

GUERNSEY STATUTORY INSTRUMENT 2009 No. 55

**The Control of Intoxicating Liquor (Designated Public Places)
(Sunken Gardens, St Peter Port - Extension) Order 2009**

Made: 21 October 2009

Coming into force: 25 October 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 marked in red on the attached plans, that is:-
 - (a) Ann's Place from the entrance of the Old Government House Hotel to the top (south) end of Hirzel Street; and
 - (b) The top (south) end of Hirzel Street to the junction at the top (west) end of Forest Lane; and
 - (c) The top (western) end of Smith Street between its junction with Forest Lane across to the Prince of Wales premises; and
 - (d) Manor Place to the junction of Le Marchant Street; and
 - (e) St James Street from the end of the Royal Court building to the lower (rear) entrance to St James Concert Hall; and
 - (f) The whole of the War Memorial area and all of the area known as the Sunken Gardens

shall be a designated public place for the purpose of the Ordinance at all times between the dates specified below.

2. The area specified above shall be a designated public place between 2:00am (British Summer Time) on Sunday 25 October 2009, and 2.00am (British Summer Time) on Sunday 31 October 2010.
3. This Order may be cited as the Intoxicating Liquor (Designated Public Places) (Sunken Gardens, St Peter Port - Extension) Order 2009
4. This Order shall come into force on the 25 October 2009.

Dated this 21st day of October 2009.

G. H. Mahy

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

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.

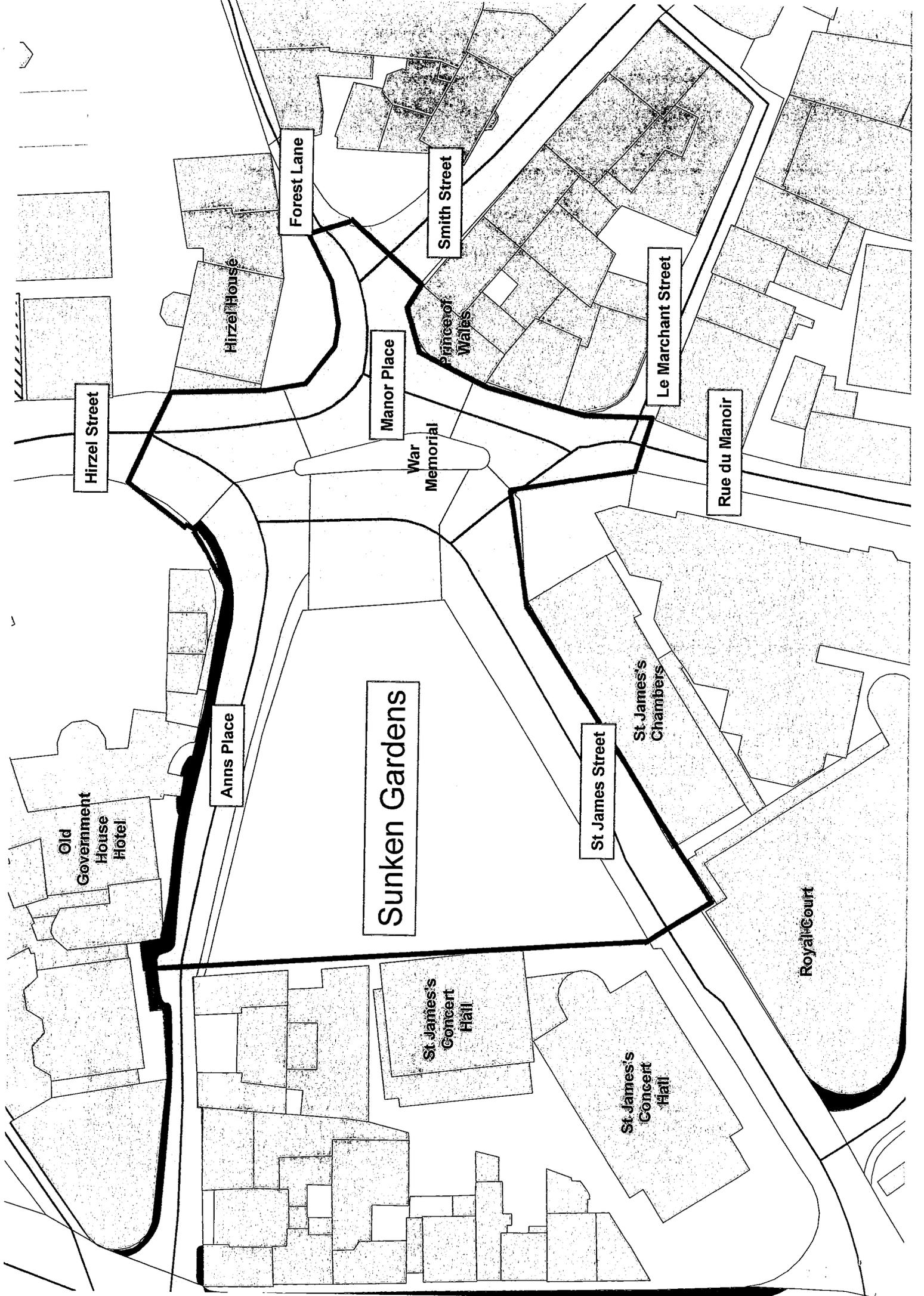
The Order shall not apply to:-

- (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.



Hirzel Street

Hirzel House

Forest Lane

Smith Street

Manor Place

Prince of Wales

War Memorial

Le Marchant Street

Rue du Manoir

Anns Place

Old Government House Hotel

Sunken Gardens

St James Street

St James's Chambers

St James's Concert Hall

St James's Concert Hall

Royal Court

