

STATES OF JERSEY



DRAFT LICENSING (No. 18) (JERSEY) REGULATIONS 201-

Lodged au Greffe on 11th April 2016
by the Minister for Economic Development, Tourism, Sport and Culture

STATES GREFFE



Jersey

DRAFT LICENSING (No. 18) (JERSEY) REGULATIONS 201-

REPORT

In order to mark the occasion of Her Majesty the Queen's official 90th birthday in June 2016, the Minister for Economic Development, Tourism, Sport and Culture proposes to amend the Licensing (Jersey) Law 1974 to allow patrons of First Category (Taverner's) licensed premises to be served alcohol until 1.00 a.m. on the nights of Friday 10th and Saturday 11th June 2016.

The proposed extension is broadly in keeping with the position for England and Wales, as announced by the United Kingdom government on 23rd March 2016. It is further expected to relieve the Licensing Assembly and the Judicial Greffe of the burden of dealing with the individual premises-specific applications for a liquor licence extension that could reasonably be expected in the absence of such draft Regulations.

Comparable legislation

The States Assembly agreed to comparable extensions to mark both the Millennium celebrations and the occasion of the Royal Wedding in 2011.

The Licensing (No. 13) (Jersey) Regulations 1999 had the effect of extending the hours of all licences throughout the night of the Millennium. On that occasion, licensees wishing to take advantage of the extension were required to notify the Judicial Greffe. The Licensing (No. 17) (Jersey) Regulations 2011 extended the existing licensing hours for First Category premises to 1.00 a.m.

The Minister, having reflected on the outcome of the 1999 and 2011 extensions, and the practical implications of a requirement for prior notification, proposes that the extension of licences should take place automatically in June, as per the 2011 position.

Nature of the extension

On this occasion, the limited extension will affect First Category licences only. Permitted hours for serving alcohol will be extended for the evenings of both Friday 10th and Saturday 11th June through to 1.00 a.m. the following morning. A 20 minute period of drinking-up time will be permitted on both dates, ending at 1.20 a.m. All members of the Public will then be required to leave First Category licensed premises by 1.30 a.m.

Other licence categories will not be affected by these Regulations.

Notification

In order to ensure that both licensees and potential patrons are aware of the changes to licensing hours, the draft Regulations provide for publication by the Judicial Greffe of a Gazette Notice addressing the situation and stating the new licence hours, the category affected and the dates concerned.

Control of premises

The Licensing (No. 13) (Jersey) Regulations 1999 contained a provision allowing certain officers of the States Police Force or relevant Honorary Police Force to force the closure of premises in the interests of public order during the period of the Millennium celebrations. Given the limited scope of the planned extension in this particular case, it is considered that existing enforcement powers should be sufficient. On that basis, there is no intention to replicate the closure provision as per the No. 13 Regulations.

Financial and manpower implications

The States of Jersey Police are aware of the scheduling of televised European Championship football matches on 10th and 11th June, and will doubtless deploy any additional resources on those evenings that they consider necessary. An extension for First Category premises should be expected to have a supplementary bearing on Police resourcing considerations.

Notwithstanding the above, it is worthy of note that the number of alcohol-related arrests made following the extension granted in 2011 for the Royal Wedding was lower than the States of Jersey Police had reportedly prepared for. The reduced arrest rate was reportedly attributed to a reduced tendency of persons having consumed alcohol to move between licensed premises.

Explanatory Note

These Regulations amend the Licensing (Jersey) Law 1974 so as to extend, by 2 hours on both Friday 10th June and Saturday 11th June 2016, the hours during which intoxicating liquor may be sold or consumed at premises with a taverner's licence. The effect of the amendment is that intoxicating liquor may be sold on those premises during the extended hours, that is, until 1.00 a.m. the following day, and members of the public will have up to 1.20 a.m. for drinking, and may remain on the premises until 1.30 a.m.



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Made [date to be inserted]
Coming into force [date to be inserted]

THE STATES, in pursuance of Article 93 of the Licensing (Jersey) Law 1974¹, have made the following Regulations –

1 Article 92A substituted

For Article 92A of the Licensing (Jersey) Law 1974² there shall be substituted the following Article –

“92A Her Majesty The Queen’s 90th Birthday celebrations: licensing extension

- (1) Notwithstanding any restriction imposed by or under any provision of this Law –
 - (a) the permitted hours for a licence of the first category –
 - (i) on Friday 10th June 2016 shall be extended to 1.00 a.m. on Saturday 11th June 2016;
 - (ii) on Saturday 11th June shall be extended to 1.00 a.m. on Sunday 12th June 2016;
 - (b) any member of the public may enter premises to which a licence of the first category relates –
 - (i) between 11.00 p.m. on Friday 10th June 2016 and 1.00 a.m. on the following day and may remain there until 1.30 a.m. on Saturday 11th June 2016;
 - (ii) between 11.00 p.m. on Saturday 11th June 2016 and 1.00 a.m. on the following day and may remain there until 1.30 a.m. on Sunday 12th June 2016;
- (2) Nothing in Article 25(1) shall prohibit the consumption of intoxicating liquor during the first 20 minutes after –
 - (a) 1.00 a.m. on Saturday 11th June 2016; and
 - (b) 1.00 a.m. on Sunday 12th June 2016,in premises to which a licence of the first category relates.

- (3) The Judicial Greffier shall give notice in the Jersey Gazette of the extension of the permitted hours for a licence of the first category under this Article, such notice being published no later than 2nd June 2016.”.

2 Citation and commencement

These Regulations may be cited as the Licensing (No. 18) (Jersey) Regulations 201- and shall come into force the day after they are made.

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- ¹ *chapter 11.450*
² *chapter 11.450*