

**The LIQUOR LICENSING  
(GUERNSEY) ORDINANCE, 2006**

**TRAINING MANUAL FOR THE LIQUOR  
LICENSING EXAM**

## INDEX

1. IMPORTANT NOTE .....	3
2. PREFACE.....	3
3. CATEGORIES OF LICENCE AND LICENSING HOURS .....	4
4. LICENCE FEES .....	8
5. UNDER 18s PERMIT .....	8
6. LICENSING CONDITIONS .....	9
7. BREACHES OF LICENCE CONDITION.....	10
8. DISPLAY OF NOTICES .....	10
9. PAYMENT FOR DRINKS .....	11
10. OFFENCES.....	11
11. PROSECUTION AND PUNISHMENT OF OFFENCES .....	13
12. TEMPORARY CLOSURE ORDERS.....	13
13. ABSENT LICENSEES.....	13
14. ALTERATIONS AND ADDITIONS.....	14
15. TERMINOLOGY .....	15
16. MANAGEMENT OF NOISE AND NUISANCE FROM LICENSED PREMISES .....	15
17. DRUNKENNESS ON LICENSED PREMISES .....	17
18. RESPONSIBLE DRINKING .....	17
19. CONTACT DETAILS.....	17

## 1. IMPORTANT NOTE

The Office *of the* Committee *for* Home Affairs (“Home Affairs”) along with the Guernsey Police and the Royal Court will expect that anybody working in the licensing trade will have a good understanding of the liquor licensing laws.

Liquor Licence tests are now online based. . To book a place, please email [homeaffairs@gov.gg](mailto:homeaffairs@gov.gg) or visit <https://gov.gg/liquor-licensing>.

This manual is intended as an aid to understanding the Liquor Licensing legislation in Guernsey and must be read in conjunction with the [Liquor Licensing Ordinance 2006](#).

Prospective licensees should ensure that the examination is passed before attending the Royal Court for approval of a Licence. Please contact the Business Support Officers on 717353 with regard to Licence applications or refer to the [General Guidance Notes](#).

## 2. PREFACE

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 their 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.

Home Affairs recognises that the vast majority of licensees already strive to ensure that they operate their licences in accordance with these principles.

## **3. CATEGORIES OF LICENCE AND LICENSING HOURS**

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></p> <p>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></p> <p>10.00am to 12.45am (Monday to Saturday)</p> <p>12 noon to 12.45am (Sunday and Good Friday)</p> <p>11.00am to 12.45am (Christmas Day)</p>	
CATEGORY B	RESIDENTIAL LICENCE
<p><b><u>Definition</u></b></p> <p>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</p>	

and residential and nursing homes subject to registration with the Committee *for* Health & Social Care. Separate application can be made for an Under 18s Permit in respect of any bar or part of it.

**Permitted Hours**

At the discretion of the licensee.

**CATEGORY C**

**HOTEL LICENCE**

**Definition**

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.

**Permitted Hours (in respect of non-residents)**

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 D**

**CLUB LICENCE**

**(PRIVATE MEMBERS' CLUBS)**

**Definition**

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.

**Permitted Hours**

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**

**Definition**

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)	
<b>CATEGORY F</b>	<b>PORT (ON SALES)</b>
<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)	
<b>CATEGORY G</b>	<b>PASSENGER VESSEL</b>
<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)	
<b>CATEGORY I</b>	<b>GENERAL OFF-LICENCE</b>
<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.	
In addition, if the shop is open other than between 7.00am and 12 midnight any intoxicating liquor must be removed from display or covered up.	
<b><u>Permitted Hours</u></b>	
7.00am to 12 midnight (Any day of the year)	
<b>CATEGORY J</b>	<b>PORT OFF-LICENCE</b>
<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**

The licence fees are reviewed every year. The calendar year runs from 1<sup>st</sup> June to 31<sup>st</sup> May.

\*See Section 21 and the Fourth Schedule of the Liquor Licensing Ordinance, 2006.

Licencees who operate their licences on a seasonal basis, that is, the premises is open for less than 30 weeks in any calendar year, are eligible to apply for a one third reduction in the fee payable.

**5. 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.

The Court when granting an Under 18's Permit will take into consideration the following matters:

- 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.

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

## **6. LICENSING CONDITIONS**

The Royal Court may impose additional conditions where necessary to assist with problems which may have been brought to the Royal Court's attention regarding the exercise of the liquor licence.

The reporting authorities might specify in their reports any additional conditions which they believe should be attached to the licence and set out, together with supporting evidence, the reasons why they are making the recommendation. In all cases such recommendations must be reasonable and proportionate.

Therefore, the conditions might relate to the opening hours of premises, the number of people who can be accommodated on the premises at any one time, the provision of door staff at certain times, the cleaning up of litter outside the premises and noise control.

## **7. BREACHES OF LICENCE CONDITION**

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.

## **8. DISPLAY OF NOTICES**

The Ordinance requires licensees to display a number of notices on the licensed premises, namely:

- a) the liquor licence as issued by the Royal Court (which may include an under 18's Permit) (see [section 34](#) for details of the minimum size and where the notice should be displayed)
- b) a price list (see [section 35](#) for the minimum size of the notice and details about what types of drinks must be listed) (applies to all Categories of licence other than Category I)
- c) a notice setting out the offences concerning persons aged under 18 years (see Appendix 2 for details of what this notice must say)

All the notices must be clearly visible and should be positioned so that customers are able to read to notices easily.

## **9. PAYMENT FOR DRINKS**

Section 32 sets out how and when payments for intoxicating liquor must be made: Drinks must be paid for when they are purchased, unless the person is having a meal at the same time or, in the case of hotel and residential licences, is a resident in the hotel or guest house.

If a licensee or their staff allow a customer to set up a “tab” not only do they commit an offence under the Ordinance and so put the liquor licence at risk of suspension or revocation but also the licensee cannot seek to recover any monies due under the “tab” through civil debt proceedings.

## **10. OFFENCES**

It is essential that every licensee and all their staff fully understand the various offences under the Ordinance and how to deal with the circumstances which may result in an offence being committed within a premises. Home Affairs encourages Licensees to be proactive in their training for new staff, ensuring that they are capable and confident to deal with potentially difficult situations.

The Ordinance creates a number of offences and it is essential that licensees and all staff fully understand them as committing any of the offences can result in the licensee and members of staff being prosecuted and/or the licensee having their licence suspended or revoked or additional conditions imposed.

The various offences are set out below with a very brief explanation of each of them.

Section 1 of the Ordinance creates a general offence that nobody can sell intoxicating liquor unless he holds a liquor licence:

That is, for anybody to be able to lawfully sell or offer for sale any intoxicating liquor he must have applied for and been granted a liquor licence. Only the Royal Court can grant a liquor licence.

Section 21 restricts the sale of intoxicating liquor to the permitted hours (see Part 2):

This section means that no intoxicating liquor can be sold outside the hours stated for the class of licence. For example, off-sales under a Category I licence can only be made between 7.00am and 12 midnight, regardless of whether the shop is open for longer hours.

If intoxicating liquor is sold, supplied or consumed outside the permitted hours the licensee and any member of staff who makes the sale may be prosecuted for this offence. Further, the licensee also risks losing their licence as a result.

### **Off-Licences**

In addition, where a Category I – General Off Licence is in force if the shop is open other than between 7.00am and 12 midnight any intoxicating liquor must be removed from display or covered up. Section 22 controls persons aged under 18 years of age in bars:

That is, nobody aged under 18 years must be allowed into a bar unless one of the exemptions listed in this section applies or the bar area is covered by an Under 18s Permit. Here again, the licensee and their staff may be prosecuted if somebody under 18 years of age is on licensed premises and they are not expressly covered by either one of the exemptions or an Under 18s Permit.

Further, Section 23 and 24 prohibit the sale, supply, consumption or purchase of intoxicating liquor by young people.

That is, a licensee and their staff must not sell or supply intoxicating liquor to anybody under 18 years of age. The meaning of sale should be easily understood but it is important to remember that money does not have change hands for a sale to have occurred. Supply is much wider and includes where somebody who is over 18 buys intoxicating liquor and, whilst still on the licensed premises, hands it to somebody who is under 18. It is therefore important that all licensees and their staff pay particular attention to who somebody is buying drinks for. The consumption of intoxicating liquor by somebody under 18 years is only unlawful, in respect of this Ordinance, when it occurs on licensed premises.

Licensees need to operate an ID check policy, some premises will operate an Under 21 policy or similar. The valid proofs of identification are passports and the Citizen Card, which contains a hologram. Licensees are asked to note that Driving Licenses are a proof of identification but this does not imply that they are a proof of age.

It should be noted that if a young person purchases intoxicating liquor on licensed premises the young person, the member of staff who sold the drink and the licensee could all be prosecuted. In addition, the licensee could lose their licence.

### **Off-Licences**

Off-licensees should also note that staff aged under 18 years cannot sell alcohol. All sales of alcohol must be made by a member of staff who is 18 years or over. Further, where a shop holds an off-licence but from time to time there is no member of staff aged 18 years or over any alcohol must either be removed from display or the display area covered up.

Section 29 deals with drunkenness and disorderly conduct on licensed premises:

That is, it is an offence for a licensee or their staff to allow somebody who is drunk or who is behaving in a disorderly or violent manner to remain on or enter licensed premises, regardless of whether the person is continuing to drink. The licensee and their staff are given specific powers to remove or refuse entry to persons they believe to be drunk or acting in a disorderly or violent manner. These powers reflect the seriousness of these offences and therefore the potential consequences for the licensee. Assessing whether or not somebody is drunk is sometimes difficult and opinions may well differ, Licensees are

ultimately responsible for the decisions their staff make so it is important to remember that if you or your staff get it wrong the decision could cost you your licence. Home Affairs encourages Licensees to be proactive in their approach to responsible drinking.

Section 30 makes it an offence for the licensee or their staff to cause or permit any undue noise to emanate from the licensed premises:

Here again there is an expectation that the licensee will do all in their power to ensure that neighbours to and/or people outside the licensed premises are not disturbed by noise from their premises. For this reason the Parish Constables, Police and the Environmental Health Service are specifically required to include in their reports to the Royal Court any complaints, whether official or unofficial, they have received regarding noise from the licensed premise. You will also note that the Royal Court has the power to impose some very stringent additional conditions on any licence if noise is a concern.

Offences under this section are serious and therefore you should do everything within your power to ensure that you are a “good neighbour”.

Section 31 prohibits licensed premises from being used by prostitutes for immoral purposes.

Section 36 creates a number of offences relating specifically to police officers whilst on duty, which should be noted.

## **11. PROSECUTION AND PUNISHMENT OF OFFENCES**

The penalties for offences under the Ordinance are potentially severe (see Part XIII, Sections 88 and 89 of the Liquor Licence Ordinance, 2006). In addition to a fine not exceeding £10,000 and/or a prison sentence not exceeding 3 months the liquor licence itself may be suspended or revoked or additional conditions attached to the licence.

## **12. TEMPORARY CLOSURE ORDERS**

See Part XII of the Liquor Licence Ordinance, 2006.

Sections 85 and 86 of the Liquor Licence Ordinance, 2006, allow the Bailiff and the Police to order the immediate closure of licensed premises when it is necessary in the interests of public safety to close the premises urgently or immediately. Section 87 of the Liquor Licence Ordinance, 2006, allows the Royal Court only to extend the immediate closure order for up to 14 days.

These powers should assist both licensees and the Guernsey Police to deal with serious disorder in a safe and timely manner without risking enflaming a situation which is already volatile.

## **13. ABSENT LICENSEES**

The Ordinance requires the licensee to personally supervise their premises. Section 26 of the Liquor Licence Ordinance, 2006, sets out that if a Licence holder is away from the premises for more than 7 days he must make suitable arrangements for somebody to act in their place.

The Licence holder must seek Home Affairs's permission in advance; the Home Affairs suggests 7 days, they must also provide details of a temporary licence holder. This temporary licence holder must pass the Liquor Licensing Exam prior to their nomination. Such temporary absences must not exceed 2 months.

Before granting permission Home Affairs will need to be satisfied that the person who will be covering the licence fully understands the responsibilities and duties of a licensee and is a fit and proper person to act in this role. The person will be acting as though they were the permanent licensee.

If the period of temporary absence is to exceed 2 months an application, after giving 7 clear days notice to Home Affairs, will need to be made to the Royal Court.

In addition, if you are planning on closing your premises for more than 7 days you must advise Home Affairs in writing indicating on what date the premises will re-open.

Section 27 of the Liquor Licence Ordinance, 2006, addresses the procedures which must be followed when a licensee dies or because of ill health is unable to continue to personally supervise the licence.

Section 28 of the Liquor Licence Ordinance, 2006, requires that when a licensee changes their name or the name of the premises they inform both Home Affairs and Her Majesty's Greffier in writing as soon as possible of the change.

#### **14. ALTERATIONS AND ADDITIONS**

If it is intended to materially alter the premises in any way licensees must ensure that the appropriate application to the Royal Court is submitted prior to any changes been made ot the premises. Failure to do so may result in the licence being suspended or revoked. The types of alterations which need Royal Court approval include:

- i. To increase the floor space available for the use of persons consuming intoxicating liquor on the premises;
- ii. Where an alteration will result in concealment from observation of any part of the premises used for the sale, supply or consumption of intoxicating liquor; or
- iii. Where an alteration affects communications between the licensed premises and any other premises or a public place.
- iv. All structural alterations.
- v. Any alterations to the sanitary facilities.
- vi. Any alterations to the access arrangements, including fire exits.
- vii. Where a Category A licence is in force any alterations to the internal layout which could be regarded as not in keeping with the principle purpose (bar, café or restaurant) specified on the licence.

Please note that the above list is not exhaustive.

## 15. TERMINOLOGY

**Licensees** can be a person, a limited company or a private member club.

**Designated Officials** is the person in charge of the Licence when the Licensee is either a limited or a private member club.

**Temporary Designated Officials / Temporary Licence Holder** act when the Designated Official is absent under Section 7.6 or Part VIII of the Liquor Licensing Ordinance, 2006.

**Licensees and designated officials are reminded that they can never delegate the responsibility for ensuring that the licence conditions are fulfilled. It is the licensee or designated official who will always be ultimately responsible for the management of their premises regardless of whether or not they are physically present when any trouble or problems occur.**

## 16. MANAGEMENT OF 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.

#### **17. DRUNKENNESS ON LICENSED PREMISES**

A person who is drunk or who is behaving in a disorderly or violent manner should not be allowed to remain or enter a licensed premises.

Assessing whether or not somebody is drunk is sometimes difficult and opinions may well differ, in any event alcohol should not continue to be supplied if there is reasonable concern.

If Licensees and their staff believe a person to be intoxicated they should ask the person to leave the premises. Licensees are allowed to use reasonable force in order to eject someone from the premises and are ultimately responsible for this decision. Home Affairs encourages Licensees to be proactive in their approach to responsible drinking.

#### **18. RESPONSIBLE DRINKING**

The Office support the work of the Drug and Alcohol Strategy in promoting Responsible Drinking.

Further information can be found here -

<https://www.count14.scot/>

<https://alcoholchange.org.uk/>

#### **19. 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)