

# Christchurch Tri-Agency Newsletter

October 2015

*This newsletter is jointly produced by the Christchurch City Council Alcohol Licensing Team, the Police Alcohol Harm Reduction Unit, and Community and Public Health Alcohol Licensing Officers.*

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## Licensees

Please ensure this newsletter is circulated to all staff, especially duty managers.

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## 1. New look to alcohol licensing website

Have you noticed a new look to our alcohol licensing websites recently? The Alcohol Licensing Team moved into the Council's new public website from 1 July 2015. You can find us at [www.ccc.govt.nz/alcohol](http://www.ccc.govt.nz/alcohol) (Can't find us? - we're under the section on "Business Licences and Consents").

*Allison Houston, Team Leader Alcohol Licensing*

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## 2. Crime prevention and staff safety

Quite often what your staff do and how they react can have quite an influence on the outcome of an incident in your premises. The overriding message is that your safety and that of your staff must take first place in relation to any incident that occurs.

Statistically speaking your biggest potential exposure to loss is not from things like robbery and theft but from fraudulent actions of staff and commercial burglaries. Neither of these two crimes is generally associated with confrontation or violence.

### **Your reactions can play a big part in the outcome**

An extreme example is a recent incident where offenders entered a premise intent on stealing alcohol. As a result of being locked in and challenged the incident quickly changed to an aggravated robbery and could easily have become a homicide situation. This was all over a few bottles of alcohol.

I appreciate your staff want to do the "right thing" by you, but it is simply not worth placing yourself at risk in a potentially confrontational situation over the loss of property or money.

Locking an offender inside a store removes all their options except "fight" - the outcome will be bad.

### **Opportunities to Prevent Crime**

In most cases crime is predictable and there are a raft of measures that can be taken in advance to minimise the risk of falling victim to crime, or at least reducing the effects if you are unlucky enough to experience it.

Your most effective tool is having professional, motivated and well trained staff. You need a plan that all staff understand, know and adhere to. Typically the way you run your business can create a "reputation" as to whether you are an attractive criminal proposition or not.

In my experience you probably find that you have a lot more control over crime prevention than you realise, but it rests with good planning and systems and above all investing time and training with your staff.

### **Staff Training**

I encourage you to download [this document](#) from the Police Website. It has some excellent practical tips on staff safety and includes a lot of reactive and preventative measures that you could include in a training package. I would recommend that copies are made available to your staff and that some discussion occurs over its content.

If you have any further questions please do not hesitate to contact me.

*Senior Sergeant Gordon Spite, Alcohol Harm Prevention, NZ Police*

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## 3. New alcohol licensing inspector

Hi everyone, I would like to introduce myself as the newest, not necessarily the youngest, inspector with the alcohol licensing team at CCC.

My background was that of a police officer for 23 years, so enforcement is not really new to me. I worked in Taranaki, Rangiora and Christchurch and have many wonderful memories.

However, I'm loving my new role as an inspector, similar in many ways to policing as it offers a good variety of work. It's a small but great bunch of people in the office, and I haven't even been paid to say this!! Plus I get to process new and renewal applications for on/off and club licences and like to get out to licenced premises to meet the interesting people who run them. I also like monitoring the licensed premises and assisting people to get things right.

One thing I have noticed whilst processing your applications is the amount of time we spend phoning and emailing applicants to fill in parts of their applications they have overlooked. If you are unsure of any part, please phone us so that when we receive your application, it's complete and ready to be processed.

*Anneke Lavery, Alcohol Licensing Inspector.*

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#### **4. Renewal applications - host responsibility policy**

There will be a number of licensees out there who will be applying for a renewal of their alcohol licence in the near future.

As you are aware, the Sale and Supply of Alcohol Act 2012 came into effect in December 2013.

Many of you have not applied for a renewal under the new act, so it is timely to remind you that your Host Responsibility Policy (HRP) may well be out of date. Many of the HRP's we have been receiving lately still refer to the old Sale of Liquor Act.

In order to update your HRP, you may like to visit the Christchurch City Council website, and update your policy using the sample and guide.

<http://www.ccc.govt.nz/assets/Documents/Consents-and-Licences/business-licences-and-consents/Alcohol/Info-HostResponsibility.pdf>

Remember, personalise the HRP to your premises, and if your HRP comes from your corporate or head office, make sure it refers to the current Act before you submit it with your application for renewal.

*Paula Williams, CDHB*

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#### **5. New look to alcohol licensing invoices and application forms**

Have you noticed a new look to your alcohol licensing invoices recently? The Alcohol Licensing Team moved into a new records management system from 14 September 2015 and new invoices are part of this change.

The application forms have been updated and are available on our website. Please ensure you use the latest version of all our forms.

##### **What will look different with the invoices?**

*The fees information displayed:* The fees (set by the 2013 Regulations) for premises licences and managers certificates include an Alcohol Regulatory Licensing Authority (ARLA) portion. These two parts of your fees are now shown separately on all invoices. The total amount due for your fees has not changed.

*Bar codes:* The new invoices now have bar codes which will help our cashiers when receiving your payments.

##### **What applications need an invoice?**

Special licences, new and renewal applications for Premises Licences and Managers Certificates, variation applications for premises and Temporary Authorities all now need an invoice generated before you can pay the fees due.

##### **How do I get my invoice?**

*Renewal application forms and invoices (for licences and certificates), and invoices for licence annual fees will continue to be posted out to you.*

*Special Licence, new managers certificates and temporary authority applications are all received by the Public Advice desks on the ground floor of the Council Civic building at 53 Hereford Street. They will issue an invoice for you.*

*New premises licences and variation applications* - from 1 January 2016 these applications require a lodgement meeting with an Inspector for your application to be received. Your invoice will be issued for you at that meeting.

*Allison Houston, Team Leader Alcohol Licensing*

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## 6. Staff 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 legislative requirements, licence conditions and the expectations of the agencies. These sessions are provided without charge.

Contact Peter Shaw, Community and Public Health to arrange training for your staff.  
[CPHLiquorLicences@cdhb.health.nz](mailto:CPHLiquorLicences@cdhb.health.nz)

*Peter Shaw, CDHB*

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## 7. Recent club and under age Controlled Purchase Operations

Since the last newsletter the agencies have conducted one club and two under age Controlled Purchase Operations in Christchurch and Banks Peninsula.

On 20 March 2015, 6 clubs were tested to see if they would sell to unauthorised patrons. No sales were made.

On 21 March 2015, 17 licensed premises were tested to see if they would sell alcohol to minors resulting in no sales to minors.

On 30 May 2015, 19 licensed premises were tested to see if they would sell alcohol to minors resulting in no sales to minors.

An excellent result. Well done to those premises tested. They have been notified in writing.

Controlled Purchase Operations are ongoing.

**Please** take this opportunity to remind all staff, and ensure you have systems in place to prevent sales to minors and other unauthorised persons.

Please remember that the only approved forms of ID are:

- New Zealand Drivers Licence
- New Zealand or overseas passport
- Hanz 18+ Card

Please remember: If they look under 25 - No ID, No Sale, No Exceptions.

*Senior Sergeant Gordon Spite, Police Alcohol Team*

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## 8. Appointment of duty managers

We are processing a lot of renewals at the moment where duty managers have not been appointed to the premises. This slows up the renewal process for licensees as we need the correct information from them. Please ensure that you not only appoint duty managers as you go, but you also fill out the licence renewal form with full details of all the duty managers you have appointed to your premises.

We expect at least two duty managers to be appointed to a premises. This could be more depending on the type of premises.

Please remember that just because someone has applied for and been granted a managers certificate, this does not mean they have been correctly appointed to a premises. This is a separate process and is the responsibility of the licensee.

It is vital that licensees correctly appoint and remove duty managers using the Notice of Management Change form (this is a section 231 notification), available here:

<http://www.ccc.govt.nz/consents-and-licences/business-licences-and-consents/alcohol/managers-certificate/notification-of-management-change/>

You must ensure these are sent to the Police and Alcohol Licensing Team at the Council.

If you do not do this you risk making unauthorised sales.

If an acting duty manager is appointed for less than a 48 hour period, the above notification is not required but the acting duty manager's name must be displayed while on duty.

A licensee must now, under section 232, also keep a record of appointments (in a form that is readable or retrievable) and meets the information requirements under the Regulations made under this Act. There is information about this on the City Council website at the above link.

The Inspectors report that is sent to licensees along with the licence contain a lot of useful information about your licence and legal requirements. Please read them.

*Jenn Davison, Alcohol Licensing Inspector.*

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## 9. Club licence holder reminder

A large number of club licences have lodged applications for renewal this year. We have been making a point of reminding all holders of a club licence who they can sell alcohol to.

An **authorised customer** in relation to premises where a club licence is held means a person who;

- (a) is a member of the club concerned; or
- (b) is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or
- (c) is an authorised visitor.

An **authorised visitor** is a member of some other club with which the club concerned has an arrangement for reciprocal visiting rights for members.

A **member** is a person who;

- (a) has expressly agreed in writing to comply with the club's rules; and
- (b) is recognised as a member of the club by those rules.

Put simply, an on-licence allows the sale and supply of alcohol to the public.

A **club licence does not allow the sale and supply of alcohol to the public** unless the club has been issued a special licence.

The licensee and manager of any licensed premises that sells or supplies alcohol when not authorised by the licence commits an offence under section 247 of the Sale and Supply of Alcohol Act 2012 - 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.

Before alcohol is sold in a club the following must be known:

- 1 - they are a member of the club, or
- 2 - they are an invited guest that is accompanied by a member of the club, or
- 3 - they are an authorised visitor from another club which has arranged reciprocal visiting rights with your club.

In addition, I believe there are a small number of clubs hosting weddings, birthdays etc and selling alcohol where a special licence should have been obtained.

Please remember, if a special licence is required the Christchurch Alcohol Licensing Team must receive the application for a special licence at least 20 working days before it is required.

Monitoring visits will continue to check for compliance.

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

*Paul Spang, Alcohol Licensing Inspector.*

## 10. Alcohol accords

Christchurch has a number of Alcohol Accords operating for groups of licensees that operate close to one another and face similar challenges.

What is an Accord?

In short, a group of people working towards a purpose. In this case, the key objective is to promote safe sale, supply and consumption of alcohol and minimise alcohol related harm.

Where an accord is successful a reduction in crime, disorder and anti-social behaviour follows.

The new Sale and Supply of Alcohol Act 2012 places quite a bit of emphasis on ensuring that licenced premises do not have a negative impact on the good order and amenity of an area. That can be defined as how 'pleasant and agreeable' the area is. If premises have a negative impact on an area they risk having their hours of operation limited or at worst their licence cancelled, and the reality is that it may not be how your particular premises operates, but the actions of people attracted to the area because of the presence of licenced premises that causes the problems.

Currently we have accords established in the Victoria Street area, Lincoln Road area, St Asaph Street and City South area.

The Tri-agency group - Inspectors, Police & the representatives of the Medical Officer of Health, are more than willing to support and be involved with accords, and we see one of the key issues is good two way communication.

If you are interested in establishing an accord or belonging to an accord feel free to contact me.

*Martin Ferguson, Senior Alcohol Licensing Inspector.*

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## 11. Irresponsible promotion of alcohol

I have received three complaints recently alleging the irresponsible and illegal promotion of alcohol. The promotions had been advertised on Facebook.

I recommend all duty managers and licensees read and become familiar with section 237 of the Sale and Supply of Alcohol Act 2012 before considering any promotion.

I will summarise what I consider to be the main points.

It is an offence to do any of the following:

- Encourage excessive consumption of alcohol.
- Promote or advertise alcohol discounts of 25% or more below normal price anywhere that can be seen or heard from outside the licensed premises.
- Promote or advertise free alcohol anywhere that can be seen or heard from outside the licensed premises.

In a recent Alcohol Regulatory and Licensing Authority decision, reference [2015] NZARLA PH 500, General Distributors Limited had an off-licence suspended for three days and incurred a negative holding for a breach of section 237.

*Paul Spang, Alcohol Licensing Inspector.*

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## 12. Pre-application and lodgement meetings - when do I need these?

### Pre-application meetings

A pre-application meeting is an opportunity for you to discuss your proposed new premises with an Alcohol Licensing Inspector.

If you are planning to locate to a new building or making substantial changes to an existing building that may need consents or permits, we recommend you also seek advice from the planning and consents teams at Council.

*Who needs a pre-application meeting?*



Pre-application meetings are available for all:

- new premises, whether a new licence or you are taking over an existing business;
- where you are planning changes to your business and the way you operate (e.g. extending existing hours of trade, extending licence areas, adding outside areas under your licence, changing from a restaurant to tavern style of operation).

Discussions with us early in your planning process well before you lodge your application will help you prepare a comprehensive application and avoid unnecessary processing delays.

*Requesting a pre-application meeting* - Please phone the Alcohol Licensing team on 941 8999 or email [alcohollicensing@ccc.govt.nz](mailto:alcohollicensing@ccc.govt.nz) and ask to make an appointment with an Inspector for a pre-application meeting.

*What will happen at the meeting?*

The meeting (held at the Council's Offices at 77 Hereford Street, Level 4) will be with an Alcohol Licensing Inspector. In some instances a representative from the other reporting agencies (Police and Medical Officer of Health) may also attend.

At the meeting you can discuss:

- Initial concepts and plans for the proposed business / changes to your business;
- Business plans and required documentation (such as an Alcohol management Plan);
- Certificate of Compliance (Alcohol requirements) as your building and operation of business will need to comply with City Plan (Resource Management) and Building Act requirements;
- Your background and experience in the industry; and
- Any other requirements you need to complete before applying for a premises licence, such as applying for a managers certificate.

Inspectors will give their professional opinion on the proposal and provide guidance where possible.

However, the meeting is not intended to pre-empt the outcome of the alcohol licensing decision making process.

### **Lodgement meetings – for premise licence new applications and variations**

A lodgement meeting is required with an Alcohol Licensing Inspector in order to file your application for a new premises licence or variation application.

The purpose of the meeting is for the Inspector to:

- Confirm that your application is complete;
- Confirm that all requested documents have been provided; and
- Confirm the nature of your business operations and the outline of the area you are requesting to be licensed.

This information will enable the Inspector to then calculate the fees payable on your application and to issue you with an invoice for your application and annual fees which must accompany your application.

NB: Applications will not be processed unless they are complete and the correct fees have been paid.

*Making an appointment for a Lodgement meeting* - Please phone the Alcohol Licensing team on 941 8999 or email [alcohollicensing@ccc.govt.nz](mailto:alcohollicensing@ccc.govt.nz) and ask to make an appointment with an Inspector for a lodgement meeting. There is no cost for lodgement meetings with Inspectors.

For more information on pre-application and lodgement meetings please visit our website.

*Allison Houston, Team Leader Alcohol Licensing*

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## **13. BYO accord**

I am organising a BYO accord for restaurants in Christchurch and Banks Peninsula.

I recently attended a conference in Dunedin where they discussed problems with BYO restaurant patrons. The problems included the following:

1. Bringing too much alcohol into restaurants;
2. Sitting at a table for hours and ordering one entree;
3. Upsetting other patrons with drunken, noisy drinking games;
4. Leaving restaurants and causing fights and other disorder in and around Dunedin;
5. Sneaking in alcohol under coats and in bags;
6. Emptying out wine bottles and filling the bottles up with vodka or other spirits; and
7. Bringing in casks of wine.

The restaurant staff were at a loss as to how to start to control customer's behaviour.

A BYO accord was suggested whereby all licensees that allow BYO got together to discuss their issues and looked to how they could, as a whole, begin to take control of the situation.

The Inspectors from the Dunedin District Council Alcohol Licensing Team introduced the accord. With the involvement of licensees, Police and Public Health, they produced an agreement which included objectives, standards to be met, support from other agencies and other important information.

To suggest it works and works well is an understatement.

If any licensees in Christchurch and Banks Peninsula have similar issues, or would like to speak to me about forming a similar accord in Christchurch, please contact me on 941 6553.

*Anneke Lavery, Alcohol Licensing Inspector.*

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#### 14. Trading hours over Christmas (the sacrosanct day)

This year Christmas day falls on a Friday. As a reminder:

Off-licenses

Premises holding an Off-licence are not permitted to sell liquor on Christmas day.

On-licenses

All on-licences - NO alcohol 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.

Again for clarity, if you are functioning as a restaurant (providing meals) you may sell alcohol to a person as an accompaniment to their meal. Casual drinking is not permitted.

What is dining? Generally a meal undertaken at a table with knife and fork and generally undertaken at meal times, breakfast, lunch and dinner.

If any confusion remains discuss your plans with agency staff.

*Martin Ferguson, Senior Alcohol Licensing Inspector.*

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#### 15. Useful website - Health Promotion Agency

I have recently accessed information from the Health Promotion Agency website - [www.alcohol.org.nz](http://www.alcohol.org.nz).

I found it very useful with lots of resources. It includes information on alcohol and its effects and New Zealand alcohol laws.

A new addition is a guide for making licencing applications and information on hearing processes.

I recommend duty managers and licensees have a look at it.

*Paul Spang, Alcohol Licensing Inspector.*

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#### 16. Health Licensing Team update - changes to food legislation

There have been changes to food legislation; we now have the new 'Food Act 2014'. For more information see <http://www.mpi.govt.nz/food-safety/food-act-2014/overview/>

In the past clubs and bars with an on-licence providing meals to members were not required to be registered with Food Safety / Health Licensing unit. Now with the Food Act 2014, you will need to register and operate a Food Control Plan.

Food businesses have the responsibility to make sure the food is safe and suitable to eat. So not only do you have to ensure that the premise is up to standard but also be able to demonstrate that you know and be able to show and prove that your food is safe and suitable to eat throughout the year. For example temperature records of chillers, cooking temperatures, cleaning schedules, training records.



A written and evaluated Food Control Plan including:

- An annual registration of the Plan;
- An annual check (verification) that the Plan is being followed.

If you are currently running a restaurant, café, bar, club, take away or catering food business you can start using a FCP right away as part of the Voluntary Implementation Programme or VIP. You can look at the template Food Control Plan and download it for free from the Ministry for Primary Industries website at <http://www.mpi.govt.nz/food-safety/food-act-2014/forms-and-templates/>. We strongly recommend you get this underway. New businesses from 1 March 2016 will be required to operate with FCP. The existing businesses will have transition period.

We are able to provide assistance for businesses choosing to implement this FCP and you are able to take advantage of the support we can offer. We are happy to discuss what a FCP is, what it means for your business and to help you through the registration of your plan. You can call us on 941-8999 and ask to speak to the Health Licensing Team.

If you have a business that falls into the food risk category covered by a Food Control Plan, our Health Licensing officer will discuss this with you at your next inspection.

To contact us please call 941 8999 and ask to speak to Food Safety Health Licensing Team or email [healthlicensing@ccc.govt.nz](mailto:healthlicensing@ccc.govt.nz).

*Rowena Yee, Food Act Officer, Health Licensing*

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## 17. Training providers with Tri-Agency input

Avonmore Tertiary – Phone 0800-428-666

Christchurch Polytechnic Institute of Technology – Phone 940-8000

Pinnacle Hospitality Training - Phone 0277-594-428

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## 18. Contact telephone numbers

(Please note staff changes)

<ul style="list-style-type: none"><li>· <b>Christchurch Alcohol Licensing Team</b> Allison Houston (Team Leader) - Phone 941-8821 Martin Ferguson (Senior Inspector) - Phone 941-8956 Paul Spang (Inspector) - Phone 941-8826 Jenn Davison (Inspector) - Phone 941-8828 Anneke Lavery (Inspector) - Phone 941-6553 Natashia Lafituanai (Technical Officers) - Phone 941- 8827 Karin Bathgate (Technical Officers) - Phone 941-5470 Gina Moore (Technical Officers) - Phone 941-8068 Fax - 941-5033 <a href="mailto:managerchange@ccc.govt.nz">managerchange@ccc.govt.nz</a> <a href="mailto:alcohollicensing@ccc.govt.nz">alcohollicensing@ccc.govt.nz</a></li></ul>	<ul style="list-style-type: none"><li>· <b>Community and Public Health</b> <a href="mailto:CPHLiquorLicences@cdhb.health.nz">CPHLiquorLicences@cdhb.health.nz</a> Peter Shaw - Phone 378-6812 Helen Braithwaite - Phone 378-6745 Paula Williams - Phone 378-6771</li><li>· <b>Alcohol Harm Reduction Unit, New Zealand Police</b> - Phone 372-5784 <a href="mailto:alcoholcanterbury@police.govt.nz">alcoholcanterbury@police.govt.nz</a></li></ul>
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*Regards*

*Christchurch City Council Alcohol Licensing Team, Police Alcohol Harm Reduction Unit and Community and Public Health Alcohol Licensing*

**PLEASE CIRCULATE THIS TO ALL YOUR STAFF- ESPECIALLY DUTY MANAGERS - AND/OR PLACE ON YOUR NOTICE BOARD**