lanark	6,219	—	—	—	—
No. 2 Hamilton ...	113,409	—	—	—	—	—	—	—	—	Hamilton ...	40,174
										Motherwell and Wishaw.	68,154
No. 3 Airdrie ...	53,881	—	—	—	—	—	—	—	—	Airdrie	30,313
										Coatbridge ...	47,541
No. 4 Glasgow ...	92,470	—	—	—	—	—	—	—	—	Glasgow ...	1,089,767
										Rutherglen ...	24,213

County of Midlothian
Total Population (1951): 565,735

Not divided into Licensing Districts.	73,178	Bonnyrigg and Lasswade.	5,432	—	—	—	—	Dalkeith	8,786	Edinburgh ...	466,761
		Loanhead ...	4,882					Musselburgh ...	17,010		
		Penicuik	4,256								

County of Moray
Total Population (1951): 48,218

Not divided into Licensing Districts.	33,131	Burghead ...	1,368	—	—	Forres	4,463	Elgin	10,624	—	—
		Grantown-on-Spey	1,541								
		Lossiemouth and Branderburgh.	4,947								
		Rothes	1,211								

County of Nairn
Total Population (1951): 8,719

Not divided into Licensing Districts.	4,019	—	—	—	—	Nairn	4,700	—	—	—	—

County of Orkney
Total Population (1951): 21,255

Not divided into Licensing Districts.	16,907	Stromness ...	1,503	—	—	Kirkwall ...	4,348	—	—	—	—

County of Peebles
Total Population (1951): 15,232

Not divided into Licensing Districts.	9,219	Innerleithen ...	2,361	—	—	Peebles	6,013	—	—	—	—

County of Perth
Total Population (1951): 128,029

Blairgowrie	18,920	Alyth	2,071	—	—	—	—	—	—	—	—
		Blairgowrie and Rattray.	5,379								
		Coupar Angus ...	2,175								
Central	17,758	Auchterarder ...	2,435	—	—	—	—	—	—	—	—
		Crieff	5,477								
Highland	13,887	Aberfeldy ...	1,528	—	—	—	—	—	—	—	—
		Pitlochry ...	2,383								
Perth	22,580	Abernethy ...	676	—	—	—	—	—	—	Perth	40,487
Western	14,397	Callander ...	1,728	—	—	—	—	—	—	—	—
		Doune ...	834								
		Dunblane ...	2,985								

County of Renfrew
Total Population (1951): 324,660

Not divided into Licensing Districts.	78,210	—	—	—	—	—	—	Barrhead ...	12,971	Greenock ...	76,292
								Gourock ...	9,107	Paisley	93,711
								Johnstone ...	15,660	Port Glasgow ...	21,618
								Renfrew	17,091		

Licensing Districts formed by County Council, if any	Population (inclusive of all R. and P. Burghs less than 4,000 and all other Burghs less than 7,000)	Burghs (other than R. and P.) containing population of less than 7,000		R. and P. Burghs containing population of less than 4,000		R. and P. Burghs containing population of 4,000 and less than 7,000		Burghs containing population of 7,000 and less than 20,000		Burghs containing population of 20,000 or over	
		Name	Population	Name	Population	Name	Population	Name	Population	Name	Population
COUNTY OF ROSS AND CROMARTY Total Population (1951): 60,508											
Dingwall	25,664	—	—	Cromarty ...	726	—	—	—	—	—	—
				Dingwall ...	3,367						
				Fortrose	882						
Tain	11,113	Invergordon ...	1,514	Tain	1,600	—	—	—	—	—	—
Stornoway	23,731	Stornoway ...	4,954	—	—	—	—	—	—	—	—
COUNTY OF ROXBURGH Total Population (1951): 45,557											
Not divided into Licensing Districts.	24,757	Kelso	4,119	—	—	Jedburgh ...	4,083	Hawick	16,717	—	—
		Melrose	2,146								
COUNTY OF SELKIRK Total Population (1951): 21,729											
Not divided into Licensing Districts.	3,377	—	—	—	—	Selkirk	5,856	Galashiels ...	12,496	—	—
COUNTY OF STIRLING Total Population (1951): 187,527											
Not divided into Licensing Districts.	97,676	Bridge of Allan ...	3,173	—	—	—	—	Grangemouth ...	15,432	Falkirk	37,535
		Denny and Dunipace.	6,756					Kilsyth	9,922	Stirling	26,962
COUNTY OF SUTHERLAND Total Population (1951): 13,670											
Not divided into Licensing Districts.	13,670	—	—	Dornoch ...	793	—	—	—	—	—	
COUNTY OF WEST LOTHIAN Total Population (1951): 88,577											
Not divided into Licensing Districts.	67,336	Armadale ...	5,804	Linlithgow ...	3,929	—	—	Bathgate ...	11,291	—	—
		Whitburn ...	5,232	Queensferry ...	2,486			Bo'ness	9,950		
COUNTY OF WIGTOWN Total Population (1951): 31,620											
Lower	11,221	Newton-Stewart...	1,997	Whithorn ...	1,068	—	—	—	—	—	—
				Wigtown ...	1,376						
Upper	11,781	—	—	—	—	—	—	Stranraer ...	8,618	—	—
COUNTY OF ZETLAND Total Population (1951): 19,352											
Not divided into Licensing Districts.	19,352	Lerwick	5,538	—	—	—	—	—	—	—	—

PART II

Constitution of Appeal Court in each County for all the Burghs in the County of or exceeding 7,000 and under 20,000 Population.

County	Burgh	Present Population of Burgh	Court to Consist of			
			Magistrates		Justices	Total Number of Court
			From each Burgh	Total of Magistrates		
Aberdeen ...	Fraserburgh ...	10,444	3	6	6	12
	Peterhead	12,763	3			
Angus	Arbroath	19,511	2			
	Brechin	7,264	2	8	8	16
	Forfar	9,981	2			
	Montrose	10,762	2			
Argyll	Campbeltown ...	7,172	2	4	4	8
	Dunoon	9,940	2			
Ayr	Ardrossan	8,799	1			
	Irvine	14,745	2			
	Largs	8,605	1	8	8	16
	Prestwick	11,387	1			
	Saltcoats	13,108	2			
	Troon	10,063	1			
Banff	Buckie	7,703	3	3	3	6
Bute	Rothesay	10,141	3	3	3	6
Caithness ...	Wick	7,161	3	3	3	6
Clackmannan ...	Alloa	13,436	3	3	3	6
Dunbarton ...	Helensburgh ...	8,760	2			
	Kirkintilloch ...	14,826	2	6	6	12
	Milngavie	7,885	2			
Fife	Cowdenbeath ...	13,151	2			
	Leven	8,868	2	8	8	16
	Lochgelly	9,103	2			
	St. Andrews ...	9,457	2			
Midlothian ...	Dalkeith	8,786	3	6	6	12
	Musselburgh ...	17,010	3			
Moray	Elgin	10,624	3	3	3	6
Renfrew	Barrhead	12,971	2			
	Gourock	9,107	2	8	8	16
	Johnstone	15,660	2			
	Renfrew	17,091	2			
Roxburgh ...	Hawick	16,717	3	3	3	6
Selkirk	Galashiels	12,496	3	3	3	6
Stirling	Grangemouth ...	15,432	2	4	4	8
	Kilsyth	9,922	2			
West Lothian ...	Bathgate	11,291	3	6	6	12
	Bo'ness	9,950	3			
Wigtown ...	Stranraer	8,618	3	3	3	6

EXPLANATORY NOTE.

(This Note is not part of the Order, but is intended to indicate its general purport.)

This order declares the population, according to the 1951 census, of each county, burgh and (where a county is divided for licensing purposes into districts) licensing district in Scotland: and provides for alterations, as a result of changes of population, in the constitution of licensing courts of appeal for burghs having a population of between 7,000 and 20,000. The order provides that these alterations, and other changes which will become effective under the Licensing (Scotland) Act, 1903, as a result of the declaration of population, shall take effect on 19th October, 1954, and enables magistrates, county councillors and justices of the peace to elect, where necessary, new courts of appeal and additional members to existing licensing courts and courts of appeal, or, where a reduction falls to be made in the number of members of a court, to designate those members who are to vacate office.