

# Christchurch Tri-Agency Newsletter

April 2012

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

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## Licensees

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

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## 1. Visiting Liquor Licensing Staff

As times change so do some of the procedures and points of contact we have used in the past. One of these changes affects members of the public who arrive at the Civic Offices in Hereford Street requesting to see a member of the liquor licensing staff. Liquor licensing staff will no longer be on call to answer your query. The first point of contact for the public will be the Public Advice Officers and they should be able to answer run of the mill enquires on liquor licensing.

If you do call at the Civic Offices requesting to see an Inspector you may be handed a business card and asked to contact the Inspector to make an appointment, or the Public Advice staff will email the staff member asking them to contact you.

The phone numbers and email addresses for liquor licensing staff are included in this newsletter under Item 12. We still encourage you to telephone the staff if you have a query.

*Paul Rogers, Team Leader Liquor Licensing*

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## 2. Recent Controlled Purchase Operation

On Friday 2<sup>nd</sup> March 2012 Christchurch Police, assisted by Christchurch District Licensing Inspectors and staff from Community & Public Health, carried out a controlled purchase operation in Christchurch visiting On, Off and Club premises

The volunteers aged 16 years visited 15 premises and no sales were made.

Well-done, an excellent result.

Congratulations to the premises that were tested and didn't sell. They have been advised in writing.

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

*Sergeant Alastair Lawn.*

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## 3. General Managers Certificate

We still regularly encounter those people who think that attaining the Licence Controller Qualification (LCQ) is the same as holding a General Managers Certificate (GMC). It is not, they are two separate entities. The LCQ is administered by the Hospitality Standards Institute, and is purely a qualification. The GMC is administered by the District Licensing Agency (DLA). Having a correctly appointed GMC holder is a mandatory requirement for those licensed premises wishing to sell and supply liquor.

### **Initial GMC applications:**

Once an application is received by the DLA, all applicants will be invited to contact the DLA and arrange an interview. Failure to arrange an interview within a reasonable timeframe will result in an application being opposed and forwarded to the Liquor Licensing Authority. During the interview applicant's knowledge of the Sale of Liquor Act will be tested. Please make sure you are familiar with the course content from the Licence Controller Qualification programme. You will not be asked questions around fines; however, questions will always include "What is the Object of the Act". Applicants will be given two chances to pass, if you fail twice the matter will be referred to the LLA, on the basis that you are not suitable to hold a managers certificate.

All applicants must be able to show 6 months recent experience working on licensed premises. If you do not have 6 months experience your application will be placed on hold and reassessed once you have attained the minimum experience. If correctly appointed an applicant can gain the required experience while appointed as a Temporary Manager.

**References:**

You will always require a reference from your employer stating you require a GMC for the purposes of your work. GMC's are not granted to enhance CV's. Personal references should not be from a family member.

**Renewals:**

Applicants will receive a questionnaire with their renewal reminder which seeks to re-assess their level of knowledge of the Sale of Liquor Act. Failure to return the questionnaire with the renewal will lead to the renewal being delayed and possibly opposed.

*Fiona Proudfoot, DLA staff*

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#### **4. 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 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 and Public Health to arrange training for your staff.  
CPHLiquorLicences@cdhb.govt.nz

*Peter Shaw, CDHB*

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#### **5. Tri-Agency Newsletter Available Electronically**

To assist in reducing the amount of paper we use the Tri-Agency newsletter is no longer posted out and is only available electronically. The newsletter can be found on the Christchurch City Council website (past issues have been on the website for sometime):

<http://www.ccc.govt.nz/business/licencesconsents/liquorlicences/christchurchdistrictlicensingagencynewsletter.aspx>

For those who wish to have the newsletter emailed to them please email the address below with your details: [Liquor.Licensing@ccc.govt.nz](mailto:Liquor.Licensing@ccc.govt.nz)

*Paul Spang DLA Staff*

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#### **6. Good Friday, Easter Sunday and ANZAC Day**

This year Good Friday is on the 6<sup>th</sup> of April, Easter Sunday is on the 8<sup>th</sup> and Anzac day falls on a Wednesday, the 25<sup>th</sup> April.

As a reminder:

- Off-licences are not permitted to sell liquor on Good Friday, Easter Sunday, or before 1.00 pm on Anzac day.
- Hotel or Tavern. No liquor is to be sold on Good Friday, Easter Sunday, or before 1.00 pm on Anzac 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 now. If an application for a special licence is not received by the District licensing Agency with at least 10 working days notice, it is unlikely to be processed in time. 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*

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## 7. Staff Training

The Liquor Licensing Authority considered food availability in the "Waipapakauri Hotel" decision PH371-271/2010.

The following is an extract from that decision:

*[7] The Authority considers that the expression "must be conveniently available" means that the food must be available upon request and within a very short period of time.*

*[8] For patrons to wait for 15 or 20 minutes for food does not achieve the object of the legislation as set out in s.4 of the Act. The purpose of requiring food to be available is so that persons can eat and therefore reduce alcohol abuse. If persons are required to wait for some 15 to 20 minutes the chances are that they will proceed to have another drink.*

It appears clear from this decision that in respect of on licence premises, other than restaurants, food must be available almost immediately. This would preclude premises from relying totally on outsourced food although that remains available as an option to the food that is immediately available.

The expectations of the monitoring agencies are:

Food must be available and promoted throughout on licence and club licensed premises at all times that liquor is available. This is just as important at the end of business as the start.

Unless the premises are set up and operate as a restaurant, menus (including price) should be large and clear rather than reliance of table top or bar top menus.

Controlled purchase operations to ensure compliance are being conducted. This will involve patrons requesting food. If it is revealed that food availability does not meet the required standard, an application for the suspension of both the on licence and general manager's certificate is the likely consequence.

*Peter Shaw, CDHB*

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## 8. Health Licensing Team Update

### **Fact Sheet and Checklist for CBD Red Zone Food Premise Operators**

We have produced a fact sheet for operators with food premises in CBD red zone who plan to reopen. The 'CBD red zone food premises re-opening fact sheet and checklist' includes:

- Getting started – things to consider
- Disposing of food and debris
- Drainage and water systems
- Cleaning and sanitising
- Fridges and freezers
- Health clearance inspection and obtaining health licence
- Checklist

For a copy of this fact sheet and checklist please contact an Environmental Health Officer in the Health Licensing team at [Health.Admin@ccc.govt.nz](mailto:Health.Admin@ccc.govt.nz) or phone 941 8999.

### **Food Control Plans**

The Food Control Plan for the Food Service and Catering businesses are currently available for those wanting to implement a food safety programme in their food service business. At this stage we are able to provide some assistance and so businesses choosing to implement this FCP are able to take advantage of the support we can offer.

We advise keeping in touch with our Health Licensing team as legislation relating to food is expected to change and this is likely to affect food premises in the Food Service and Catering industry particularly premises holding liquor licenses.

For further information regarding this FCP, please contact Environmental Health Officer in the Health Licensing team at [HealthLicensing@ccc.govt.nz](mailto:HealthLicensing@ccc.govt.nz) or phone 941 8999.

### **New information on MAF Food Safety / NZFSA website for Food Service businesses**

There is a great deal of information for the Food Service industry on the MAF Food Safety website, <http://www.foodsafety.govt.nz/industry/sectors/food-service/>, including:

Safe cooking of chicken livers: Information for chefs (now includes lambs fry)

There is a new guidance on cooking livers safely. MAF have responded to recent increase in campylobacteriosis that was traced back to consuming undercooked liver. In most cases the causes of the illness were poultry livers but more recently lamb's fry/livers have been implicated. Livers are tricky to cook – over-cooked livers are tough and under-cooked livers are not cooked hot enough to kill any bacteria that may be there (MAF, 2012). You cannot tell that livers are cooked by looking at the colour, colour vary widely even from the same source – temperature probing is the ideal method to ensure livers are sufficiently cooked (MAF, 2012). Bacteria found in livers will be killed when internal temperatures reach 75°C.

Other important factors to reduce contamination:

- Wash hands thoroughly before and after handling the product,
- Source the product from an approved supplier,
- Separate processes to keep raw and cooked product separate.

For the full article refer to <http://www.foodsafety.govt.nz/elibrary/industry/safe-cooking-chicken-livers.htm>

### **“Sous vide” study**

MAF have recently conducted a study to find out how chefs cook using the “sous vide” method. Once findings are summarised the information will be used to develop guidance material on how to safely cook food using this method.

Sous vide is the cooking of raw food that is vacuum packed in plastic pouches before being cooked in immersion circulator (water bath) or combi steamer using carefully controlled heat over a set time period. The food is then chilled and refrigerated; food is then reheated when needed.

However as the cooking temperatures are lower, there is a risk for any bacteria present to multiply during the longer cooking period, which increases the risk of foodborne illness if safe food practices are not followed.

This study will help in forming food safety guidance for sous vide cooking. (MAF (2012). Food Connect. Issue 4 January 2012.) Look out for this new guide.

For further information on food safety, refer to [www.ccc.govt.nz](http://www.ccc.govt.nz) or [www.foodsafety.govt.nz](http://www.foodsafety.govt.nz) or contact Environmental Health Officer in the

Health Licensing team at [HealthLicensing@ccc.govt.nz](mailto:HealthLicensing@ccc.govt.nz) or phone 941 8999.

*Rowena Yee, Food Act Officer, Health Licensing*

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## 9. Smoking Areas

We are aware that some licensees have added plastic screens and the like to their previously compliant smoking areas. In many cases, these alterations have resulted in the area changing from being an 'open area' to an 'internal area'. The effect of this is that smoking is prohibited within the area. Licensees need to be aware that if they allow smoking within an 'internal area' of the premises, they will be liable to prosecution.

We are also aware that a number of licensees who, post-earthquakes, are converting or re-constructing. Please ensure that your architects/designers take account of the requirements of the Smoke-free Environments Act when looking at areas proposed to be used for smoking.

The Smoke-free Environments Act 1990, as amended in 2003 requires licensees of licensed premises to take 'all reasonably practicable steps' to ensure that people do not smoke in any area of the premises that is not an 'open area'. An 'open area' is any area that is not an 'internal area'. When considering whether an area is an 'internal area', the Act stipulates that any opening, capable of being closed, is to be treated as closed.

The following website provides a calculation tool as a guide to assessing whether an area is an 'open' or 'internal' area:

[http://www.moh.govt.nz/moh.nsf/wpg\\_index/about-smokefreelaw-resources-calculator](http://www.moh.govt.nz/moh.nsf/wpg_index/about-smokefreelaw-resources-calculator)

If licensees wish to discuss any issues regarding the Act, or require further information please contact:

Nicola Ogden. Smokefree Compliance Officer. Canterbury District Health Board.

Mobile: 027 557 3437

[nicola.ogden@cdhb.health.nz](mailto:nicola.ogden@cdhb.health.nz)

*Peter Shaw, CDHB*

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## 10. Licensed Premises Checklist

The checklist on the last page of this newsletter was developed to assist Duty Managers and staff with the compliance of the Sale Of Liquor Act and the conditions of the licence. Reporting agency contact details are also listed. We recommend the checklist is referred to during Duty Managers shifts. You can also download a copy of the checklist from our web site.

*Paul Spang DLA Staff*

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## 11. Training Providers with Tri-Agency Input

- Avonmore Tertiary Academy - 977 2700
  - Christchurch Polytechnic Institute of Technology - 940 8000
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## 12. Tri-Agency Contact Details

- Christchurch District Licensing Agency  
Paul Rogers (Team Leader) - 941 8909  
Paul.Rogers@ccc.govt.nz

Martin Ferguson (Senior Inspector) – 941 8956  
Martin.Ferguson@ccc.govt.nz

Paul Spang (Inspector)- 941 8826  
Paul.Spang@ccc.govt.nz

Fiona Proudfoot (Inspector) - 941 5064  
Fiona.Proudfoot@ccc.govt.nz

Natashia Lafituanai – 941 8827  
Natashia.Lafituanai@ccc.govt.nz

Maria White – 941 8821  
Maria.White@ccc.govt.nz

Michele Vincent – 941 8068  
Fax number: 941 5033  
Michele.Vincent@ccc.govt.nz

Email: [liquor.licensing@ccc.govt.nz](mailto:liquor.licensing@ccc.govt.nz)

[ccc.govt.nz/business/licencesconsents/liquorlicences/index.aspx](http://ccc.govt.nz/business/licencesconsents/liquorlicences/index.aspx)

- Community and Public Health  
Paul Tweed - 378 6771

Peter Shaw (Medical Officer of Health) - 378 6812  
CPHLiquorLicences@cdhb.govt.nz

- New Zealand Police Liquor Licensing  
378-0430  
[AlcoholCanterbury@police.govt.nz](mailto:AlcoholCanterbury@police.govt.nz)

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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**

**Licensed Premises Checklist on following page**

## LICENSED PREMISES CHECKLIST

**Are you complying with the sale of liquor act and meeting the conditions of your licence?**

**Would you pass a monitoring visit inspection?**

Can you identify the patrons in your bar most likely to require intervention to prevent intoxication? Remember the 80/20 rule.	
Are there intoxicated persons on the premises? What actions have you taken?	
Are there minors on the premises that shouldn't be? Have they purchased?	
Is the base licence displayed near the main entrance? Have you read it?	
Is the duty manager's name displayed, and can it be easily read?	
Is the duty manager on the premises? (excludes small clubs)	
Is the (named) duty manager authorised? I.e. The holder of a manager's certificate, or correctly appointed as an acting or temporary manager.	
Is food promoted by appropriate notices throughout the premises?	
Is food available at <u>all</u> times liquor is available? We expect at least four food varieties, <i>excluding</i> potato chips, peanuts etc. (excludes off licences)	
Do you have a reasonable range of non-alcoholic and low-alcoholic beverages available? Is free water available?	
Is information about alternative forms of transport from the premises displayed?	
Is prohibited person signage that relates to minors and intoxicated persons clearly displayed? Free signage is available from Community and Public Health and the Christchurch District Licensing Agency.	
How many persons are on the premises? What is the maximum occupancy? Do duty managers and door staff know?	

**Are you aware of the fines for these offences?**

- Allows any intoxicated person to be or remain on licensed premise – **A fine of up to \$4,000**
- Sale or supply of liquor to minors, sale or supply of liquor to an intoxicated person, and allowing a person to become intoxicated – **A fine not exceeding \$10,000 for each offence.**
- Unauthorised sale or supply – **A fine not exceeding \$20,000.**

**Note:**

- Bar staff, Duty Managers and the licensee can be held liable.
- Penalties can include suspension or cancellation of the licence and Managers Certificate.