

# LICENCE TO SERVE

ISSUE 029

## News from the Liquor Licencing team



This newsletter is jointly produced by the Timaru District Council Alcohol Licensing Team, the Police Alcohol Harm Reduction Officer, Te Whatu Ora Alcohol Licensing Officer and the Fire Risk Management Officer, Fire & Emergency New Zealand.

We encourage all licensees to circulate this newsletter to all staff, especially Duty Managers.

## The realities of dangerous driving

A group of students from Students Against Dangerous Driving (SADD) were able to see for themselves the reality of dangerous driving on the roads recently when they spent an evening with police.

Six students from SADD spent two hours at a roadside operation in South Canterbury focused on drink-driving attitudes.

These kinds of situations allow young people to see the realities of what happens out on our roads and what dangerous driving looks like.

The students saw police stopping and testing drivers on rural roads.

Whilst there were some impaired drivers over the drink driving limit, there were also some who had made good decisions and made plans to have sober drivers take them home.

"When I was a student, I went out on a police checkpoint like this and I still have it imprinted on my mind," says SADD co-ordinator Lucy Mehtrens. "It makes a real impression on young people to see the reality of what the police do out on the roads."

Acting Sergeant Ben Grant of the Aoraki Highway Patrol team who led the operation agrees. The two day operation saw over 3000 motorists breathalysed at different stops across South Canterbury and they were a real cross section of drivers says Grant, of all ages and from all areas.

Grant also points out that there are other distractions to consider when it comes to dangerous driving. Mobile phones he says are a big issue too. It is illegal to operate a mobile device whilst driving and many people don't realise that it can also invalidate their insurance if they have an accident.

If you would like further information about Students Against Dangerous Driving, contact Lucy Merhtens at South Canterbury Road Safety.

Lucy | M: 027 228 2583 | E: [lucy.mehrtens@timdc.govt.nz](mailto:lucy.mehrtens@timdc.govt.nz)



"One moment of inattention on the road can have catastrophic and long lasting consequences and there is definitely some work to be done to change attitudes," says Grant.



## What is SADD?

Students Against Dangerous Driving is a student-led charity with the goal of preventing loss on New Zealand roads.

The SADD team provide guidance and support to influence their peers and wider community to positively promote safe road user behaviours.

SADD offers opportunities for students to work collaboratively and build relationships with road safety partners and community groups to help achieve our collective goals of reducing harm on our roads and improved wellbeing outcomes for our rangatahi.

### Alcohol Limits for Under 20s

There's a zero alcohol limit if you're under 20. That means if you drive after consuming even one drink, you can be charged with drink-driving.



## DEFINITION OF 'WORKING DAYS'

You will note in all the documentation for liquor licensing refers to 'working days' when defining statutory timeframes.

### The definition of 'working days' is:

working day means a day of the week other than –

- a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, Anzac Day, the Sovereign's birthday, Te Rā Aro ki a Matariki/Matariki Observance Day, and Labour Day; and
- if Waitangi Day or Anzac Day falls on a Saturday or a Sunday, the following Monday; and

- a day in the period commencing on 20 December in any year and ending with 15 January in the following year.

This wording becomes very important at this time of the year with the working day period ceasing on 20 December 2023 and recommencing 15 January 2024.

This has a flow on effect with the recent changes to licensed premises when we are looking at the public having 25 working days to object to applications now. An example of how this will impact applications is if an application comes in on 1 December the deadline for public objections will now be 31 January 2024.

## Club Licence Reminder

There's been a real stirring among clubs in relation to the selling of alcohol to unauthorised customers, and the consequences for them if they are caught by police or the licensing inspectors.

Some from the 'old school' are doing what they always did under the old Sale of Liquor Act 1989, at a time when they were hardly ever visited or checked. The times have changed and around the whole country, clubs are being caught on the wrong side of the law, selling to anyone, and on many occasions acting as a tavern.

Let's have a closer look at the Sale and Supply of Alcohol Act 2012 to make sure everyone is on the same page:

- Your club can only sell or supply alcohol to an authorised customer who is: a member of your club, or this member's guest, or an authorised visitor (who is from another club with which your club shares reciprocal visiting rights).
- The duty manager or bar staff have to focus on the point of sale or supply of alcohol, they have to know who they are selling to, and how they 'belong' or who they are with. The time for official club membership cards (with expiry dates), is now upon us, to prove the patron is a member of your club or another club, with reciprocal visiting rights (these clubs have to be named in the club's charter or constitution). We can't just take the person's word.
- The signing in of a visitor's book, which can be a good tool, does not necessarily protect the club, as the bar staff need to be sure, at the time of sale, at the bar.
- Anyone is allowed to enter your club, but only authorised customers can purchase alcohol, and they must be over 18 years of age to do so. (Only three forms of age identification are acceptable – being NZ drivers licence, passports, and 18+ cards – not foreign drivers licences).
- If your club wants to sell alcohol to the public, for a function or event, they will need to apply for a special licence to be on-side with the Act.

It's important to know, that a person who commits an offence of selling to an unauthorised person can be fined up to \$5000, so let's tighten up on our processes and training, so that clubs can continue to provide an important point of social contact, and healthy sporting rivalry.

## Christmas Functions and Intoxication

Tradies night is coming up, as well as many workplace Christmas functions. These events may pose extra management issues for you and your staff.

A reminder that intoxicated people are not allowed to remain on licensed premises (section 252 Sale and Supply of Alcohol Act 2012) so this becomes an issue for the Police and the Licensee to resolve.

As alcohol is a modifiable risk factor, the more someone drinks the more risk they pose. In relation to alcohol, food is a risk modifier when used early as it slows down drinking. If you are hosting events for Christmas or our hard working trades' people, consider promoting food more than alcohol. We also recommend briefing staff on clear prevention strategies and on their role in preventing intoxication. Acting early and spotting potential issues relies on a clear communication chain and delivering a standard message.

## LCQ Training Dates

In the Timaru / Waimate / Mackenzie district there are two providers that offer NZQA Unit Standards 4646 and 16705 training.

The ARA courses for 2024 are yet to be released, but as soon as we hear something we will put the dates in the next available newsletter. You can also call ARA directly on 0800 242 476 to discuss future course options.

As well as the ARA courses there are also the following options online:

### GetLCQ

[www.getlcq.co.nz](http://www.getlcq.co.nz) | 0800 800 415

### Industry Training Solutions

[www.its.ac.nz](http://www.its.ac.nz) | 0800 GO4 ITS

## ServeWise

Servewise is excellent for those staff that you have working behind the bar who may not wish to go to the next level of obtaining their LCQ. This is a free training system and you can access this by going to [www.alcohol.org.nz](http://www.alcohol.org.nz) and search for 'Servewise'.



If you are employing security, make sure they are qualified and they understand their role, check with them that they understand what your standards are and how you expect them to handle difficult, highly influenced and intoxication customers.

If you are not already, I recommend that you keep an incident book. If staff are familiar with using an incident book they become familiar with what to do in any given situation. A properly functioning incident book also becomes a great resource for training new staff.





## Water availability to reduce alcohol related harm

With the weather getting warmer and days getting longer, there comes the risk of rapid dehydration so now is a great time to assess the provision of water in your premises.

Availability of free water is one of the best ways to prevent patrons becoming intoxicated.

There are many different ways to safely provide water as well as checking that the location isn't obstructed during busy times.

Remember to remind your staff to keep providing water to anyone consuming alcohol and if you do have a water station, that it is refreshed regularly and ensure there are plenty of clean drinking glasses



## Duty Managers vs Drink Driving

Police have disappointedly dealt with several managers for drink driving convictions recently.

Although our number is relatively low compared to the likes of Christchurch, (who I believe have around 15 waiting to be acted on) it still isn't good enough. Those with managers certificates should know the rules inside and out and know the consequences of drinking before driving. Before having that after work drink, please take into consideration how much food you've eaten during your shift, how much water you've taken on board and the rest you've had. It all adds up and these things can be forgotten before having a drink after a busy shift.

Those managers that are being dealt with for their convictions are facing a 28 day suspension of their certificate and even then, ARLA can still decide to take the matter to a public hearing. Please have a talk to your staff around this topic as the busy season approaches. Last thing you want is to be down a duty manager over Christmas and New Year.

*All the best for the start of summer. Stay safe.*



## From the Secretary's Desk

**Kia ora koutou**

Time certainly has gotten away from us, and as I write this newsletter article, it strikes me that this is the fifth December edition that I will be contributing to as the Secretary for the Timaru District Licensing Committee. While it seems that time has flown by, it has been a jam packed five years.

This year is no different. We have finally managed to put out our Draft Joint Local Alcohol Policy for public consultation after two years of workshopping, attended by two different joint committees, due to having local government elections mid-way through deliberating the issues involved in the joint LAP. We have received 11 submissions and a number of submitters will be speaking to their submission which will be held during December 2023. All going well, we should be in a position to adopt a new joint LAP early in the new year.

The Liquor licensing team continues to be busy, processing applications, assisting customers with queries, monitoring events and premises and moderating the ever dreaded manager's certificate tests. We are also in the midst of recruiting some administrative assistance, which we hope to have onboard soon.

**Fun Fact:** Did you know that there are 220 liquor licenses covering the three districts of Timaru, Mackenzie and Waimate District Councils and 788 Managers for the three districts?? This provides some context for the busyness of the team.

Given the festive season is upon us, our team will be out monitoring and while they can't visit all premises and events – they will be out and about, so we encourage you all to practice good host responsibility and take good care of your patrons.

Have a great and safe festive season. Until next time...

Ngā mihi,  
Debbie Fortuin  
Secretary

