



The Office of the  
Committee for  
Home Affairs

**GENERAL GUIDANCE NOTES**

**FOR APPLICATIONS**

**MADE UNDER THE**

**LIQUOR LICENSING (GUERNSEY)**

**ORDINANCE, 2006**

## **Contents**

1. INTRODUCTION.....	3
2. PURPOSE OF THE ORDINANCE .....	3
3. CATEGORIES OF LICENCE.....	4
4. LICENCE FEES .....	7
5. ANNUAL RENEWAL OF LICENCE .....	7
6. APPLICATION PROCESS .....	7
7. NOTICES .....	9
8. REPORT AND INSPECTION PROCESS .....	10
9. LICENSING CONDITIONS.....	10
10. NIGHTCLUBS .....	10
11. DESIGNATED OFFICIALS.....	12
12. BREACHES OF LICENCE CONDITIONS.....	12
13. APPEALS.....	12
14. NOISE AND NUISANCE FROM LICENSED PREMISES .....	13
15. UNDER 18s PERMIT .....	14
16. CONTACT DETAILS.....	16

# 1. INTRODUCTION

This guidance has been produced by the Office *of the* Committee for Home Affairs (“the Office”) and aims to assist applicants to prepare applications under the [Liquor Licensing \(Guernsey\) Ordinance, 2006](#) (“The Ordinance”). Applicants are encouraged to read this Ordinance in addition to [the Guidance Notes for Advocates](#) issued by HM Greffier on 4<sup>th</sup> January 2008, and [The Royal Court \(Liquor Licensing\) Rules, 2006](#), when making an application.

The guidance set out in this booklet relates to the following types of applications:

- New Licence / New Premises application
- Change of Licensee
- Change of Designated Official
- Extensions or Alterations to licenced area

Separate notes are available which provide guidance on applications for the following:

- Applications for an ‘Al fresco’ Licence
- Section 19 – Application for additional hours or additional premises or both
- Section 20 – Applications for an Occasional Liquor Licence

# 2. PURPOSE OF THE ORDINANCE

The overriding purpose of the Ordinance is to ensure that all licensed premises are properly managed in accordance with the legislation and can be summarised as follows:

## A. The Responsible Serving of Alcohol

- Not to serve alcohol to, or allow entry to, people who are intoxicated or under the influence of alcohol.
- Strictly enforce the minimum age for consumption of alcohol.
- Prohibit activities that encourage excessive drinking.
- Not to hold any promotions which may encourage excessive drinking.
- Ensure that staff are fully aware of and trained in their responsibilities under the Ordinance
- Ensure strong and effective management of licensed premises.
- Ensure that staff are sufficiently mature and competent to enforce the legislation in any reasonably foreseeable circumstances.

## B. To Improve Safety and Security

- Actively monitor the behaviour and state of patrons and to detect signs of intoxication or people being under the influence of alcohol or displaying disorderly, violent, illegal or inappropriate behaviour.
- To maintain adequate levels of security on the premises and at all entries and exits.
- To establish and maintain good communication with the police.
- To establish and maintain good communications with the Greffe, the Office and the Parochial Constables.

### **C. A Commitment to being Good Neighbours**

- Respect and take all necessary steps to improve the local amenity and to reduce disruptive activities if carried out on or near the premises by its patrons.
- To encourage customers to respect the law, particularly in regard to the responsible serving of alcohol and their behaviour in the neighbourhood.
- To take all reasonable steps to ensure noise does not disturb close neighbours.
- To ensure that staff make regular checks outside the premises to ensure that there is no sound escape and to address any sound escape immediately and reduce it to a level that is not audible at the nearest residential property or occupied business.

### **D. To Co-Operate with the Police and the Community**

- To ensure that staff are fully trained in responsibly serving of alcohol.
- To assist the Police when dealing with any problems on the premises and during routine checks and to encourage patrons to act likewise.

### **E. To Prevent any Public Nuisance from the Licensed Premises**

Public nuisance is a broad concept, which concerns how the activity of one person (or business) affects the rights of another, for example, how noise from playing music or rowdy behaviour interferes with another person's right to the peaceful enjoyment of his or her home.

The degree to which activities are likely to cause public nuisance will depend on a number of factors, including:

- Time of day or night when they take place;
- How frequently activities take place;
- How near other people and premises that may be effected are;
- The design, structure and layout of premises; and
- How well the activities are managed.

The Committee, along with the Guernsey Police, recognise that the vast majority of licensees strive to ensure that they operate their licences in accordance with these principles.

## **3. CATEGORIES OF LICENCE**

There are 9 different categories of licence, each of which reflects the principal function of the premises for which a liquor licence is being sought, they are:

Category A – Bar, restaurant or café licence

Category B – Residential licence

Category C – Hotel licence

Category D – Club licence

Category E – Nightclub licence (see section 10 for additional application requirements)

Category F – Port (on-sales) licence

Category G – Passenger vessel licence

Category H – General off-licence  
 Category I – Port (off-sales) licence

The categories together with a brief explanation and licensing hours of each are set out below:

CATEGORY A	STANDARD LICENCE
<p><b><u>Definition</u></b>          Allows for the sale and consumption of alcohol to persons over 18 during the permitted hours in specified areas of the premises. The principal function of the premises (e.g. restaurant, café and/or bar) must be made clear on the application and will appear on any licence that is granted. Restaurant, café, bar etc. will be given their ordinary meaning as defined in the Oxford English dictionary. Premises will include all areas, inside or outside, the premises which are detailed on the plans submitted to the Royal Court as being open to patrons for the sale and/or consumption of intoxicating liquor. That is the licence will cover the bars and any beer garden or other outside area as may be designated clearly by the applicant and approved by the Court. Separate application can be made for an Under 18s Permit in respect of any bar or part of it.</p> <p><b><u>Permitted Hours</u></b>          10.00am to 12.45am (Monday to Saturday)          12 noon to 12.45am (Sunday and Good Friday)          11.00am to 12.45am (Christmas Day)</p>	
CATEGORY B	RESIDENTIAL LICENCE
<p><b><u>Definition</u></b>          Allows the sale and consumption of alcohol to persons over the age of 18 years residing on the premises at any time. No person shall consume any alcohol on the licensed premises other than bona fide guests of a person accommodated on the premises. The guests' names should be recorded in a manner similar to that required for guests in private members' clubs. This category includes private hotels and guest houses which are not open to non-residents and residential and nursing homes subject to registration with the Health and Social Services Department. Separate application can be made for an Under 18s Permit in respect of any bar or part of it.</p> <p><b><u>Permitted Hours</u></b>          At the discretion of the licensee.</p>	
CATEGORY C	HOTEL LICENCE
<p><b><u>Definition</u></b>          Allows for the sale and consumption of alcohol to persons over the age of 18 years during the permitted hours. This licence applies to hotels and guesthouses which also have bars and restaurants which are open to non-residents. It incorporates the Standard and Residential Licence and separate application can be made for an Under 18s Permit in respect of any bar or part of it.</p> <p><b><u>Permitted Hours (in respect of non-residents)</u></b>          10.00am to 12.45am (Monday to Saturday)          12 noon to 12.45am (Sunday 12 noon to 12.45am (Sunday and Good Friday)          11.00am to 12.45am (Christmas Day)</p>	

CATEGORY D	CLUB LICENCE (PRIVATE MEMBERS' CLUBS)
<b><u>Definition</u></b> Allows the sale and consumption of alcohol to club members over the age of 18 years and their bona fide guests. Guest names must be recorded in a register. Separate application can be made for an Under 18s Permit in respect of any bar or part of it.	
<b><u>Permitted Hours</u></b> 10.00am to 12.45am (Monday to Saturday) 12 noon to 12.45am (Sunday 12 noon to 12.45am (Sunday and Good Friday) 11.00am to 12.45am (Christmas Day)	
CATEGORY E	NIGHTCLUB
<b><u>Definition</u></b> Allows for the sale and consumption of alcohol to persons over the age of 18 while providing facilities for live entertainment or dancing. Separate application can be made for an Under 18s Permit in respect of any bar or part of it.	
<b><u>Permitted Hours</u></b> 10.00am to 1:45am (Monday to Saturday) 12 noon to 12:45am (Sunday 12 noon to 12.45am (Sunday and Good Friday) 11.00am to 12.45am (Christmas Day)	
CATEGORY F	PORT (ON SALES)
<b><u>Definition</u></b> Allows for the sale and consumption of alcohol to persons aged over 18 years on the premises specified.	
<b><u>Permitted Hours</u></b> 10.00am to 12.45am or closure of terminal whichever is earlier (Monday to Saturday) 12 noon to 12.45am or closure of terminal whichever is earlier (Sunday, Christmas Day and Good Friday)	
CATEGORY G	PASSENGER VESSEL
<b><u>Definition</u></b> Allows for the sale and consumption of alcohol to over 18s on the vessel specified.	
<b><u>Permitted Hours</u></b> 10.00am to 12.45am (Monday to Saturday) 12 noon to 12.45am (Sunday 12 noon to 12.45am (Sunday and Good Friday); 11.00am to 12.45am (Christmas Day)	
CATEGORY I	GENERAL OFF-LICENCE
<b><u>Description</u></b> Allows the sale of alcohol to any person aged over 18 years, during the permitted hours, in closed vessels, for consumption off the licensed premises.	
<b><u>Permitted Hours</u></b> 7.00am to 12 midnight (Any day of the year)	
CATEGORY J	PORT OFF-LICENCE
<b><u>Description</u></b> Allows the sale of duty free alcohol to over 18s travelling outside the Bailiwick, of alcohol in closed vessels, for consumption outside the Bailiwick.	

#### **Permitted Hours**

Opening of terminal to 12.45am or closure of terminal whichever is earlier.

### **4. LICENCE FEES**

Licences are valid from 1<sup>st</sup> June to the 31<sup>st</sup> May the following year and renewed on an annual basis. Fees are also reviewed by the Committee *for* Home Affairs and must be paid on or before the 31<sup>st</sup> May each year. You can find a list of the current fees on the Guernsey Legal Resources ([www.guernseylegalresources.gg](http://www.guernseylegalresources.gg)) website by searching for Liquor Licence Fees.

It is essential that the correct fee is paid to the Office at the same time as submitting your application form; failure to do so may delay the processing of your application.

Payments may be made at the cashier's desk at Edward T Wheadon House (Social Security & Tax Office), or by telephone by calling 717315 (States Accounts).

If your application requires an inspection report from the Parish Constables, a fee is payable to the Parish Constables. Please contact the relevant Constables Office for how to do this.

### **5. ANNUAL RENEWAL OF LICENCE**

All liquor licences, including Under 18s Permits, must be renewed by the 31<sup>st</sup> May each year. All licences, including Under 18s Permits will be automatically renewed on payment of the relevant licensing fee (see Part 4 above). The States of Guernsey will invoice all existing licence holders one month prior to the renewal date. The licensing Year runs from 1<sup>st</sup> June to 31<sup>st</sup> May the following year.

**Licensees are reminded that if payments are not received in full and in clear funds before 4.00pm on 31<sup>st</sup> May this will result in the licence ceasing to be valid at midnight on 1<sup>st</sup> June.**

In the event of the Licensee's bank failing to honour the payment the Office will treat the fee as being unpaid and the Licensee may have to stop selling alcohol and will need to make a new application to the Royal Court for the licence to be re-instated.

### **6. APPLICATION PROCESS**

Applications must be made in writing; application forms are available for download at [www.gov.gg/liquorlicensing](http://www.gov.gg/liquorlicensing) or by contacting the Office (you will find our contact details at the end of this Guide).

You may also wish to refer to the following:

- [Guidance Notes for Advocates](#) issued by HM Greffier on 4<sup>th</sup> January 2008; and
- [The Royal Court \(Liquor Licensing\) Rules, 2006](#).

Applicants can apply for a Liquor Licence without employing an Advocate. If you wish to do so, please contact the Office as soon as possible.

Applications can be made on behalf of a registered company, on those occasions the applicant (company) must identify a person who will be responsible for the licence, and they are known as the designated official (DO).

### **Application Timelines**

Applicants are asked to select the date on which they would like to attend Court. The Ordinary Division of the Royal Court hears applications on Tuesday's from 9.30am. The application process can take approximately 2 months to complete, for new applications.

The following timeline, detailing the requirements at each stage of the application process is considered to be an example of best practice and relates to the following applications:

- New licensed premises (section XX)
- Change of licensee (Section XX)
- Change of designated official (Section XX)
- Extension of licensed area and alterations (Section XX)

WHO	WHAT	WHEN
<b>Applicant, who may or may not be the proposed licence holder / designated official</b>	Applicant to notify the Office that you will be making one of the above applications to the Court. You should appoint an appropriate person, if not yourself, to prepare the application and ensure all premises plan are compliant – this may be an advocate or other person. The Office will advise of the relevant fees.	Ideally about 10 weeks before matter needs to go to Court
<b>Proposed Licence Holder / Designated Official</b>	To book and pass the Liquor Licensing Exam. The exam occurs every last Wednesday of the month at 1pm. Places can be booked online at <a href="http://www.gov.gg/liquor-licensing">www.gov.gg/liquor-licensing</a>	At least 8 weeks before the application is made so that there is two opportunities to pass the exam
<b>Proposed Licence Holder/ Designated Official</b>	Contact the Guernsey Vetting Bureau for a Basic Police Disclosure and Population Management for copy of your Right to Work document. Both of these can take up to four weeks to be issued.	At least 6 weeks before application is made
<b>Applicant, or Advocate (if applicable)</b>	Ensure draft plans for new premises are compliant with Rule 2 of the <a href="#">Royal Court (Liquor Licensing) Rules, 2006</a> .	Submit plans to the Office at least 6 weeks before application is made



<b>Applicant or Advocate (if applicable)</b>	Submit a completed application form with all relevant documents including the fee to the Office and submit a copy of all the documents to the Parish Constables, along with their fee.	At least 28 days before Court date
<b>The Office of the Committee for Home Affairs</b>	On receipt of application from Applicant or Advocate, the Office will notify and requests reports from Guernsey Police, Fire & Rescue Service, Environmental Health, Building Control, Population Management, and Economic Development (where applicable)	At least 28 days before Court date
<b>Applicant or Advocate</b>	Publication of application in La Gazette Officielle (where required, i.e. new licensed premises, where not the same as the licence in existence, change of category and Under 18s permits). Wording of the advert to include details of where information about the application can be obtained is available on section 7 of those guidelines.	On two weekly occasions prior to the Court date
<b>The Office of the Committee for Home Affairs</b>	Prepares report, including information provided by the Police and other relevant agencies and sends a copy to the Advocate or HM Greffier	Wednesday prior to the Court hearing
<b>Applicant or Advocate and / or Proposed Licensee / Designated Official</b>	Attend Court	Court date as specified by the applicant

## 7. NOTICES

### (a) On the Premises

You will need to fix a notice on your premises. The Office or your advocate will advise on the wording for these notices, which must be affixed on or near the premises, so that they can easily be read by somebody standing in a public place adjacent to the premises. Notices must be placed for 14 clear days prior to the date of the hearing of the proposed application.

### (b) In La Gazette Officielle

You will need to publish a notice in the Gazette Officielle in the Guernsey Evening Press. The Office or your advocate will advise on the wording for these advertisements which must be published on two weekly occasions prior to the hearing. The wording of the publication must include details of where a member of the public could obtain additional information and/or view plans of the application.

An example of the form of wording for the advertisement is shown here:

**Example Notice for Gazette**

**[Company] of [Registered Office] in the parish of [Name of Parish] will apply to the Royal Court at [time] on [date] for [category of licence] [and under 18s permit] and the appointment of [Full Name] as the Designated Official to be responsible for the conduct of such licence, in respect of the premises known as ["Name of Premises"] situated at [location] in the parish of [Parish].**

**Anyone wishing to have further information regarding this application should contact the Advocates named below or the Constables for the Parish in which the said premises are located.**

**INSERT ADVOCATES NAME, if applicable**

## **8. REPORT AND INSPECTION PROCESS**

The Guernsey Police, Guernsey Fire and Rescue Service, Environmental Health and the Parish Constables for the Parish in which your premises is located are required to prepare reports for the Royal Court as part of the application process.

The above parties will contact the applicant and/or their advocate to make arrangements to carry out their inspection visit. Wherever possible those undertaking the inspection will highlight with the applicant any concerns they may have during their visit to your premises, particularly where these are to be included in their report for the Royal Court.

The reports prepared will be sent to the applicant, or to their Advocate, and to the Office *of the Committee for Home Affairs*

## **9. LICENSING CONDITIONS**

The Court, after considering reports submitted with the application, may grant the licence subject to recommended conditions. These conditions may be (but are not limited to):

- A requirement for CCTV to be in operation inside and covering the entrance of the premises;
- A limit on the number of people allowed into the premises at any one time;
- A limitation on the existing licensing hours for that category; and
- A noise limitation requirement.

## **10. NIGHTCLUBS**

Applications for Nightclub Licences must include the following:

- a full description of the premises in respect of which the application is made, together with a sketch or other adequate plan, including:
  - details of the areas set aside for live entertainment, including the stage and associated areas;
  - details of the areas set aside for dancing;
  - details of the seating arrangements; and
  - a description of the extent and location of the bar counter.
- The licensed premises in respect of which the application is made are the subject of a Salle Publique licence<sup>1</sup>.

### **Conditions for Nightclubs**

All nightclubs are required to employ an **accredited doorman** to assist in maintaining good order on the premises and preventing drunkenness and any unlawful conduct. Other conditions may also be added, see section 9 above.

### **Accredited or licenced Doormen**

All persons employed in the function of a doorman at a licensed premises must hold a licence issued by the Office in liaison with Guernsey Police.

For the purposes of the above a "doorman" means a person who carries out any of the functions of a doorman in connection with the regulation of entry into the licensed premises and the control of persons inside.

### **Definition of "Live entertainment and dancing"**

When determining whether or not to grant a Nightclub Licence the Royal Court will look carefully at the arrangements for live entertainment and dancing. The transmission of live sporting fixtures or concerts is unlikely to satisfy this requirement, unless there is also provision for dancing or actual live entertainment.

In addition the licensee will be required to show that any dance floor covers at least 35 per cent of the total area of the licensed premises to which customers have access, that is, clear of tables, chairs and any other obstructions. The dance floor must be clearly shown on the plans, together with its dimensions.

Finally, the dance floor must be continuously available during extended hours save for the 15 minutes immediately prior to closing. Live entertainment should not include entertainment which is indecent or lascivious in nature.

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<sup>1</sup> A Salle Publique Licence allows a venue to charge an entry fee. For all enquiries, please contact the Planning Services [planning@gov.gg](mailto:planning@gov.gg)

## **11. DESIGNATED OFFICIALS**

When a designated official (DO) is in place they have the same duties and responsibilities as if they were the licensee.

When a DO ceases to be employed by the licensee (company) it is the responsibility of the company to nominate a person to take over those responsibilities, as a temporary DO, and must notify the Office without delay. A temporary DO may be in place for no longer than 2 months. During that time the Company will need to apply to the Royal Court for a new Designated Official.

It is recommended that persons nominated to act as temporary DOs undertake the Liquor Licensing Exam and provide a basic police disclosure.

## **12. BREACHES OF LICENCE CONDITIONS**

If a licensee breaches the conditions of their licence, they risk their licence being varied, suspended or forfeited.

Following a breach of conditions the Office will normally refer the matter to the Law Officers of the Crown who may make application to the Royal Court to suspend, vary or order the forfeiture of the licence. In these circumstances, the Court will look at all the circumstances of the breach and if it is satisfied that by imposing one or more additional conditions the issues which resulted in the breach can be overcome it will vary the licence, or attach conditions to the licence accordingly. However, in more serious cases the Court may consider it necessary to suspend the licence or order its forfeiture.

A suspension would be considered when the Court is satisfied that the issues, which resulted in the breach, could be resolved quickly whilst the premises are closed.

An order to forfeit a licence will normally only be made where the Court is satisfied that the breach is so serious that no other options would be appropriate.

## **13. APPEALS**

Any licensee who has their licence application refused or, having been granted a licence, has it varied, suspended or ordered to be forfeited by the Royal Court following a breach of licensing conditions, will have a right of appeal to the Guernsey Court of Appeal on a question of law only. The appeals process is set out in section 92 of the Ordinance. Licensees are advised to consult an Advocate before embarking on an appeal based on a point of law.

## **14. NOISE AND NUISANCE FROM LICENSED PREMISES**

The following information is offered as guidance for some of the issues the licensee may wish to consider when assessing whether or not your neighbours regard the licensee as a good neighbour or a nuisance. Much of the guidance relates to the noise which may come from the premises and may include things which create noise and nuisance, which the licensee may not have considered.

The Royal Court has indicated that where somebody objects to a licence being issued or renewed on the grounds of noise it will have regard to this general guidance.

### **A. Noise Control – general guidance**

Noise can come, either directly or indirectly, from licensed premises. Direct noise, such as that from entertainment activity, will be under the licensee's direct control. Indirect noise, such as that from vehicles and patrons coming to and from the premises, may not be under the licensee's direct control, but the licensee can strongly influence it.

Typical noise sources include:

- Sound amplification systems and entertainment in general;
- Ventilation and air-conditions;
- Chiller-units and beer pumps;
- Handling of barrels, kegs, cylinders and bottles outside;
- Vehicles, including taxis, customer and delivery vehicles;
- Customers, both inside and outside the premises; and
- Outdoor play areas and beer gardens.

If the premises is connected to another "noise sensitive" premises (such as a dwelling or office) the licensee will need to take extra care to ensure excessive noise and vibration does not filter through the structure of the building. The licensee is advised to seek a specialist noise consultant in such circumstances.

### **B. Noise Control – what the licensee need to do**

The licensee needs to take all reasonable steps to ensure:

- Noise is not audible at sensitive locations, such as; dwellings, hospitals, hotels and other business premises (don't forget the residential parts of other licensed premises in the area); and that
- Noise does not cause unreasonable disturbance to the wider public, such as passers-by and people using public facilities.

Greater control measures are needed for premises that have regular entertainment, and/or where the venue is operated late at night (after 11pm). For example:

- Keep windows, doors etc. closed – Remember that for health and safety reasons it is very important to ensure the premises is properly ventilated and access to emergency exits is not restricted;
- Provide acoustically treated ventilation/air conditioning – allowing windows etc. to be closed;
- Use a sound-lobby (with two sets of self-closing doors) at the entrance to or exit from premises;
- Provide sound insulation to emergency exit doors and extractor fans;
- Keep speakers within the premises and do not position them near to openings such as doors and windows; and
- Do not deliberately play, or direct music outside the premises as a means of attracting custom.

At the source of noise the licensee can:

- Play sound amplification system through a sound limiting device;
- Use in-house speakers rather than artistic and DJ speaker systems;
- Provide sound insulated machinery;
- Provide insulation to ventilation ductwork and outlets;
- Use anti vibration mountings for speakers;
- Use rubber matting for the movement of barrels, cylinders, bottles, etc; and
- Provide solid fencing around car parking, play areas and beer gardens, etc.

In addition the licensee can:

- Ensure all staff, DJ's and artists understand the premises noise control requirements;
- Operate at realistic times, which will not impact on others;
- Use different finishing times for different parts of your operation – e.g. finish entertainment earlier than alcohol or food sales;
- Use outdoor areas at reasonable times;
- Do not remove waste and bottles late at night;
- Use signs to advise patrons and staff to be quiet when leaving premises;
- Arrange for deliveries to be made at reasonable times; and
- Carry out regular monitoring checks to ensure noise is being adequately controlled.

## **15. UNDER 18s PERMIT**

Under the Ordinance, whilst under 18s may lawfully be present upon licensed premises at any time, they are not permitted to be present in any **bar** within a licensed premises, except where an under 18s permit has been granted by the Royal Court and subject to conditions imposed by the Court.

An under 18s permit will allow persons aged under 18 years to lawfully enter and remain in any bar in licensed premises to which the permit relates and subject to any conditions imposed by the Court. The Office believes that an under 18s permit should only be granted in respect of a bar which constitutes *“a suitable environment for persons under the age of 18 years”*. The

Ordinance defines a “bar” to include any place exclusively or mainly used for the sale and consumption of intoxicating liquor.

In determining whether or not a bar constitutes a suitable environment for persons under the age of 18 years, a number of factors must be taken into account including, in particular:

- The general ambience of the bar;
- The type of licensed premises in which the bar is located; and
- The facilities, services and entertainments that are available or provided for persons using the bar.

It should be noted that the Court is unlikely to grant an under 18s permit for the entirety of the permitted liquor licensing hours. As under 18s permits will provide an opportunity for young people and children to be in a bar area the Court may impose a cut off time for young persons to be present and will, at all times, require under 18s to be under the supervision of an adult.

The final decision will rest with the Royal Court on consideration of the licensee’s application and the reports prepared by the Police, Fire Service, Environmental Health Services and the Douzaine and Constables of the Parish.

Any part of the premises not exclusively or mainly used for the sale and consumption of intoxicating liquor and which does not constitute a bar will not need an under 18s permit to enable under 18s to be present lawfully. For example, bedrooms, separate restaurants, or conservatories which are separated by walls or doors from bar counters where drinks are purchased will not themselves constitute bars simply because intoxicating liquor is occasionally consumed in those areas.

So far as exterior patio or terraces are concerned it will be necessary to consider the position with care to ascertain if the areas are licensed and if so whether they have been designated as part of the bar area in the licence granted by the Court.

For the avoidance of any doubt or delay to an application for a liquor licence, applicants are advised to consult their advocate as to whether an under 18s permit is necessary and the areas for which it should be sought.

The application must include a plan of the premises which clearly marks, in BLUE ink, the boundary of the area and hatching the area to be covered, the bar areas where under 18s will be permitted.

In addition, the following issues must be addressed on the application form:

- The principal nature of the business to be conducted in the entire licensed premises coupled with the factors noted above, which the Court will seek to weigh in balance when considering the application. For example these may be very different where the application is in respect of licensed premises trading as a restaurant or a café compared

with one which is trading as a pub or packed bar area with few tables and no meals or no meals tailored for children and young people.

- Times when persons under 18 years will be permitted onto the licensed premises. For example it is recommended that careful consideration is given to the issue of whether under 18s should leave by a certain time because the environment will not be suitable for children and young persons.
- Facilities available to under 18 year olds, for example provision of a children's or games area, availability of meals, and the type of menu, etc.
- Other restrictions which may be proposed by the licensee, for example a requirement that under 18s be accompanied and in the charge of an adult. The Court may require that under 18s be accompanied and in the charge of an adult at all times.

The Royal Court, in granting a permit, will have the power to impose additional conditions where they are linked to the above issues. Therefore, the licensee is asked to specifically address the above issues in his application to assist the Royal Court in determining whether the premises provide a suitable environment for persons under 18 years old.

Licensees are reminded that the reports from the Police and the Parish Constables will also consider these issues.

Please note that, responsibility for ensuring that a permission under an under 18s permit is exercised properly rests with the Licensee/Designated Official of the principal licence.

Please refer to the [Guidance Notes for Advocates](#) issued by HM Greffier on 4<sup>th</sup> January 2008 and the [Royal Court \(Liquor Licensing\) Rules, 2006](#).

## **16. CONTACT DETAILS**

If you have any queries please contact the Office *of the* Committee *for* Home Affairs via email, [homeaffairs@gov.gg](mailto:homeaffairs@gov.gg), by phone 717371, or via the States of Guernsey website [www.gov.gg/liquor-licensing](http://www.gov.gg/liquor-licensing)