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Dear Heidi

Please find notes attached in blue text below detailing our positions to the proposed permit conditions. Presented by Kiwi Crawl Ltd and Big Night Out Ltd.

Please also find general notes below the Important Information section.

Proposed Permit conditions – Licensed Premise Tours

PERMIT CONDITIONS

Conditions Imposed on a permit may include, but not be limited to (not be limited to should be removed as it leaves room for the council to add whatever conditions they please), any of the following:

- a) 1 staff member to 10 patrons (The current ratio we have is 1 member of staff per 20 customers with at least 2 members of staff on any night. In a combined 18 years of operation between Kiwi Crawl and Big Night Out we have not had any issues whatsoever that would make us feel a higher ratio is required or necessary)
- b) time/designated hours of operation (This hours the permit covers must be reasonable and not restrict trade)
- c) Comply with the Health and Safety Act at Work Act 2015 (This has to be the case for us to operate a business and is included in our Operational Safety Plan and Staff Manual)
- d) Comply with district plan signage rules (Yes, this is included in our Operational Safety Plan and Staff Manual)
- e) Comply with waste management and minimisation plans (Yes, this is included in our Operational Safety Plan and Staff Manual)
- f) Ensure there are no obstructions to pedestrian access (Yes, this is included in our Operational Safety Plan and Staff Manual)
- g) Host responsibility which will also include:-
 - LCQ certificate for all staff (This is unreasonable. For example a bar does not require all staff to have their LCQ, only the manager. We currently have Bar Crawl managers with their LCQ and train staff with respect to the Sale of Alcohol Act and Host Responsibility as per the Staff Training Manual)
 - Crowd control training for all staff (in house training – to be vetted by council)(We have a lot of experience running Bar Crawls and know what to look out for, so we are in a very good position to be able to train our own staff as per our OSP and Staff Manual)
 - No staff to be intoxicated (as per the definition in the SSAA 2012) (Yes)
- h) Alcohol may not be included in the ticket price (This should not be included in this Bylaw as it is covered by a separate Council department and federal law, and not a Nuisance Bylaw issue. In addition these points have never been a part of the submission process to the public or industry and fall completely outside the scope of a local nuisance bylaw. (Will wine tours be made to change the way they structure their business as result of this? Or corporate events)

- i) Obtain public liability insurance (\$2 million) (Yes)

General points to be written on the permit

- Details of the permit holder
- The type of activity covered by the approval
- Expiry date, approval date and approving officer's details

Important information

- The initial permit will be valid for 1 year in which the application will be free of charge. (If a permit is put in place we are prepared to pay for it from the start)
- The permit must be renewed after the first year which will incur a cost (to be determined in the next 12 months) and will be valid for 3 years. (The cost of the permit extension should be made clear before any permit system is put in place. The cost of the extension has to also be reasonable)
- The organiser will be monitored for compliance throughout each year which will incur an hourly cost to be invoiced directly to the company (minimum of one inspection per year) (The permit fees should cover this)
- Any non-compliance may result in the permit being revoked
- Any non-payment of fees may result in the permit being revoked
- Council must be informed of every change of staff with each new member completing the relevant section of the application form (With a high turnover of staff this could be difficult to manage however the manager of the crawl would be made known to the council)
- Council must be informed of any change to the structure of the business, the tours offered and insurance cover.

Free Bar Crawls:

Free Bar Crawls must be included in this bylaw. If they are not then it is a severe case of double standards with the end result being that the responsible operators are being targeted for the actions of the free crawls. Even if the free Bar Crawls do not charge they are using the bar crawl to their commercial advantage and they are being run by business which by definition makes the crawls they run a commercial entity. Whether it be to close an activity sale or to boost ratings within a hostel the free crawls are being run to their commercial advantage.

The Permit Conditions:

We are still unsure how this section of the Bylaw can be passed without an element of foul play by the council due to 540 submissions being in support of Licensed Premises Tours and only 4 in opposition. It is clearly a council driven agenda and not one that reflects the wishes of the general public but we still agreed to meet with the council to discuss the terms of the conditions on Tuesday 23rd August, proving that we are willing to work with the council and not against them. However when additional topics of discussion were raised by us it was made clear that we were only there to discuss what the council had proposed which denotes that we being dictated to and not in a position to come to an arrangement. Also the Liquor Inspector was present which should not have been the case under the Nuisance Bylaw. Any Liquor Licensing issues should be dealt with separately.

We are of the position that this does not need to be listed in the Nuisance Bylaw, however we are willing to meet with the council to determine conditions that are mutually beneficial for both parties.

We propose that we meet with Heidi Thompson from council again next week and work off a blank sheet to build a permit that council and industry would support which takes into account public submissions.