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Local Liquor Wanganui

ISSUE 26

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Drink Safe Workshop

On the Tuesday the 18th of November 2008 the District Licencing Agency in partnership with ALAC, Police and the District Health Board will be holding a free Drink Safe Workshop. Topic covered will be Host Responsibility practices and plans, age identification, from bouncer to host and Section 154a Liquor Promotions. There will be two sessions each two hours long with a break after an hour for nibbles and networking. The sessions will be 3.00pm to 5.00pm and 6.00pm to 8.00pm, so make time for you and your staff to come along you might just learn something new. Please see flyer included for more information.



Welcome to Melanie Heron

Melanie has been with the Council since August this year, and is the Customer Services Manager. Locally grown, she recently returned to Wanganui after a 14 year stint in the Capital city.

Little did Melanie realize when she took on the Customer Services Manager role that she would also be the Chairperson for the Local Liquor Liaison Group and the Secretary of the District Licencing Agency. Lucky for us Melanie has taken to both roles extremely well.

She is looking forward to meeting you, and working with you to ensure the liquor policies continue to promote the safe consumption of alcohol in Wanganui.



“Brace yourselves – the silly season is just around the corner!

Before Christmas is well and truly upon us, we hope you can take some time out with the Wanganui District Licencing Agency on Tuesday 18th of November to participate in our Drink Safe Workshop.”





The density of liquor outlets has rocketed from 6,000 to 15,000 since the passage of the Sale of Liquor Act.

Be part of a local community solution

It has again been making headlines both here and across the country. The social problems associated with alcohol just seem to go on growing! In the face of this there is an increased expectation from the community that liquor outlets will operate responsibly and within the law.

Many of you will have seen media coverage recently about the impact that liquor outlet density has on communities. Research has confirmed that lower density of outlets – that is fewer places that sell liquor - in turn means less alcohol related harm. The density of liquor outlets has rocketed from 6,000 to 15,000 since the passage of the Sale of Liquor Act less than 20 years ago. Not surprisingly, a lot of other things have ‘rocketed’ too – including the rates of youth alcohol related harm!

It would be simplistic to blame liquor outlets alone for these problems. However, you are part of the problem and therefore need to be part of community - wide solutions.

A key player working on local solutions is the Youth Access to Alcohol (YATA) Project Group. The Group includes a cross-section of people and agencies who are passionate about ‘making a difference’ in our town. One way we do this is by regularly carrying out pseudo patron surveys and making good use of the information they give us.

We send youth into licensed premises to attempt to buy alcohol. Our intention is to monitor how well premises are meeting the legal requirement to supply only to those over 18. This, of course, involves carefully and routinely checking the specified forms of ID (ie NZ passport, driver’s license etc).

After each pseudo patron survey, we provide written feedback on performance to premises and prepare a press release to keep the public informed. We also send results to both Police and the Liquor Licensing Agency for their general information.

We strongly encourage all liquor outlets - and that includes sports clubs – to contribute to building local solutions to our community’s alcohol issues. One way you can do this is by being vigilant around supply to under 18s.

From the Police

Perhaps it is best to start with an introduction of Sergeant Damon Evans as the new Liquor Licensing officer for Wanganui. Damon has already done his first Controlled Purchase Operation in Wanganui visiting a number of licensed premises with varying results - some good and some with room to improve basic practices. This time they were all “on Licenses”.

I am now working as the Central District Licensing coordinator which means that I am based at Palmerston North but can and do travel all over the District including Wanganui.

My role includes ensuring consistency in our police practices and training as well as advice and training to licensees / managers and working with agencies such as Councils and Health at a strategic level to reduce the impact of alcohol on crime and crash.

Contrary to popular belief we do not want to shut pubs down, what we do want is for licensed premises to comply with the act providing a safe and controlled drinking environment.



From the Police continued

Having said that I have been involved in organising and running covert operations where people are put into bars to observe practices such as checking ID's on minors, control of intoxication and compliance with host responsibility. It is amazing what we see. You may never know that we have visited your bar however if offences are detected you will be advised.

It is only fair that I advise you of these operations running in the District and it is probably a good opportunity to remind staff of their obligations under the act in relation to minors, intoxication and HR plans. We do "target to risk" and if your premises has been identified as a risk premise then expect to see us visit and check compliance with the Act. This puts the responsibility on you to ensure your staff is doing their job well so that you reduce the risk.

Staff need to know their responsibilities under the act and managers need to be able to manage premises, which means monitoring intoxication, behaviour standards and compliance HR policies and with the Act. I recommend that for a start make sure ALL you staff are familiar with your HR Policy and Section 4 of the Act so that there can be no misunderstandings and "mistakes" are minimised.

At the end of the day we all want a safe environment for staff and patrons. If you have any queries or want to arrange specific staff training please contact me to arrange a time on e mail. tracy.patterson@police.govt.nz or phone 06 351 2514.



Christmas trading hours

With Christmas rapidly descending upon us and Licensees no doubt organising staffing etc, it is timely to explain the District Licensing Agency's view point over this period.

In accordance with the Sale of Liquor Act 1989, no liquor is to be sold or supplied on Christmas Day (i.e. from midnight Christmas Eve Sunday 24th December 2000).

The exemptions to the above are:

Any person who is, for the time being, living on the premises, whether as a lodger or employee of the holder, or otherwise; or

Any person who is present on the premises for the purpose of dining.

Judge Young has said (CRN 1012010576) in regards to the 'purpose of dining';

"That of course is a deliberately vague term Equally the managers must understand that such vague provision is not intended to invite them to try and find ways around their clear obligations Clearly it is the obligation on the management to ensure, within reasons, that those who are there, are there for the purpose of dining".

The above will form the basis for this Agencies interpretation in regards to Christmas trading.

Any application for a Special Licence to trade on Christmas Day will be determined on its merits.

Applications that appear to be an attempt to obtain extended trading hours, at times when Parliament clearly intended the premises to be closed **will be opposed**.

In such circumstances a hearing will be required.

The last available Regulatory Committee meeting before Christmas is 30 November so any applications for Christmas Period Special Licences should be made early enough to cover the possibility of a hearing being required.

If you have any queries please give us a call.

Notification of Managers

NOTE You are required to notify the Agency of who your managers are.

The Liquor Licensing Authority has stated:

"The lack of notification of the appointment of managers is becoming widespread. Although the offences are technical in nature, when combined with incidents of liquor abuse, they assume greater importance in the management of licensed premises."

For your information the relevant section of the Sale of Liquor Act is repeated below:

s.130 Notice of appointment, etc, of manager, temporary manager, or acting manager

(1) A licensee **must give notice**, in accordance with subsection (1A), of the **appointment**, or the **cancellation** or **termination** of the appointment, of **any manager, temporary manager, or acting manager**.

(1A) Notice is given in accordance with this subsection if the notice is given within 2 working days after the appointment, or the cancellation or termination of the appointment, to—

(a) The Licensing Authority; and

(b) The District Licensing Agency with which the application for the licence was filed; and

(c) The member of the Police in charge of the police station nearest to the premises, where the licence is in force in respect of any premises;

(2) It shall not be necessary to comply with subsection (1) of this section in respect of the appointment of a temporary manager or an acting manager for any period not exceeding 48 hours.

(3)

(4)

Re (1A), To make life easier for you just fax/email the notice to the Agency and we will forward it on.



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or visit our website at: [www.wanganui.govt.nz/](http://www.wanganui.govt.nz/ESBU/LiquorLicence/index.asp)

[ESBU/LiquorLicence/index.asp](http://www.wanganui.govt.nz/ESBU/LiquorLicence/index.asp)