

**GUERNSEY STATUTORY INSTRUMENT 2009 No. 40**

**The Control of Intoxicating Liquor (Designated Public Places)  
(La Vallette, St Peter Port) Order 2009**

Made: 27 July 2009

Coming into force: 27 July 2009

THE STATES HOME DEPARTMENT, in exercise of the powers conferred upon it by section 2 (1) and (2) of the Control of Intoxicating Liquor (Designated Public Places) Ordinance, 2007, hereby orders:-

1. In order to prevent nuisance or annoyance to members of the public or a section of the public or disorder which is likely to be associated with the consumption of intoxicating liquor in that place, the area outlined in red on the attached plan, that is:-
  - (a) La Vallette road between the cafeteria/restaurant known as the "Halfmoon", Havelet and the entrance to the Aquarium, including the foreshore, footpaths, bathing places, slipways and public seating areas situated on both sides of the road; and
  - (b) the whole of the area known as the Clarence Battery, together with the steps leading between the roadway adjacent to the entrance to the Aquarium and the Clarence Battery

shall be a designated public place for the purpose of the Ordinance at all times until 2.00am on Sunday 25 October 2009 (when British Summer Time ends).

2. This Order may be cited as the Intoxicating Liquor (La Vallette, St Peter Port) Order 2009.

3. This Order shall come into force on the 27<sup>th</sup> July 2009.

Dated this twenty seventh day of July 2009.

*G. H. Mahy*

DEPUTY G H MAHY  
Minister of the States Home Department  
For and on behalf of the Home Department

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## EXPLANATORY NOTE

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

This order sets out the areas that are to be designated as a Designated Public Place, that is, prohibiting the consumption of intoxicating liquor in the areas so specified during the times specified.

The Order shall not apply to:-

- (a) licensed premises within the meaning of the Liquor Licensing Ordinance 2006 ;
- (b) a place within the curtilage of such licensed premises;
- (c) a place which may be used for the supply of intoxicating liquor or which could have been so used within the last twenty minutes by virtue of an occasional liquor permit within the meaning of the Liquor Licensing Ordinance 2006; or
- (d) a place where facilities or activities relating to the sale of or consumption of intoxicating liquor are for the time being permitted by virtue of an *al fresco* licence granted under the Public Highways (Temporary Closure) Ordinance 1999.

Further, if a police officer reasonably believes that a person is, or has been, consuming intoxicating liquor in a designated public place or intends to consume intoxicating liquor in such a place the officer may require the person concerned:-

- (a) not to consume in that place anything which is, or which the police officer reasonably believes to be, intoxicating liquor;
- (b) to surrender anything in his possession which is, or which the police officer reasonably believes to be, intoxicating liquor or a container for such liquor.

However, a person is not required to surrender intoxicating liquor in a sealed container unless a police officer reasonably believes that the person concerned intends to consume the liquor in a designated public place.

