1964 No. 152 (S. 10)

LICENSING (LIQUOR)

The Licensing (Scotland) Order 1964

Made - - - -	*3rd February* 1964
Laid before Parliament	*10th February* 1964
Coming into Operation	*11th February* 1964

In exercise of the powers conferred on me by section 31(2) of the Licensing (Scotland) Act 1959(a) (hereinafter referred to as the "Act of 1959") and of all other powers enabling me in that behalf and following the completion of the census of 1961, I hereby make the following order:—

1. This order may be cited as the Licensing (Scotland) Order 1964 and shall come into operation on 11th February 1964.

2.—(1) In this order the expression "licensing district" has the meaning assigned to it by section 2(2) of the Act of 1959.

(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 1961 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. Part II of Schedule 1 to the Act of 1959 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.

5. Any alterations 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 10th March 1964.

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 1959.

(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

(a) 7 & 8 Eliz. 2. c. 51. (b) 52 & 53 Vict. c. 63.

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 1959, and the members so elected shall hold office until the date of the next ordinary meeting for elections provided by the Act of 1959.

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 jurisdiction 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.

Michael Noble,
One of Her Majesty's Principal
Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
3rd February 1964.

SCHEDULE

PART I

POPULATION OF COUNTIES, LICENSING DISTRICTS AND BURGHS ACCORDING TO CENSUS OF 1961

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 (1961): 298,542**											
Aberdeen	27,397	—	—	—	—	—	—	—	—	*Aberdeen (part of—remainder in Kincardine County).	162,149
Alford	8,439	—	—	—	—	—	—	—	—	—	—
Deer	22,378	Rosehearty...	1,140	—	—	—	—	Fraserburgh	10,460	—	—
								Peterhead ...	12,502	—	—
Deeside	8,858	Ballater ...	1,134	—	—	—	—	—	—	—	—
Ellon	11,594	Ellon ...	1,455	—	—	—	—	—	—	—	—
Garioch	10,060	Old Meldrum	1,083	Kintore ...	751	Inverurie ...	5,152	—	—	—	—
Huntly	9,152	Huntly ...	3,952	—	—	—	—	—	—	—	—
Turriff	10,401	Turriff ...	2,686	—	—	—	—	—	—	—	—
		*Aberdeen—Part in Aberdeen County					162,149				
		Part in Kincardine County					23,255				
		Total—City and Burgh of Aberdeen					185,404				
COUNTY OF ANGUS **Total Population (1961): 278,399**											
Not divided into Licensing Districts	47,814	Carnoustie ...	5,511	—	—	—	—	Arbroath ...	19,537	Dundee ...	182,978
		Kirriemuir ...	3,486	—	—	—	—	Brechin ...	7,115	—	—
		Monifieth ...	3,474	—	—	—	—	Forfar ...	10,254	—	—
								Montrose ...	10,701	—	—

County of Argyll
Total Population (1961): 59,390

Ardnamurchan and Mull ...	4,979	Tobermory ...	668	—	—	—	—	—	—	—	—	Dunoon ...	9,215	—	—
Cowal	7,032	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Islay	4,286	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lorne	8,293	—	—	—	—	—	—	Oban ...	6,869	—	—	—	—	—	—
Mid-Argyll	8,359	Lochgilphead	1,208	Inveraray ...	501	—	—	—	—	—	—	—	—	—	—
Kintyre	3,834	—	—	—	—	—	—	Campbeltown	6,523	—	—	—	—	—	—

County of Ayr
Total Population (1961): 342,822

Ayr	54,183	Cumnock and Holmhead	5,403	—	—	—	—	—	—	Prestwick ...	12,562	Ayr	45,276		
Carrick	24,496	Girvan ...	6,159	—	—	—	—	—	—	—	—	—	—		
Kilmarnock	38,194	Maybole ...	4,677	—	—	—	—	—	—	—	—	—	—		
		Darvel ...	3,255	—	—	—	—	—	—	*Irvine ...	16,911	Kilmarnock	47,509		
		Galston ...	4,023	—	—	—	—	—	—	Troon ...	9,927	—	—		
		Newmilns and Greenholm	3,541	—	—	—	—	—	—	—	—	—	—		
Northern	43,452	Stewarton ...	3,387	—	—	—	—	—	—	Ardrossan ...	9,573	—	—		
										Kilwinning ...	7,289	—	—		
										Largs ...	9,104	—	—		
										Saltcoats ...	14,182	—	—		
										Stevenston ...	10,164	—	—		

*Part in Kilmarnock District 4,176
Part in Northern District 12,735

County of Banff
Total Population (1961): 46,454

First	24,482	Aberchirder	754	Cullen ...	1,360	—	—	—	—	Buckie ...	7,669	—	—		
		Banff and Macduff	6,808	—	—	—	—	—	—	—	—	—	—		
		Findochty ...	1,331	—	—	—	—	—	—	—	—	—	—		
		Portknockie	1,248	—	—	—	—	—	—	—	—	—	—		
		Portsoy ...	1,691	—	—	—	—	—	—	—	—	—	—		
Second	14,303	Aberlour ...	958	—	—	—	—	—	—	—	—	—	—		
		Dufftown ...	1,557	—	—	—	—	—	—	—	—	—	—		
		Keith ...	4,208	—	—	—	—	—	—	—	—	—	—		

County of Berwick
Total Population (1961): 22,437

Not divided into Licensing Districts	22,437	Coldstream ...	1,226	Lauder ...	597	—	—	—	—	—	—	—	—		
		Duns ...	1,837	—	—	—	—	—	—	—	—	—	—		
		Eyemouth ...	2,161	—	—	—	—	—	—	—	—	—	—		

County of Bute
Total Population (1961): 15,170

Not divided into Licensing Districts	7,483	Millport ...	1,593	—	—	—	—	—	—	Rothesay ...	7,687	—	—		

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 CAITHNESS **Total Population (1961): 27,370**											
Not divided into Licensing Districts	11,934	—	—	—	—	—	—	Wick ...	7,399	—	—
								Thurso ...	8,037	—	—
COUNTY OF CLACKMANNAN **Total Population (1961): 41,394**											
Not divided into Licensing Districts	27,496	Alva ...	3,957	—	—	—	—	Alloa ...	13,898	—	—
		Dollar ...	1,955	—	—	—	—	—	—	—	—
		Tillicoultry ...	3,963	—	—	—	—	—	—	—	—
COUNTY OF DUMFRIES **Total Population (1961): 88,440**											
Not divided into Licensing Districts	55,592	Langholm ...	2,370	Lochmaben	1,280	Annan ...	5,575	—	—	Dumfries ...	27,273
		Lockerbie ...	2,827	Sanquhar ...	2,182	—	—	—	—	—	—
		Moffat ...	1,917	—	—	—	—	—	—	—	—
COUNTY OF DUNBARTON **Total Population (1961): 184,559**											
Not divided into Licensing Districts	54,776	Cove and Kilcreggan	876	—	—	—	—	Helensburgh	9,605	Clydebank ...	49,651
								Kirkintilloch	18,270	Dumbarton	26,335
								Milngavie ...	8,900	—	—
								Bearsden ...	17,022	—	—
COUNTY OF EAST LOTHIAN **Total Population (1961): 52,677**											
Not divided into Licensing Districts	39,007	Cockenzie and Port Seton	3,461	—	—	Dunbar ...	4,004	—	—	—	—
		East Linton	912	—	—	Haddington	5,505	—	—	—	—
		Prestonpans	3,105	—	—	North Berwick	4,161	—	—	—	—
		Tranent ...	6,318								

County of Fife

Total Population (1961): 320,692

Cupar	19,356	Ladybank ...	1,209	Auchtermuchty	1,357	Cupar ...	5,495	—	—	—	—
				Falkland ...	1,032	—	—	—	—	—	—
				Newburgh ...	2,321	—	—	—	—	—	—
Dunfermline	35,287			Culross ...	514	Inverkeithing	4,068	Cowdenbeath	11,920	Dunfermline	47,151
Kirkcaldy	63,674	Leslie ...	3,421	Kinghorn ...	2,113	Burntisland	6,038	Leven ...	8,872	Buckhaven and Methil	21,102
		Markinch ...	2,446					Lochgelly ...	9,118	Kirkcaldy ...	52,390
St. Andrews	21,873	Newport-on-Tay	3,324	Crail ...	1,066	Kilrenny, Anstruther Easter and Anstruther Wester ...	2,890	St. Andrews	9,882	—	—
		St. Monance	1,409	Elie and Earlsferry	1,129						
		Tayport ...	3,151								
						Pittenweem...	1,576				
							4,466				

County of Inverness

Total Population (1961): 83,480

1st or Inverness	7,350	—	—	—	—	—	—	—	—	Inverness ...	29,774
2nd or Aird	8,185	—	—	—	—	—	—	—	—	—	—
3rd or Badenoch	6,984	Kingussie ...	1,079	—	—	—	—	—	—	—	—
4th or Lochaber	12,743	Fort William	2,716	—	—	—	—	—	—	—	—
5th or Skye	7,772	—	—	—	—	—	—	—	—	—	—
Outer Islands	10,672	—	—	—	—	—	—	—	—	—	—

County of Kincardine

Total Population (1961): 48,819

Not divided into Licensing Districts	25,564	Banchory ...	1,918	Inverbervie...	921	—	—	—	—	*Aberdeen (part of—remainder in Aberdeen County)	23,255
		Laurencekirk	1,389								
		Stonehaven...	4,505								

*Aberdeen—Part in Aberdeen County	162,149
Part in Kincardine County	23,255
Total—City and Burgh of Aberdeen	185,404

County of Kinross

Total Population (1961): 6,702

Not divided into Licensing Districts	6,702	Kinross ...	2,355	—	—	—	—	—	—	—	—

County of Kirkcudbright

Total Population (1961): 28,870

Not divided into Licensing Districts	28,870	Castle Douglas	3,255	Kirkcudbright	2,439	—	—	—	—	—	—
		Dalbeattie ...	3,105	New Galloway	327	—	—	—	—	—	—
		Gatehouse ...	822	—	—	—	—	—	—	—	—

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 LANARK **Total Population (1961): 1,626,424**											
No. 1 Lanark	46,199	Biggar ...	1,399	—	—	—	—	Lanark ...	8,441	—	—
No. 2 Hamilton	114,391	—	—	—	—	—	—	—	—	Hamilton ...	41,928
										Motherwell and Wishaw	72,794
No. 3 Airdrie	52,875	—	—	—	—	—	—	—	—	Airdrie ...	33,605
										Coatbridge ...	53,825
No. 4 Glasgow	122,282	—	—	—	—	—	—	—	—	Glasgow ...	1,055,017
										Rutherglen ...	25,067
COUNTY OF MIDLOTHIAN **Total Population (1961): 580,329**											
Not divided into Licensing Districts	85,831	Bonnyrigg and Lasswade	6,333	—	—	—	—	Dalkeith ...	8,865	Edinburgh ...	468,361
		Loanhead ...	5,020	—	—	—	—	Musselburgh	17,272	—	—
		Penicuik ...	5,823	—	—	—	—	—	—	—	—
COUNTY OF MORAY **Total Population (1961): 49,170**											
Not divided into Licensing Districts	32,428	Burghead ...	1,346	—	—	Forres ...	4,774	Elgin ...	11,968	—	—
		Grantown-on-Spey	1,581	—	—	—	—	—	—	—	—
		Lossiemouth and Branderburgh	5,855	—	—	—	—	—	—	—	—
		Rothes ...	1,106	—	—	—	—	—	—	—	—
COUNTY OF NAIRN **Total Population (1961): 8,423**											
Not divided into Licensing Districts	3,524	—	—	—	—	Nairn ...	4,899	—	—	—	—
COUNTY OF ORKNEY **Total Population (1961): 18,747**											
Not divided into Licensing Districts	14,432	Stromness ...	1,479	—	—	Kirkwall ...	4,315	—	—	—	—

COUNTY OF PEEBLES																		
Total Population (1961): 14,156																		
Not divided into Licensing Districts			8,608	Innerleithen	2,299	—	—	Peebles ...	5,548	—	—	—	—					
COUNTY OF PERTH																		
Total Population (1961): 127,056																		
Blairgowrie			18,271	Alyth ...	1,862	—	—	—	—	—	—	—	—					
				Blairgowrie and Rattray	5,181	—	—	—	—	—	—	—	—					
				Coupar Angus	2,048	—	—	—	—	—	—	—	—					
Central			17,352	Auchterarder	2,425	—	—	—	—	—	—	—	—					
				Crieff ...	5,771	—	—	—	—	—	—	—	—					
Highland			12,566	Aberfeldy ...	1,469	—	—	—	—	—	—	—	—					
				Pitlochry ...	2,501	—	—	—	—	—	—	—	—					
Perth			23,257	Abernethy ...	601	—	—	—	—	—	—	—	—	Perth ...	41,196			
Western			14,414	Callander ...	1,655	—	—	—	—	—	—	—	—					
				Doune ...	786	—	—	—	—	—	—	—	—					
				Dunblane ...	2,923	—	—	—	—	—	—	—	—					
COUNTY OF RENFREW																		
Total Population (1961): 338,872																		
Not divided into Licensing Districts			85,595	—	—	—	—	—	—	Barrhead ...	14,421	Greenock ...	74,560					
										Gourock ...	9,608	Paisley ...	95,750					
										Johnstone ...	18,434	Port Glasgow	22,559					
										Renfrew ...	17,945	—	—					
COUNTY OF ROSS AND CROMARTY																		
Total Population (1961): 57,642																		
Dingwall			25,142	—	—	Cromarty ...	605	—	—	—	—	—	—					
						Dingwall ...	3,752	—	—	—	—	—	—					
						Fortrose ...	903	—	—	—	—	—	—					
Tain			10,563	Invergordon	1,642	Tain ...	1,699	—	—	—	—	—	—					
Stornoway			21,937	Stornoway ...	5,229	—	—	—	—	—	—	—	—					
COUNTY OF ROXBURGH																		
Total Population (1961): 43,183																		
Not divided into Licensing Districts			26,977	Kelso ...	3,968	Jedburgh ...	3,645	—	—	Hawick ...	16,206	—	—					
				Melrose ...	2,133	—	—	—	—	—	—	—	—					
COUNTY OF SELKIRK																		
Total Population (1961): 21,052																		
Not divided into Licensing Districts			3,045	—	—	—	—	Selkirk ...	5,634	Galashiels ...	12,373	—	—					

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 STIRLING											
Total Population (1961): 194,876											
Not divided into Licensing Districts	92,833	Bridge of Allan	3,318	—	—	—	—	Denny and Dunipace Grangemouth Kilsyth ...	7,760 18,857 9,831	Falkirk ... Stirling ...	38,044 27,551
COUNTY OF SUTHERLAND											
Total Population (1961): 13,507											
Not divided into Licensing Districts	13,507	—	—	Dornoch ...	933	—	—	—	—	—	—
COUNTY OF WEST LOTHIAN											
Total Population (1961): 92,768											
Not divided into Licensing Districts	65,562	Armadale ... Whitburn ...	6,195 5,904	Queensferry —	2,928 —	Linlithgow ...	4,327 —	Bathgate ... Bo'ness ...	12,684 10,195	— —	— —
COUNTY OF WIGTOWN											
Total Population (1961): 29,124											
Lower	10,141	Newton-Stewart	1,981	Whithorn ... Wigtown ...	990 1,199	— —	— —	— —	— —	— —	— —
Upper	9,733	—	—	—	—	—	—	Stranraer ...	9,250	—	—
COUNTY OF ZETLAND											
Total Population (1961): 17,812											
Not divided into Licensing Districts	17,812	Lerwick ...	5,908	—	—	—	—	—	—	—	—

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	10,460	3	6	6	12
	Peterhead ...	12,502	3			
Angus	Arbroath ...	19,537	2	8	8	16
	Brechin ...	7,115	2			
	Forfar ...	10,254	2			
	Montrose ...	10,701	2			
Argyll	Dunoon ...	9,215	3	3	3	6
Ayr	Ardrossan ...	9,573	1	8	8	16
	Irvine ...	16,911	1			
	Kilwinning ...	7,289	1			
	Largs ...	9,104	1			
	Prestwick ...	12,562	1			
	Saltcoats ...	14,182	1			
	Stevenston ...	10,164	1			
	Troon ...	9,927	1			
Banff	Buckie ...	7,669	3	3	3	6
Bute	Rothesay ...	7,687	3	3	3	6
Caithness ...	Thurso ...	8,037	2	4	4	8
	Wick ...	7,399	2			
Clackmannan ...	Alloa ...	13,898	3	3	3	6
Dunbarton ...	Bearsden ...	17,022	2	8	8	16
	Helensburgh	9,605	2			
	Kirkintilloch	18,270	2			
	Milngavie ...	8,900	2			
Fife	Cowdenbeath	11,920	2	8	8	16
	Leven ...	8,872	2			
	Lochgelly ...	9,118	2			
	St. Andrews	9,882	2			
Lanark ...	Lanark ...	8,441	3	3	3	6
Midlothian ...	Dalkeith ...	8,865	3	6	6	12
	Musselburgh	17,272	3			
Moray ...	Elgin ...	11,968	3	3	3	6
Renfrew ...	Barrhead ...	14,421	2	8	8	16
	Gourock ...	9,608	2			
	Johnstone ...	18,434	2			
	Renfrew ...	17,945	2			
Roxburgh ...	Hawick ...	16,206	3	3	3	6
Selkirk ...	Galashiels ...	12,373	3	3	3	6
Stirling ...	Denny and Dunipace	7,760	2	6	6	12
	Grangemouth	18,857	2			
	Kilsyth ...	9,831	2			
West Lothian ...	Bathgate ...	12,684	3	6	6	12
	Bo'ness ...	10,195	3			
Wigtown ...	Stranraer ...	9,250	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 1961 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 1959, as a result of the declaration of population, shall take effect on 10th March 1964, and enables magistrates, county councillors and justices of the peace to elect, where necessary, new licensing courts, 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.