



CHRISTCHURCH TRI-AGENCY NEWSLETTER

September 2009

This newsletter is jointly produced by the Christchurch City Council Liquor Licensing Team, the Police Alcohol Strategy and Enforcement Team, and Community & Public Health Liquor Licensing Officers.

Licensees.

Please ensure this newsletter is circulated to all staff, especially Duty Managers.

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1 Club Licenses – who can liquor be sold and supplied to?

A club licence authorises the sale and supply of liquor on the premises to;

- (a) Any member of the club; or
- (b) Any person who is a guest of, and is accompanied by, a member of the club; or
- (c) Any member of any other club with which the holder of the licence has an arrangement for reciprocal visiting rights for members of the clubs.

Put simply, an On Licence allows the sale and supply of liquor to the public, a **Club licence does not allow the sale and supply of liquor to the public** unless the club has been issued a special licence.

Liquor Licensing Authority Decision PH 891-892/07 included the following;

“The Act gives privileges to a club but expects scrupulous behaviour in return. The basic rule is that members of the public are not sold liquor at a club, unless there is a special licence in force, or unless they are in the company of a member as a guest. Clubs are given certain advantages because the Act recognises that membership of the club can be withdrawn at any time for bad behaviour. There is an incentive for club members to keep to the club’s code of conduct and behaviour. Managers of clubs have different manager’s certificates.”

The licensee or manager of any licensed premises that sells or supplies liquor when not authorised by the licence commits an offence under section 165 of The Sale Of Liquor Act 1989 - Unauthorised sale or supply. The possible penalty in the case of the licensee is a fine not exceeding \$20,000 and/or the suspension of the licensee’s licence for a period not exceeding 7 days. In the case of a manager, a fine not exceeding \$20,000.

I believe there are a number of Clubs hosting weddings, birthdays etc and selling liquor where a special licence should have been obtained. A special licence costs \$63.00 and we should receive the application for a special licence at least 10 working days before it is required.

If you have any questions please don’t hesitate to contact me directly.

Paul Spang DLA Staff

2. Community Behaviour Zone (Com-Be Zone) update.

Further to the article in the March 2009 newsletter.

Canterbury Police created an initiative of a Community Behaviour Zone, Com-Be Zone, to reduce alcohol fuelled disorder in an area and started the project in the suburb of Riccarton. The scheme involved both On and Off Licensees signing an agreement to ban patrons for a short period that behave inappropriately either on or off of their premises. The Police are also able to add names to the ban list as an alternative to arrest. The list of banned names is shared via email enabling the participants to refuse entry or service of alcohol to any one on the list. The project has grown from the initial group of around six premises to involve all On and Off licensees in the suburb, about eighteen. Two other areas in the district are about to adopt and run the Com-Be zone initiative.

Although minor disorder and nuisance is still occurring in the area the anecdotal evidence is showing that events in the streets between licensed premises has subsided. The Community Watch group had set a fund to pay for repairs to property, this has not been utilised to date and Canterbury University Students Association has had less public complaints this year as opposed to the last few years. Refuse collection services also note that there is no more of a problem in the Riccarton area compared with the other suburbs in Christchurch of recycling and refuse bins being mindlessly tipped over. Last year there were several complaints of this activity.

Constable Danny Morris

3. Controlled Purchase Operations

On Saturday the 13th of June 2009, the Police, Community And Public Health, and the Christchurch Liquor Licensing Team, carried out a controlled purchase operation in Christchurch.

Minors visited 28 premises with two sales resulting.

The two premises that sold were Bottle Stores.

Any sale during a Controlled Purchase Operation is considered a bad result.

Legal action against the premises, Duty Managers, and the sellers will result.

Please take this opportunity to remind **all** staff, and **ensure** you have systems in place to ensure sales are not made to minors and other unauthorised persons.

Further controlled purchase operations will be carried out. On, Off, and Club licensed premises may be visited.

Please remember – if they look under 25 years of age and have no suitable ID – then no service – NO EXCEPTIONS.

Paul Spang, DLA Staff

4. Training

Staff training is the key to operating a successful business, especially in overcoming the risks involved in a heavily regulated environment.

The three regulatory agencies combine to provide a staff training package that covers the requirements of the Sale of Liquor Act 1989, licence conditions and the expectations of the agencies.

These sessions are provided without charge.

Contact Peter Shaw, Community & Public Health to arrange training for your staff.

CPHLiquorLicences@cdhb.govt.nz or (03) 3786812

Peter Shaw, CDHB

5. Christmas Day 2009.

This year Christmas Day falls on a Friday.

As a reminder:

Off-licences are not permitted to sell liquor on Christmas Day. This means no alcohol can be sold from 12 midnight the day before.

Hotel or Tavern. No liquor is to be sold on Christmas Day to any person **other than** those who are:

- For the time being living on the premises, or
- Present on the premises for the purpose of dining;

Unless a special licence has been obtained.

If you are considering applying for a special licence please do so soon.

If you are not clear on this requirement, particularly in regards to diners, please don't hesitate to contact Agency staff.

Martin Ferguson, DLA Staff

6. STOP the spread of FLU

The following is an excerpt from the Ministry of Health brochure "Getting Ready for a Flu Pandemic". Copies are available from the Community Health Information Centre, 76 Chester Street East, Christchurch or by telephone 364-1777.

Hygiene - keeping clean



- Washing and drying your hands properly is one of the best ways of protecting yourself against the spread of germs. Wash hands for at least 20 seconds with either soap or an alcohol-based rub. Drying hands well is important too.
- Wash and dry hands:
 - before preparing food and eating
 - after coughing or sneezing, blowing noses, wiping children's noses, visiting the toilet or looking after sick people
- Keep your coughs and sneezes covered. Tissues are best. Put the tissue in a covered, lined rubbish bin or a plastic bag.
- Try to stay a metre away from sick people to reduce the spread of germs.

Peter Shaw, CDHB

7. Alcohol Accord

Security Provider Accreditation (SPA) initiative to be implemented this October

This was one of the initiatives identified last year as part of the Accord's two-year Work Plan, setting minimum proficiency standards that security providers must achieve and maintain to be eligible to provide services within the inner city.

The Christchurch **SPA** is a voluntary initiative built on the cooperation of Christchurch licensees, security providers and Sale of Liquor Act (SoLA) regulatory agencies as parties to the Christchurch CBD Alcohol Accord.

Mandating the provisions of the Christchurch **SPA** within the next Christchurch City Council Alcohol Policy is desirable.

SPA Goals:

- To set a minimum proficiency standard for security providers to achieve and maintain in order to be eligible to provide their services or staff to licensed premises and licensed events in Christchurch CBD.
- To mitigate risks for licensees, duty managers, and licensed premises staff through establishing minimum security provider standards and competencies.
- To enhance the safety and enjoyment of licensed premises patrons and visitors to the CBD.

Initially, all licensed premises or licensed events within the four avenues in Christchurch will be covered by the SPA. Subject to the effectiveness of the **SPA** initiative, to then consider extending the area to include all licensed premises and licensed events within the jurisdiction of Christchurch City Council.

The formal **SPA** criteria information has been produced and is now available (either from the Accord Management Committee, or from OC, Police Liquor licensing, Christchurch).

After 31 September 2009, only accredited providers may provide services within the CBD:

- Licensees operating within the four avenues will only engage or employ security providers or contractors that hold a current **SPA**.
- Licensees employing 'in-house' security staff are required to meet the **SPA** criteria to be eligible for their staff to provide services.
- The minimum standards and criteria for **SPA** will be prescribed and audited by the **SPA** accreditation panel (SoLA regulatory agencies: OC LL Police, Sale of Liquor Inspector & MOH LLO, two Security Provider sector representative, one hospitality sector representative).

For Further information please contact the Accord Management Committee Chairman, or OC Police Liquor Licensing, Christchurch.

Strict exceptions for hospitality staff

In certain discretionary circumstances, it is reasonable to allow genuine hospitality staff to enter a bar after 3am. The current Accord Management Committee work plan document stipulates the criteria for entry :

"Bone fide hospitality industry staff that are currently working in the hospitality industry and who produce a recent wage slip from their employer along with proof of ID."

For hospo staff *employers* this means:

- It is essential that all their staff (including new employees) are made aware of the above criteria and that they will not be admitted to any bar after 3 am simply on

“trust” or on the assurances of other hospo staff accompanying them. Licensees should ensure their staff know this.

For hospo staff *employees* this means:

- All hospo staff should expect to be refused entry to any bar after 3 am unless they carry proof of current hospitality industry employment (in the form of a recent wage slip), along with proof of ID.

For bars operating a one-way-door this means:

- In order to avoid breaching the 3 am one-way-door, strict enforcement is required. The only legitimate explanation for admitting anyone after 3 am is that they have proved they are *bone fide* hospitality staff as per the above criteria.

The Accord Management Committee will monitor compliance and will act to ensure that as far as possible, full compliance with the above provisions are achieved and maintained.

Accord Management Committee

8. Accredited Course Providers Are:

	Telephone
Avonmore Tertiary Academy	977-2700
Christchurch Polytechnic Institute of Technology	940-8000
Liquor Licensing & Training Christchurch Limited	383-4735

9. Contact Telephone Numbers

Christchurch District Licensing Agency

Paul Rogers (Team Leader) 941-8909

Martin Ferguson (Inspector) 941-8956

Natashia Lafituanai 941-8827

Michele Vincent 941-8068

Paul Spang (Inspector) 941-8826

Helen Ward 941-8821

Fax number 941-5033 **(New number)**

Email: liquor.licensing@ccc.govt.nz

Web Site: www.ccc.govt.nz/liquor

Community and Public Health

(Medical Officer of Health) 364-1777

New Zealand Police Liquor Licensing 378-0430

Regards

Christchurch City Council Liquor Licensing Team

Police Alcohol Strategy and Enforcement Team

Community and Public Health Liquor Licensing

**PLEASE CIRCULATE THIS TO ALL YOUR STAFF- ESPECIALLY
DUTY MANAGERS**

And/or place on your notice board