

Liquor Licensing Newsletter

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Drink Safe Workshops

Wanaka

Monday 14th June 2010

9.00 am – 12.00 noon

Bullock Bar
89 Ardmore Street, Wanaka

1.00 - 4.00pm

Bullock Bar
89 Ardmore Street, Wanaka

Queenstown

Tuesday 15th June 2010

9.00 am – 12.00 noon

Hotel St Moritz
Brunswick Street, Queenstown

1.00 pm – 4.00 pm

Hotel St Moritz
Brunswick Street, Queenstown

Wednesday 16th June 2010

9.30 am – 12.30 noon

Hotel St Moritz
Brunswick Street, Queenstown

1.00 pm – 4.00 pm

Hotel St Moritz
Brunswick Street, Queenstown

RSVP by **5pm Thursday 10th June 2010** to
Lacey McIntyre - Liquor Licensing Inspector
Email: lacey.mcintyre@lakesenv.co.nz

Temporary and Acting Managers Notification

The licensee must advise the LLA, DLA and Police within 2 working days of the appointment, cancellation or termination of a Manager, Temporary Manager or Acting Manager. It is not necessary to notify these agencies if the appointment is for less than 48 hours. However it is recommended that you record it in a log book

Remember Temporary Managers are usually appointed in crisis situations like when there is no certified manager available i.e. if a duty manager resigns

Acting Managers are usually appointed for annual leave, they can be appointed for 3 consecutive weeks but no more than 6 weeks in a year.

Here is a link to the reporting form.

<http://www.lakesenvironmental.co.nz/Documents/ContentDocuments/Liquor/V11AppointmentOfManagerForm.pdf>

Update from Law Commission Report

Here are just a few changes suggested by the report. This is only a synopsis, the chapters have been included so you can read the full section. The report is available at <http://www.lawcom.govt.nz/ProjectReport.aspx?ProjectID=154>

Chapter 7 Licence criteria

The Commission was concerned about the lack of public input and saw the importance of local alcohol policies. The Commission, support ALAC in that these should be mandatory for all TA's and be reviewed every 6 years. The Policy should include information around the demographics of the area, assessment of alcohol related problems, permitted areas for licensed premises, areas subject to liquor bans, process for managing intoxicated people in collaboration with the police and health services.

The policy should be a guideline and each application assessed on its own merits. It is hoped this will help consistency in decision making.

Chapter 8 New Criteria for selling takeaway alcohol

Recommended opening hours 9am-10pm for all off-licences
The Commission recognised that there has been a proliferation in Off licensed premises and this was not the intention of the SoLA.
No service station or takeaway should be able to hold an off-licence and no further off licence should be granted to clubs.

Premises who hold currently hold an on-licence and qualify to hold an off-licence as well will continue ie hotels. However some new categories have been added including information around internet based sales.

Specialist alcohol retailers or manufacturers

Specialist alcohol retailers (stores where the principal business is the sale of alcohol) may hold an off-licence (basically a bottle shop)

Food retailers

Still only sell wine and beer.
The idea is that dairies and convenience stores will not typically meet the definition of a food retailer.

Chapter 9 Conditions for On- Licence

Opening times for on-licences 9am -4am with a one-way door policy from 2am
Prohibited days should remain

Recommended mandatory conditions

Provision of food
Sale and supply of low alcoholic beverages and soft drinks
Provision of free drinking water
Assistance with alternative transport.

Discretionary conditions

Provision of CCTV.
Provision of seating
No serving of glass containers at specific times
Number of door staff required
No shots or particular types of drinks to be served after specified times
Limit on drink sizes after specific times
Limit in number of drinks per person
Restrictions on permitted drinking vessels
No alcohol service for a specified time before closing
Conditions related to management ie more than one manager for large premises
Provision of transport for patrons

Chapter 10 Licensing bodies

DLA's = District Licensing Committees composed of a councillor and 2 members of the public with knowledge in this area.

Still process all applications and make decisions with input from the Medical Officer of Health, the Police and Licensing Inspectors
Can impose conditions based on the guidelines from the Alcohol Regulatory Authority (LLA)
Licensing Inspectors to receive training.

Alcohol Regulatory Authority (LLA)

Will not employ lay people
Hear appeals from DLC's
2 District Court Judges (one to sit in Auckland)
Focus on appeals and enforcement
Report on alcohol consumption, alcohol harm, make rulings on promotion, issue guidance notes, audit DLC's performance
Authority to be more proactive

Chapter 11 Licence fees, renewals and managers

Development of risk fees for premises to ensure that monitoring and enforcement costs are covered by the licence holder not rate payers. The Commission feels that a full analysis would need to be carried out to decide on risk and appropriate fees.

Renewals should be streamlined for low risk premises ie restaurants, cafes, theatres, vineyards. So long as they have had not compliance issues in the previous year. In this case the licence should be granted yearly on payment of the annual fee.

If there are compliance issues the inspector should require the licensee to formally apply for a licence within 3 years of the last renewed licence. An annual fee is still payable

For other licences – 3 year renewal period to stay, but premises pay an annual fee. No need to advertise in the paper just affix notice to premises and place on DLC's website

Security Staff

Should be trained this includes all bouncers regardless of who their employer is. The Report makes reference to Private Security Personnel and Private Investigators Bill currently with parliament as a good guideline for training.

Chapter 13 Special Licences

These should be given for

Public events – publically advertised or open to the public or casual attendance, does not restrict attendance to those invited by the host, involve a fee/ticket/admission for entertainment or services provided at the event. Must be the legal purchase age to consume alcohol.

Private events - NOT publically advertised or open to the public or casual attendance, restrict attendance to those invited by the host, DOES NOT involve a fee/ticket/admission for entertainment or services provided at the event

Trade fairs – only licence that will allow for consumption off the premises. Although some fairs will need a licence to cover both on and off premises consumption only 1 application is needed (2 licences will issued). Off licence will allow for complementary sampling of the product on the premises.

Extended hours – only available to on- licences, no more than 6 in one year

For high risk or large events applicants must submit an event management plan addressing, security, monitoring and health concerns. If necessary DLC' can insist that the applicant liaises with the police and TA before the event.

Display of Days and Hours

It has been noted during a number of our routine inspections that some premises do not have their days and hours of ordinary trade displayed. Please check whether there is an appropriate sign displayed at your premises.

The Sale of Liquor Act 1989 states that every holder of on-licence (Section 25(1)) and every holder of an off-licence (Section 48(1)) shall ensure that there is displayed at all times a sign attached to the exterior of the premises, so as to be easily read by persons immediately outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor.

Please note this excludes club-licences and club-licences that hold an off-licence.



Bar Crawls

As winter rolls around, so do the large volumes of people on bar crawls. Just a quick reminder to those licensees and duty managers directly affected, if you have people coming in your premises on a bar crawl, you are the ones responsible under the Sale of Liquor Act 1989. So check ID's, and check for intoxication at the door and at the bar. Remember, under Section 15 of the Act, you are not obliged to serve liquor to anyone, so long as it does not contravene the Human Rights Act 1993.



Promotions

Just a reminder for all, it is an offence under the Sale of Liquor Act 1989 for any licensee or manager of licensed premises to do anything in the promotion of the business, or in the promotion of any event or activity held on the premises, that is intended or likely to encourage persons on the licensed premises to consume alcohol to an excessive extent.

So if you are thinking about running a promotion, ask yourself "do I think this is responsible?" If you are unsure, check the ALAC National Protocol on Alcohol Promotions as a guide, and check it out with the DLA and other reporting agencies.

Please note the Queenstown Lakes District Council Liquor Licensing Policy states "any *happy hour* style promotions are restricted to a 60 minute timeframe within a 24 hour period and *happy hour* style promotions are not permitted after 10.00 pm".

This winter we are focusing on promotions a lot, and are encouraging licensed premises to incorporate food into their promotions, whether its complimentary food or food built into the promotion price. So please think responsibly, and again, if you are unsure, contact the reporting agencies for approval.

For information on National Protocol on Alcohol Promotions refer to this link: <http://www.alac.org.nz/Documents/ProtocolAlcoholPromoOct2008.pdf>



Comments from Ann Fowler

Host Responsibility

The good snow fall at the end of May was a welcome sight as Queenstown gears up for the ski season. This year the number of flights coming into Queenstown has increased dramatically bringing skiers from all parts of the globe and in particular Australia. Queenstown has the reputation for its vibrant pub scene and great night life. This means that lots of young people will be looking for a good time and it is up to licensed premises to make sure they act as responsible hosts.

Some Facts about Alcohol

The type of alcohol that is drunk is called ethyl alcohol and is one of the families of alcohols. Most alcohols are highly poisonous but ethyl alcohol can be tolerated in small amounts in the human body.

When people start drinking they initially feel relaxed and experience a sensation of pleasure. As the blood alcohol levels rise it slows the body's reactions down. This is why it's classified as a sedative hypnotic drug.

People can, and do die of alcohol poisoning but only if their blood alcohol concentration is at least 350mg per 100 millilitres of blood (more than four times the legal driving limit) An average man would reach this if he drank a 750ml bottle of whisky in less than an hour .

When alcohol is swallowed it passes more or less unchanged into the blood stream, through the walls of the stomach and small intestine.

Only minutes after drinking the circulatory system, begins distributing the alcohol to every cell in the body.

From the stomach and intestine, the alcohol travels to the liver

where it is ultimately broken down by enzymes into other products such as water and carbon dioxide and passes out of the body in urine.

The liver does this job at a slow constant rate. It takes one to two hours to process one standard drink .So when people drink alcohol faster than the liver can break it down the alcohol concentration in the blood increases.

As the alcohol travels around the body via the blood stream it starts to slow down the operation of various cells. This causes the familiar symptoms of different stages of intoxication and drunkenness - relaxation laughter slurred speech, inability to walk straight and impaired judgement and co ordination.

Because bigger people have more water in their bodies than smaller people the same amount of alcohol is more diluted in their bodies and they tend to get drunk more slowly

The rate of intoxication also depends on factors like gender .Women are affected more rapidly than men, because of their generally lower body weight, and smaller volume of blood. The enzyme alcohol dehydrogenase which acts to break down alcohol in the stomach is 70-80percent less effective in women.

Eating food before and during drinking slows the rate that alcohol is absorbed into the body. Also encouraging patrons to alternate alcoholic and non alcoholic drinks helps slow intoxication.

Make sure your patrons get home safely The new Connecta bus service starts soon with new destinations Check these out and make sure all staff are aware of this new service. Bus timetables can be obtained at the information Centre.



District Licensing Agency		Restaurant Association of NZ	
Mary Rose Fitzgerald maryrose.fitzgerald@lakesenv.co.nz	03 450 0335	Southern Lakes District President Alex Boyes alex@wai.net.nz	03 442 5969
Lacey McIntyre lacey.mcintyre@lakesenv.co.nz	03 450 0341 021 608 852	Sporting Clubs Association of NZ	
Libby Sudden libby.sudden@lakesenv.co.nz	03 450 0334	Bob Clark sportingclubs@xtra.co.nz	0800 655 889 021 432 900
Public Health South		Hospitality Association of NZ	
Ann Fowler ann.fowler@phsouth.co.nz	03 442 2500	Regional Manager Fiona Lavis Fiona.Lavis@hanz.org.nz	0274 436 263
New Zealand Police		National Service Centre	
Sergeant Keith Newell keith.newell@police.govt.nz	03 441 1614	03 450 0523	