

A Guide to Preparing a Host Responsibility Implementation Plan for

CLUB LICENCED PREMISES

While the concept of host responsibility is not new, the 1999 amendments to the Sale of Liquor Act incorporated some elements of host responsibility into legislation making them legal requirements.

Host Responsibility Policies are designed to reduce the abuse of alcohol by creating and promoting a safe drinking environment. The key focus is to prevent intoxication and its associated problems. They are a useful tool for the Medical Officer of Health and Police Liquor Licensing Officer when assessing the suitability of applicants to hold a liquor licence.

It is the policy of the Regulatory Agencies (District Licensing Agency, Levin or Foxton Police, MidCentral Health, and Fire Service), that all new on licence applicants and all current licence holders are required to formulate and submit with their application a written Host Responsibility Implementation Plan based on the principles of Host Responsibility, which will be actively used as a standard operating procedure by management and staff. This is a move in line with most other District Licensing Agencies liquor licensing policies.

The Host Responsibility Implementation Plan is in addition to the one page Host Responsibility Policy that is required to be displayed for patrons.

In addition, to the Host Responsibility Implementation Plan the District Licensing Agency may impose conditions relating to:

- the provision and promotion of food
- the sale and supply of low-alcoholic beverages
- the provision of assistance with or information about alternate transport from the premises
- the licensee's steps relating to ensuring compliance with the provisions of the Act relating to minors and intoxicated persons
- any other matter aimed at promoting the reasonable consumption of liquor

Applicants are encouraged to develop an individual Host Responsibility Implementation Plan, rather than adopting a standard format, as this has been found to be more helpful in ensuring a strong sense of ownership of the plan.

Your plan should outline a range of strategies to create a safer drinking environment following the guidelines within this document and include reference to the club's rules or constitution where appropriate.

1. Intoxication

*A person should be considered to be intoxicated if at the time the person is **observably affected** by alcohol and or other drugs to a sufficient degree that **Speech, Coordination, Appearance or Behaviour is clearly impaired**. (Note: Speech and Coordination are the most "reliable" indicators. Appearance and Behaviour should "support" the assessment).*

In this section, the plan should set procedures to:

- a) Ensure that the Duty Manager is able to pro-actively manage the club members and member's guests, particularly during busy periods.
- b) Identify and refuse entry to intoxicated persons
- c) Identify potential problems amongst patrons
- d) Reduce the risk of patrons becoming intoxicated on the premises
- e) Appropriately and safely deal with patrons who require intervention
- f) Identify a "safe place" that can be used for the care and protection of an intoxicated patron until they can be safely removed from the premises.

2. Minors

It is against the law to serve alcohol on licensed to anyone under 18 years of age unless you are their parent or legal guardian. Depending on your designation it may be illegal for minors to be on all or part of your premises.

In this section the manual should:

- a) Identify the designation of the premises or parts thereof
- b) Establish the forms of identification to be accepted for verification of age
- c) Set procedures to verify the age of any person appearing to be under 25 years of age
- d) Set procedures relating to the consumption of liquor by a person under 18 years who is accompanied by their parent or lawful guardian.

3. Signage

All licences require:

- i. *Licence to be displayed at principal entrance*
- ii. *Duty Manager's name to be prominently displayed*
- iii. *"Prohibited person signage" to be displayed adjacent to points of sale.*

In this section the manual should specify:

- a) Where signage will be displayed
- b) Who is responsible for ensuring that signage is maintained

4. Food

It is a standard requirement of all Club licences that food must be available for consumption on the premise at all times when the premises are open for the sale of liquor in accordance with the menu submitted with the application for licence or variations of that menu of a similar range and standard.

It is not acceptable to claim that items have "run out" unless they have been replaced by a similar item.

Failure to make or have food available renders any sale of liquor "unauthorised" (S.165 - \$20,000)

In this section you should set out:

- a) Who is responsible to ensure availability of food
- b) Procedures to be followed to ensure appropriate menu items remain available

5. Low and Non-Alcohol Beverages

It is a condition of all Club licences that a reasonable range of non alcohol and low alcohol beverages be available at all times when the premise is open for the sale of liquor.

Failure to do so renders any sale of liquor "unauthorised" (S.165 - \$20,000)

In this section you should set out:

- a) Who is responsible to ensure availability of low alcohol and non-alcohol beverages
- b) Procedures to be followed to ensure of low alcohol and non-alcohol beverages remain available

6. Safe Transport

It is a requirement of all Club licences that signs are prominently displayed detailing information regarding alternate forms of transport from the premise.

In this section, you should:

- a) List the safe transport options available from your premise
- b) Describe how safe transport options will be promoted to patrons
- c) Detail the approach to be taken when staff become aware of situations when patrons who have been drinking and intend to drive.

7. Liquor Promotions

S 154A, Sale of Liquor Act 1989 makes it an offence for a licensee or manager to do anything that is intended or likely to encourage people to consume alcohol to an excessive intent. The maximum penalty for any breach is \$5,000 plus the possibility of licence variation, suspension or cancellation.

In this section:

- a) List the type of promotion your premise run or intend to run and include the reasons for each promotion (give recognition to and acceptance of the "National Protocol on Alcohol Promotions")
- b) Detail the management systems for promotions that will ensure that they do not lead to excessive consumption.

8. Duty Manager

While all clubs are required to have appointed a manager or managers under the Act some club licences require that a duty manager is responsible for enforcement and compliance with the Sale of Liquor Act and licence conditions at all times liquor is for sale or supply. Some other club licenses may not have this licence condition.

- a) In this section set out the club's policy on the requirement to have a duty manager present when liquor is available for sale or supply.

9. Staff Training

All staff should receive regular training on your policies, procedures and host responsibility. Management should ensure that any new employees, whether voluntary or paid, and regardless of their previous experience, should receive training, especially covering the conditions of the licence and the contents of the implementation plan.

This section should include:

- a) A statement of intent regarding staff training
- b) Content of initial and on-going training
- c) Frequency and duration of training
- d) Responsibility for organising and conducting training
- e) Methods to ensure attendance
- f) Reference to location and updating of the staff training manual

10. Incident and Noting Book

A large club or high risk club may operate an incident book (or a variation of an incident book). While often these books are used to record matter relating to patron behaviour, they may also be used to record monitoring visits from regulatory agencies. These records can be helpful in identifying matters and trends that require further action such as staff training.

In this section:

- a) List the types of incidents and notings to be recorded
- b) Define who is responsible for recording entries
- c) Define who is responsible for acting upon information recorded

12. Club Members

A Club licence allows you to only sell liquor to club members, accompanied guests and members of clubs with reciprocal visiting rights.

In this section your policy **must** clearly reflect this requirement.

Your policy **should**:

- a) Outline how this requirement will be met

Note: Installing day membership schemes may be grounds to refuse the licence application or apply for cancellation of the club licence. Refer decision LLA PH745/2005 Waiuku Cosmopolitan Club.

11. Hireage of Club

Some clubs permit individuals and organisations to hire the club premises for private functions.

If it is a non-club function then a special licence is required i.e. a club member hiring premises, general public, or other organisation.

If the club is selling or supplying the liquor a club appointed duty manager must be present at all times that the bar is open. In other cases either a duty manager or responsible person may be required at the discretion of the District Licensing Agency or by the Clubs' rules of hireage.

Your policy **should** outline the procedures that are put in place:

- When the clubrooms and/or bar facilities are hired for private functions.