

LICENCE TO SERVE

ISSUE 007

News from the Liquor Licensing team



CLUB NIGHT

We recently held a Club Night at the Landing Services Building (thank you to Nigel Bowen for providing the venue and catering) and the turnout was much better than we had anticipated.

We ended up with around 70-80 people attending (a mix of bar staff and committee members) and from the feedback we have been receiving it was well received. This meeting was the brainchild of the tri-agency as we felt that we needed to ensure that clubs were aware of their responsibilities under the Sale and Supply of Alcohol Act 2012. We need to ensure we are gaining compliance in all areas of the liquor industry so Clubs are being testing along with other licensed premises.

A number of questions from the floor highlighted a few concerns regarding reciprocal rights and who can/cannot be served to ensure they don't breach the conditions of their licence.

Remember, clubs do get some benefits that other licensed premises don't (i.e. no restricted days condition and in a lot of cases...cheaper fees).



Managing Alcohol in Clubs

Following on from the meeting I have obtained a number of booklets titled 'Alcohol Game Plan for Bar Staff' which provides guidance on the law and licensing requirements, who can purchase and consume alcohol at the club and also good Host Responsibility (amongst other things).

I will be providing these booklets when new staff come in to do their Interview/Test with

me however if you would like a copy of the booklet please let us know and we will pop one in the mail for you.

There are also some new publications that have just arrived are the 'Server Question Card' and 'Customer Question Cards' which complement the other publications launched by Health Promotion Agency (HPA). These are also available through the Council if you would like copies of these for your staff/premise.

This newsletter is jointly produced by the Timaru District Council Alcohol Licensing Team, the Police Alcohol Harm Reduction Officer and the Community and Public Health Alcohol Licensing Officer.

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

THIS ISSUE

6 years in a nutshell...

A Minor Problem

FENZ



...sell
...st
...e either:

HPA health promotion agency

...club with reciprocal visiting rights;

- Here as a guest of a member of this club **and accompanied** by them;
- Here as a guest of a member of another club **and accompanied** by them.

1 Have your membership card ready.

Before selling alcohol to customers in a club you should ask and confirm the following:

- Are you a member of this club?
- Are you a member of another club with reciprocal visiting rights?
- Are you here as a guest **and accompanied** by one of our members?
- Are you here as a guest of **and accompanied** by a member of another club?

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Six years in a nut shell....

Hi all, it has been six years since I started working for Canterbury District Health Board (CDHB) and thinking back over those years there have been many changes.

Not only did I arrive on the scene but during this time others have come and gone. We have had three Police Alcohol Harm Reduction Sergeants, in Grant Lord, Mylen Hamilton and now Greg Sutherland. The Inspectors have changed as well with Barbara Ensor departing before the new Act, Sharon Hoogenraad taking over as Chief Licensing Inspector, Paul Cooper coming and going onto bigger things, and now we have Ange Lumsden, who will be off to have a wee baby soon. Publicans have also come and gone. Overall, though I must state it has been a privilege to meet and work with you all. South Canterbury has some of the most reliable and honest licensees and Duty Managers in New Zealand and I have really enjoyed speaking to you all about your businesses and listening to your frustrations.

What have I achieved during my time at CDHB? I like to think that together we have achieved many things, for one, making people accountable for their actions. I am not talking about the dreaded

CPO's here, although they do make many people accountable, I am talking about the Tri-Agency and the Licensee Accords, particularly the Timaru Accord as the people in this accord are organised and united. These licensees are all supportive of reducing alcohol related harm because that is what they have signed up for.

I learnt from policing that a small group of organised people can defeat the larger unorganised rabble. We all can reduce alcohol harm by being slightly more organised. Accords can do this by meeting regularly at the start and identifying the people who are actually creating the havoc in the form of violence and disorder then making these people accountable for their actions. In Timaru, we have reduced the incidence of violence and disorder. Just under one hundred people have been trespassed in the last six years, some more than once. That is why I like Accords. An Accord can help you run a better business. The only problem is everyone in the Accord must set the same standards for it to work.

The other area where I think we have made a difference is special licences. Special Licences are now monitored regularly and the Tri-Agency has a bigger interest in them than in the past. This is because our licensees are running their premises so well; we are able to shift our focus to specials.

In parting, as I am leaving in August to another role with a different organisation, I have really enjoyed working with you all. I would like to mention all of you by name but that is not possible because space is a premium. However, I am sure you know who you are and that I appreciated the help you have given me in the last six years.

I'm sure that the new face that takes my place for health will have some new and interesting ideas to improve the way we do things together.

I wish you a prosperous business and good health.

Shayne Broughton



A 'MINOR' PROBLEM?

Let's have a quick chat about the risk that under-aged patrons pose to your business, and how the police are making them accountable for their actions.

At certain times of the year you will notice an influx of patrons who have just turned 18 years of age and have a sparkly 18+ card, or a new drivers licence. These people tend to tell the world they have just turned 18, and are proud of their new found freedom. Be aware that these guys always have friends who are not quite 18 themselves, and will try anything to join their legal friends, by either sneaking through un-attended doors or windows or using siblings or friends legitimate ID to 'fool' the security or bar staff. We all need to be vigilant and the official training suggests that you study the persons face and features in person, before even looking at their ID photo to compare.

If you do catch someone using fake ID please seize the ID and hand it to police, or get it to my office. We now have \$250 instant fines for the person who lent them the ID and the person who presents it. So the message is slowly getting through. Please don't give them a warning yourselves and return the ID, as they will just go down the road and try it again at another premises.

Last week a Timaru Off-Licence liquor store duty manager had a bad feeling about an 18 year old customer buying up on Vodka. She followed him to a nearby alleyway where she saw the customer handing over the alcohol to two 15 year old boys in school uniform. This was reported to me and I've since charged the 18 year old for 'Supplying Minors' and he appears in court next week. The boys are also being dealt with by youth aid, paying a sum to charity and washing some police cars.

The attached photo shows another devious way 17 year olds are 'doctoring' their drivers licence to get in before their birthday. They scratch off one digit in their 'month of birth' column and can change it from a 12 to a 2 without it being too obvious. (If they were born in February it would be shown as 02, not just a 2) Please, once again seize these altered licence cards and get them to me so I can send them a \$250 fine.

Have a safe winter.

Sgt Greg Sutherland, Alcohol Harm Reduction Officer Timaru



FIRE AND EMERGENCY NEW ZEALAND **CHANGES**



It has almost been 12 months since Fire and Emergency New Zealand was formed and things are moving fast. Training and resourcing of fire crews is expanding to meet the needs of you, our community.

Along with being better able to respond to your needs comes new legislation and regulations around fire safety across a wide range of areas. Of note is the review of the current 'Fire Safety and Evacuation of Buildings Regulations 2006'. As of July 1st there will be new regulations come into force called 'Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures and Evacuation Schemes) Regulations 2018'.

There are some changes with the new regulations that, not only the building owner must adhere to but the tenants and occupants of the building they are occupying must abide by. Due to the importance of keeping people safe from fire while inside a building there has been more emphasis and responsibility put on the tenant of a building to ensure the escape routes for the building are kept clear and operable at all times.

Part 1 Fire safety and evacuation procedures

Means of escape from fire for building

5 Owner and tenants of building must maintain means of escape from fire for building

- (1) The owner and every tenant of a building must maintain the means of escape from fire for the building so as to ensure that—
 - (a) the means of escape are kept clear of obstacles at all times; and
 - (b) exit doors are unlocked and free of barriers or blockages so that the building's occupants can leave the building in the event of a fire emergency; and
 - (c) smoke-control and fire-stop doors are kept closed unless they are kept open in a way that complies with the building code; and
 - (d) stairwells and passageways are free of stored items and accumulation of waste.
- (2) Subclause (1)(b) does not limit or restrict the ability of a person managing persons under control or supervision or persons detained in a hospital or secure facility from conducting a controlled process for the safe evacuation of a building.
- (3) In this regulation,—

hospital has the same meaning as in [section 2\(1\) of the Mental Health \(Compulsory Assessment and Treatment\) Act 1992](#)

secure facility has the same meaning as in [section 5\(1\) of the Intellectual Disability \(Compulsory Care and Rehabilitation\) Act 2003](#).

While it is still the building owners responsibility to provide Evacuation Procedures for the building, and an Evacuation Scheme (if the building meets the requirements) there is more responsibility on the tenants to ensure one or both are of these are operable. With this in mind, Fire and Emergency New Zealand strongly recommend building and business owners familiarise themselves with compliance requirements and check they are in place and current.

No one wants to be a victim to bad practise and no building owner or tenant wants to have an avoidable accident on their conscience or be faced with a large fine.

For more information please go to www.fireandemergency.nz or contact your local Fire Risk Management Officer at the Timaru Fire Station on the corner of Latter and Woollcombe Streets or call 03 684 1200

CPO/MONITORING RESULTS

A Controlled Purchase Operation (CPO) was undertaken on 24 March 2018 which focussed on food availability within the Waimate, Timaru and Mackenzie District.

Six premises were visited and we are pleased to say that no one failed however there were some premises that were approached later to discuss concerns we had regarding food availability.

Please take this as a reminder to ensure your staff are aware of the food options available at your premise and that food is a) readily available b) a minimum of three options available (and that does not mean three different types of pies).

You may have heard recently that a club failed a CPO earlier this year whereby they breached Section 60 of the Sale and Supply of Alcohol Act 2012 which clearly states who can and cannot be sold alcohol at club premises.

A number of monitoring visits have been conducted since the last newsletter went out:

19th April – Mackenzie (Lake Tekapo/Twizel)

31st May – Mackenzie (Lake Tekapo/Twizel/Mt Cook)

8th June – Timaru/Mackenzie (Hunt Club Ball Special, Lake Tekapo, Timaru)

The monitoring trips have resulted in a number of enquiries being made to the agencies regarding a range of issues.

LCQ TRAINING DATES

The dates for the remainder of this years ARA courses are below in case you have any staff needing to go through.

Timaru

6th August and exam on 20th August

10th September and exam on 17th September

15th October and exam on 29th October

Ashburton

6th August and exam on 20th August

15th October and exam on 29th October

As well as the ARA course there is also the online version which is done through another organisation called GetLCQ (located in Dunedin) and their website is www.getlcq.co.nz if your staff would prefer to do it online.

Future Topic Suggestions

Do you find the newsletter useful?

We are looking for suggestions from you as licensee's as to what sort of articles or items you would like to see in future newsletters. If you have any suggestions please feel free to email me on sharon.hoogenraad@timdc.govt.nz

MANAGERS GET-TOGETHER INTEREST?

I was asked whether there had been any meetings in the past where certificated Managers could get together to mingle and network.

To my knowledge there haven't been any meetings of this nature but what I am putting out there is whether there is interest in this type of event and whether someone is prepared to put their hand up to co-ordinate it. All three agencies (Police, Health and DLC Inspector) are happy to attend if invited to answer any questions that people may have or even just introduce ourselves.

The first thing I need to gauge however is whether there is any interest in this kind of event and if so if someone is prepared to put their hand up to liaise/co-ordinate this kind of gathering. If you are interesting in either attending and/or organising you can contact me on sharon.hoogenraad@timdc.govt.nz and I will update you all with the outcome in the next newsletter due out in September.

From the Secretary's desk

Kia ora koutou

The new legislation has been with us a while now, so calling it the "new Act" doesn't seem to fit any more. The changes from the Sale of Liquor Act 1989 are significant, with a clear ground shift away from simply regulating the sale and supply of alcohol to actively focusing on responsible consumption of alcohol and the reduction of harm from excessive or inappropriate consumption of alcohol. It also shifted the responsibility of paying for the licensing regime through fees completely onto the licensees and managers, rather than being partially subsidized by ratepayers as it tended to be under the old legislation. These changes are big and together with the implementation of the Food Act 2014, the landscape in what was already a difficult sector to operate a business got a little tougher. There have been some growing pains as the sector adjusted to the new environment, but the new regime is now well and truly bedded in. The vast majority of licensees, managers and applicants for special licenses now fully understand the intent of the Act, the responsibility that the privilege of working in this sector brings, and the way in which regulation occurs both at the local level through the DLC, and at the national level through the licensing Authority. As a whole I think the sector is more professional now than it has ever been, and the low numbers of enforcement actions taken against licensees and managers in the Timaru, Waimate and Mackenzie District's is a reflection of that. I think that in our small corner of paradise, the sector was good under the old regime. It's now safe to say that broadly speaking it's great.

Paul Cooper, Secretary to the DLC

Licensed Premise Toolkit Update

As some of you may be aware, back in March last year I mentioned that there were Licensed Premise Toolkits being produced and once they were available I would be making my way around premises and going through them with you.

With this toolkit I am adding a copy of your latest Licence Certificate and also a copy of the Floor Plan so that your staff have one place to go if they are unsure of something to do with the licence.

These are for ON licensed premises and predominantly for Hotel/Tavern style licences however I have provided them to smaller premises (i.e. Restaurants / Cafes) as I feel that most of the information contained in it would be of use to all on-licensed premises.

If I have not been able to make it to your premise with one of these and you would like to get a copy please feel free to contact me via email (sharon.hoogenraad@timdc.govt.nz) and I will put together a pack for you and we can arrange a time for me to go through it with you.

