



knox liquor licensing accord

2015



VICTORIA POLICE



Knox City Council

Knox liquor licensing accord

According to the Victorian Commission for Gaming and Licensing Regulation (VCGLR, 2015), Liquor Accords are established under Part 8, Division 6 of the *Liquor Control Reform Act 1998*.

In Knox, the Accord aims to address licensing and permit issues, patron behaviour and control, venue management, community safety and amenity issues. The document intends to be supportive rather than compliance focused, and aims to instil a spirit of cooperation amongst members.

This Accord endeavours to provide a best practice guide that sets out specific aims, actions, objectives and strategies that provide practical solutions to local alcohol-related problems and implement a range of programs to promote harm-minimisation principles. This is achieved through providing members with access to information and training, open channels of communication and support from the Police, Council, and Liquor Licensing Victoria, as well as the opportunity to learn from other licensees.

Objectives of the Knox Liquor Accord:

1. Influence the management and availability of licensed venues in Knox to restrict venues with late night trading and large patron numbers.
2. Plan appropriately for off premises consumption licenses to discourage licence applications that contribute to negative cumulative impacts on alcohol misuse.
 - Consider levels of social and economic disadvantage in areas where new packaged liquor outlets are proposed.
3. Be aware of social impacts of licensed venues, particularly on vulnerable community members.
 - Create a vibrant City supported by a sustainable night time economy.
 - Create a mix of activities in Knox entertainment precincts.
 - Support safe, well connected transport routes.

4. Support well managed licensed venues to ensure safety of patrons and staff in Knox venues.

5. Work collaboratively to reduce alcohol related harm in Knox by contributing to a forum for information sharing and training that reduces the adverse impacts of alcohol in the Knox community.

Monitoring and Review

The Liquor Accord will be reviewed by members of the Accord Steering Committee annually.

Membership

Membership to the Knox Liquor Accord is voluntary, and open to licensees of bars, clubs, pubs, hotels, sporting clubs, package liquor outlets, Police, Local Government, security providers and the Victorian Commission for Gaming and Licensing (VCGLR).

Licensees

Commit to upholding Liquor Licence conditions and attending forum meetings.

Knox Council

The City of Knox will assist with the co-ordination of Knox Liquor Licensing Accord Steering Committee meetings, forum activities and producing documentation to facilitate positive outcomes for Alcohol Management in the City of Knox.

Knox Police Service Area

Victoria Police is committed to assisting the Knox Liquor Accord by providing advice and guidance, and implementing law enforcement strategies that support community safety in and around licensed premises in Knox. Knox Police will support the Knox Liquor Licensing Steering Committee in the development of Accord related documents, activities and forums.

Liquor Licensing Victoria

Liquor Licensing Victoria is committed to providing timely support and guidance relating to relevant legislation and regulations.

The Knox Liquor Licensing Steering Committee:

The Knox Liquor Licensing Steering Committee includes representation from all Knox Police Stations, Council, the Knox Licensing Inspector, and three Knox Licensed Venues. The committee:

- Monitors and evaluates the progress of the Accord
- Shares ideas and addresses topical issues
- Addresses major breaches of the Accord
- Provides advice and recommendations in relation to new Liquor Licence applications on request and for changes to current liquor licences in Knox

What is a liquor forum?

A liquor forum refers to the meeting of participants. A liquor forum is where liquor industry representatives and interested community members meet regularly to develop and support implementation of strategies to improve the operation of licensed premises and reduce alcohol-related harm in a local area.

Current Membership

Jason Rigopoulos	Seamus O'Toole Hotel
Warren Blee	Stamford Hotel
Kevin McMaster	Wantirna Club
Jackie Booth	Zagames
Cliff Sunderland	Boronia Police
Rowville Police	Rowville Police
Phil Edmunds	Knox Police
John Hess	Knox Police
Therese Fitzgerald	Inspector, Knox Police
Mark Hawker	Rowville Police
Mark Rogers	Knox Police
Chris Collins	Westfield Security
Adrian Vogel	Rowville Police
Augustino Nguyen	Crime Prevention Officer Victoria Police
VCGLR representative Knox Region	VCGLR
James Gribble	Coles Licensing
Lisette Pine	Knox City Council
Samantha Spooner	Knox City Council

Meeting Procedures

The Knox Liquor Licensing Steering Committee commit to meeting a minimum of 4 times a year to plan the development and implementation of the Accord document and related forum activities. Council commit to convening the Knox Liquor Licensing Steering Committee meetings, and providing administrative support, including circulation of agendas and minutes. Knox Police support steering committee functions by providing meeting spaces when available.

Overall Aims - for Licensees

Engage with the Knox Police and Council to run a better venue

Participating Knox venues will:

- Ensure their staff are fully trained in the responsible serving of alcohol and are familiar with the principles and practices of the Knox Accord
- Actively participate in promoting the Accord, its principles and strategies, and in monitoring its outcomes

Promote Responsible Service of Alcohol (RSA)

Participating Knox venues will:

- Actively monitor the behaviour of patrons to detect early signs of intoxication or inappropriate behaviour
- Not serve alcohol to, or allow entry of, persons who are intoxicated or drunk
- Strictly enforce the minimum age for consumption of alcohol
- Discourage activities that encourage rapid or excessive consumption of liquor
- Actively promote and make available water, non-alcoholic or low alcohol beverages and snacks at all times

See VCGLR Liquor Licensing Fact Sheets (page 6 & 7) for information on:

- Training for licence applicants
- Code of conduct – packaged liquor licensees
- Mandatory water
- Intoxication guidelines

Underage Persons

Participating Knox venues will:

- Actively screen patrons to ensure they are 18 years or older
- Check approved proof of age ID before entry, including photo and date of birth
- Refuse entry to anyone who is underage or who has no ID
- Refuse service to any adult reasonably suspected of supplying alcohol to an underage person
- Model RSA principles and socially responsible alcohol consumption when minors are present, particularly in sporting clubs
- Increase vigilance in checking identification during 'Schoolies' periods or events targeted at young people
- Not encourage an underage drinking lifestyle in any advertising or promotion of alcohol

See VCGLR Licensee Obligation brochures and Liquor Licensing Fact Sheets (page 6 & 7) for information on:

- Minors on licensed premises
- Minors on licensed premises – underage or mixed-age events
- Underage patrons on licensed premises

Improve Safety & Security

Participating Knox venues will:

- Maintain safety and security throughout their licensed premises
- Establish communication with local police and maintain accurate records when an incident occurs
- Maintain a safe venue for patrons and staff
- Monitor and discourage anti-social behaviour in and around licensed premises
- Employ only licensed crowd controllers
- Ensure staff, including security staff, are clearly identifiable (e.g. uniforms, name tags)
- Manage queues for entry in an orderly fashion
- Ensure CCTV equipment as per licence conditions is operating efficiently
- Ensure CCTV footage is available for viewing and downloading for supply in a timely manner to Victoria Police and VCGLR Compliance Inspectors upon request
- Ensure patrons do not block footpaths, roads and/or laneways
- Facilitate phased, orderly and quiet exit of patrons from premises when closing
- Where possible, serve alcohol in containers that minimise harm (accidental or intentional) to patrons e.g. plastic, shatter-proof
- Keep an incident register and ensure it is accurately maintained
- Not tolerate illicit drug use and will notify Victoria Police immediately

Commitment to being Good Neighbours

Participating Knox venues will respect local amenity and reduce the risk of disruptive behaviour by its patrons, reminding them of their obligations under State law where necessary

Promotional activities

Promotions that encourage irresponsible consumption of alcohol are of significant concern to the Knox community. Promotions which encourage rapid or excessive alcohol consumption are not encouraged as they can lead to alcohol-related violence, disorder and adverse health effects.

Also of particular concern are promotions that encourage inappropriate attitudes towards women and place women at increased risk of sexual assault. These promotions are obviously not in the public interest and as such are not acceptable.

In particular, the Knox Liquor Accord commits to reducing:

- Advertising or promotions that provide incentives for rapid or excessive drinking
- Advertising or promotions that encourage under-age drinking (Department of Justice, 2009)

Internet Based Home Delivered Liquor

Home delivery Liquor services have become available across Victoria through major chains and Liquor Barns in recent years, with a range of delivery times – generally next day services or within a few days. More recently, immediate response (within half an hour for a home delivery) services have gained momentum in Knox. The licence type is a standard Limited Licence allowing for the delivery of liquor, similar to other major retailers. It contains specific conditions in regards to responsible service of alcohol, including that deliveries are only to be provided to patrons over the age of 18 years, and identification is to be checked where appropriate. It also specifies that liquor is not to be left at unoccupied premises.

The VCGLR is currently scrutinising these types of businesses and ensuring that they are adhering to the conditions on their licence and not operating outside of the scope of the legislation. This is an issue that the VCGLR are taking very seriously given the potential for impact on alcohol related harm in the community. These types of businesses will be monitored closely to ensure their continued compliance.

Participating Knox venues will commit to cooperating fully with the VCGLR in investigating these services.

Design Considerations

Design principles can be applied to positively affect patron behaviour. The Knox Liquor Accord recommends maintaining clear pathways and lines of sight throughout Knox venues to minimise the opportunity for over-crowding.

Participating Knox venues will consider points of congestion and congregation, as well as other hazards that require attention by conducting regular safety audits around their premises. By opening out congregation points, increasing lighting, and changing the layout of venues by moving furniture, conflict amongst patrons can be reduced (Department of Justice Victoria, 2009).

General checklist for venues

- Responsible Service of Alcohol (RSA) principles**
 Employees must complete an approved RSA training program within one month of commencing employment, and must undertake an RSA refresher course every three years. (Keeping to standard serving sizes of alcohol).
- Responsible advertising and promotions**
 Display mandatory signage, do not run promotions banned by the VCGLR, or any promotions which contradict responsible service and consumption of alcohol.
- Intoxication**
 Refuse service of alcohol to any patron showing signs of intoxication.
- Crowd controllers**
 Compliance with *Private Security Act 2004*, maintain a sign-in register and only use crowd controllers who have a current licence. (Where possible, employ crowd controllers who are RSA trained).
- Minors**
 Adhere to legislation regarding when a minor is permitted in a licensed venue.
- Administration**
 Display liquor licence prominently, ensure you have a red line plan (where alcohol can be consumed and supplied) on the premises, display required signage, and keep an up-to-date RSA certificate register.
- Acceptable forms of identification**
 Being vigilant or have a policy on checking for identification, use identification scanners (if possible), refuse admission if identification is not produced.
- Management of events**
 Advise Victoria Police in advance of any events likely to increase patronage.

- Staff training**
 Policies on induction, ongoing training, emergency evacuation and regular fire drill practices.
- Amenity of venue**
 Policies around minimising noise and litter, ensure queues are orderly so footpaths and/or laneways are clear, and be considerate of your neighbours.
- Closed circuit television (CCTV) policy**
 Ensure CCTV equipment is serviced regularly.
- Gambling**
 If applicable, policies and procedures that relate to responsible service of gambling.
- Contacts list**
 Local police contact information, VCGLR contact and website details, list of all accord members and their contact details.
- Packaged liquor information**
 Will adhere to the VCGLR 'Packaged Liquor Code of Conduct', develop a 'house rules' document, ensure that if alcohol is suspected of being purchased for a minor (third party), the sale will be declined.
- Communication**
 Policy for notifying other venues of problematic patrons.
- New Year's Eve initiatives**
 Licensees will restrict the sale of alcohol to non-glass products to reduce glass injuries, employ extra crowd controllers and have a first aid officer on shift throughout New Year's Eve.
- Schoolies initiatives**
 During 'Schoolies', increase vigilance in checking identification (if applicable.)

(Source: Victorian Commission for Gaming and Licensing Regulation. (2015). Applying for Approval of a Licensing Accord).

Accord banning guidelines

The *Liquor Control Reform Act 1998* states that liquor forum members who are party to a liquor accord may make provisions regarding the authorisation of licensees and permittees to ban patrons and share information about banned patrons.

To assist licensees and permittees who are members of liquor accords, these guidelines have been introduced to ensure that liquor accord bans are implemented for the purpose of minimising harm arising from the misuse and abuse of alcohol in relation to behaviour that has occurred in or around licensed premises.

Prior to implementing a liquor accord ban, the Knox Liquor Accord agrees that they will be mindful of the principles of natural justice (also known as procedural fairness).

The principles of natural justice ensure the process by which a decision is made is fair and reasonable. In order to maintain natural justice each person which the liquor accord will consider banning will be offered the right to request a review of the banning decision and the opportunity to present one's case.

When formulating the banning policy all parties to the Accord must ensure that the banning provisions regarding the banning:

- are non discriminatory and are open and transparent;
- include accurate record keeping processes and have clear and appropriate decision-making guidelines;
- do not breach the Charter of Human Rights and Responsibilities 2006 and privacy legislation;

- provide an opportunity for the (potentially) banned person to request a review of the ban;
- include fair and reasonable banning periods; and
- include appropriate notification of a ban (i.e. a set of letters notifying the banned person of the ban, the process by which to request a review of the ban, the expiry of the ban and a warning letter (if applicable)).

Release of information for the purpose of enforcing the Accord ban

Information will only be disclosed as provided in Section 146D of the *Liquor Control Reform Act 1998* for the effective and efficient enforcement of the ban.

This information disclosed is subject to the following:

- the disclosure is for the purpose of enforcing a liquor accord ban.
- the licensee or permittee must undertake not to engage in any unauthorised distribution or public display of the information, and must ensure they comply with privacy obligations.

All previous versions of banned lists must be discarded responsibly.

(Source: Victorian Commission for Gaming and Licensing Regulation, 2015).

References

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