

LICENCE TO SERVE

ISSUE 032

News from the Liquor Licencing team



Health New Zealand
Te Whatu Ora



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.

Unlocking compliance

Essential tools for managing alcohol records

While out in the community meeting licensees, monitoring premises and assessing alcohol license applications, I have noticed some reoccurring themes of potential non-compliance. I would like to take this opportunity to remind licensees of some of their legal obligations and responsibilities under the Sale and Supply of Alcohol Act 2012 (the Act).

When it comes to alcohol licensing, there is an expectation that applicants will provide certain records and evidence to support their license applications. However, what I have seen are poor record keeping practices.

Poor record keeping is grounds for opposition to a license as it brings into question the suitability of the licensee to uphold their legal obligations and responsibilities.

For instance, some record keeping responsibilities of licensees are explicitly stated in the Act, such as Section 232 which states that you must keep a managers register:

232 Licensees to keep record of managers, acting managers, and temporary managers

- (1) Every licensee required by this Act to appoint a manager or managers for any premises must, in respect of each manager, acting manager, or temporary manager appointed for the premises, record (in a form that is readable or retrievable) the information prescribed by regulations made under this Act for the purposes of this section.
- (2) The licensee must keep the information recorded for at least 2 years after it is recorded.



Continued on the following page...

Other licensee record keeping responsibilities are open to a little more interpretation, such as Section 105 (J) which states:

105 Criteria for issue of licences

(1) In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

(j) whether the applicant has appropriate systems, staff, and training to comply with the law.

This means you need to provide evidence/ records that demonstrates you have appropriate:

- **Systems** – This is the different processes, policies, procedures i.e Intoxication assessment system.
- **Staff** – Certified managers and Servewise certified staff/volunteers
- **Training** – This is the on-going professional development that the applicant/licensee provides to their staff/volunteers involved in service.

To streamline all of this we have created the premises toolkit.

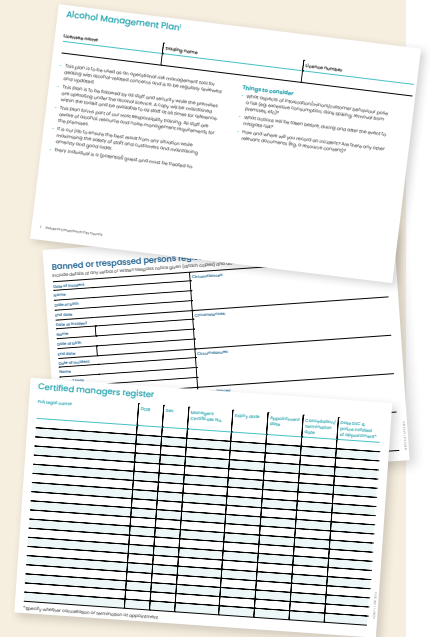
Depending on the type of license the toolkit may look a little different, but each toolkit is set up to provide a nice and simple way to organise all the records you will need to uphold your responsibilities and obligations as a licensee under the Act.

The toolkit is a living document, designed to capture and contain up-to-date information on individual premises. It includes templates to help populate the toolkit, such as a managers register, incident log and staff training log.

I encourage you to store documents relating to the premises in the toolkit i.e. copies of managers certificates.

If you don't yet have a toolkit or would like some resources for you premises, please get in contact with me at the public health unit.

Cameron Duff | Compliance officer
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Club Education Evening

On 29 May 2024 a Club Education Night was held at the Timaru Fire Station to update the club committee members etc of what the obligations are under the Sale and Supply of Alcohol Act 2012.

It was a great turnout with approximately 30 people attending. There were presentations regarding a campaign around Zero alcohol beer in club rooms and also presenters from Fire and Emergency New Zealand (FENZ), Medical Officer of Health and also the Council. The general consensus was that it was a worthwhile evening with lots of questions from the floor and some follow up conversations were had over the next few days.

We were wondering whether it would be worthwhile possibly holding an event like this for the other licensees if there was enough interest?

If it is something you think may be of interest please drop us a line at liquoradmin@timdc.govt.nz and we can assess whether there is enough interest to justify arranging something.

For those of you that are new to the industry we used to hold gatherings a few years ago where we would get together to network and even look at getting a guest speaker along if there was something topical but this was a while ago and not sure if there is still the interest out there to do something like this anymore hence the 'testing the waters'.

LCQ Training Dates

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

The 2024 dates have just been released and are as follows.

| Session | Assessment |
|---------|---|
| 14-Oct | 30-Oct (Wednesday due to Labour day on 28-Oct) |

Please contact ARA directly to register. Also to note is that ARA do offer the ability to carry out night sessions if demand is sufficient so speak to them if this may be something you wish to pursue.

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

- GetLCQ**
www.getlcq.co.nz (0800 800 415)
- Industry Training Solutions**
www.its.ac.nz (0800 GO4 ITS)

ServeWise

This 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 and search for 'Servewise'.



Mostly smooth sailing for licenced premises...and farewell!

Most of the reports that come back from frontline staff are positive and good news and I've found during monitoring nights with council that 90% of the time there's no issues when we come through licensed premises, but I thought I'd just send out a friendly reminder about a couple of smaller issues we've come across recently:

1 Having the manager's name being displayed.

Although relatively minor in nature, there seems to be a bit of "forgetting" or "just haven't done it today" when it comes to having the correct name displayed. It takes a very short amount of time to change the name and as we all know is required to have the manager for the shift displayed. Please put it out to your teams to make a habit of changing this at start of shift.

2 Low alcohol not being stocked/expired alcohol.

On a couple of occasions there has been no low alcohol option available during operating hours and we've had to request a staff member go and get some to remain open. Its important to have this option for your customers if they wish to still have a beverage but not the strength of your standard drink. We've also found that there has been expired or past best before date RTDs/beers in bar fridges, better I point it out than a paying customer.

3 Lastly to make sure your fire exits remain as fire exits and are ready to be used in an emergency.

Although having a small lock or something in front of the doorway to prevent it being used as a general entrance is handy, those small things aren't handy when people are influenced by alcohol and need to get out of the building in an emergency. My friends over at FENZ can help with any matters around this.

This is my last newsletter for my time in Liquor Licensing as I'm returning to frontline and being replaced with Sergeant Samantha Stewart.

I've really enjoyed my time in the role and learning a lot more about a side of policing I didn't have strong experience and knowledge in. Huge thanks to the Timaru District Council licensing team in particular Sharon Hoogenraad and Petro Simpson for their guidance over the last two years, our district definitely wouldn't be as successful in this space without you both in the roles. Thank you all the managers and licensees for your patience and I think overall the standard is really high in Aoraki when it comes to the Sale and Supply of Alcohol Act!

Good luck moving forward and will see you when I'm out on the street

Sergeant Cam McBride



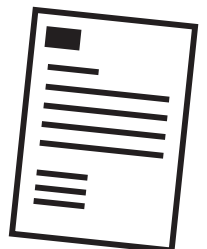
Working Day deadlines over Xmas

A reminder to you all that have staff who's managers certificates or your liquor licenses are due for renewal in the period between December and February.

The Act clearly defines a working day as "a day of the week other than a Saturday, a Sunday, Waitangi Day, Good Friday, Easter Monday, ANZAC Day, the Sovereign's birthday, Te Ra Aroki a Matariki/Matariki Observance Day and Labour Day; and if Waitangi Day or ANZAC Day falls on a Saturday or 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".

With this in mind you need to lodge any renewal applications at least 20 working days prior to the expiry so please remember to take these 'non-working days' into account when calculating your timeframes.

Also, any application is not deemed 'received' until both payment and paperwork have been received. We have noticed recently an increase in the number of applications we are getting the paperwork for but payment is not received until a call is made to the applicant to find out when payment was made resulting in an increase in the workload of our staff.



Annual Fee Reminder

Just a friendly reminder not to leave your annual fee payments until it is too late.



Unfortunately we have recently had to send out 'Notice of Suspension' emails to licensees due to unpaid annual fees which is automatically suspended if not paid within 30 days of the due date.

Invoices are sent out a few months before the anniversary of the licence to ensure that there is plenty of time to plan for the payment.

Below is a guide as to when invoices/renewals are sent out:

October- November

Invoices and renewals sent out August/September

December-January

Invoices and renewals sent out October/November

February-March

Invoices and renewals sent December/January

April-May

Invoices and renewals sent February/March

June-July

Invoices and renewals sent April/May

August-September

Invoices and renewals sent June/July

Managers Certification Applications New vs Renewal

We have recently noticed an increase in the number of applications for New Managers Certificates coming in without payment and when contacted we are asked for an invoice. Unfortunately we cannot invoice for new Managers but we do for renewals. We are however able to provide GST receipts once paid and the payment details if requested.

You can find at the back of the 'new manager' application forms the details for you to arrange payment.

If you are paying online can you please note on the application form that you are paying online so we can keep an eye out for the payment with the accounts team.



From the Secretary's Desk

Kia ora koutou

It's that time of year again, where spring is just around the corner and we are gearing up for another busy 4th quarter of the calendar year.

The team have had another busy year under the belt and have done exceptionally well processing the sheer volume of work, we get through a year. I have included some figures for the past financial year in which you will see the team have processed 1015 applications in total. The sheer volume of work is further exacerbated by tight statutory deadlines we have to meet as well as the fact that we only have 2.5 full time equivalent of staff undertaking this work.

| 2023-2024 Liquor Licensing Figures | | | |
|--------------------------------------|------------|------------|-------------|
| | Timaru | Mackenzie | Waimate |
| No. of licensed premises | 135 | 61 | 22 |
| On/off Licence applications received | 61 | 26 | 9 |
| Annual existing licences renewed | 130 | 55 | 19 |
| Managers Certificates | 199 | 120 | 30 |
| Special Licences | 108 | 20 | 20 |
| Total | 633 | 282 | 100 |
| | | | 1015 |

The table further outlines the breakdown between the three districts we serve.

You will note from the above table that we processed 148 specials during this period, which leads me to my next point. As with most of our applications, we require a minimum of 20 working days to process an application, which is a statutory requirement. If you submit and pay for a special license and the event takes place on day 19 (working days) after the application is submitted, we will not process the application. We therefore encourage you to submit your applications early. This not only provides you with peace of mind but also assists officers with their workload.

Thank you for your assistance in helping us to help you.

Until next time.....

Ngā mihi, Debbie Fortuin

Secretary