

Broome Liquor Accord Terms of Reference

1.0 Members

Chairperson	Shire President and or Deputy President
Secretariat	Shire of Broome
Deputy Chairperson	Roebuck Bay Hotel representative
Licensees of BWS / Woolworths	Two (2) Members
Licensees of Liquorland / Coles	Two (2) Members
Licensees of Divers Tavern	Two (2) Members
Licensees of Matso's Brewery	Two (2) Members
Licensees of Roebuck Bay Hotel	Two (2) Members
Licensees of Continental Hotel	Two (2) Members
Licensees of Moontide Distillery	Two (2) Members
Delegates from WAPOL	Two (2) Members
Delegates from Department of Transport	Two (2) Members
Delegates of Department of Local Government Sport and Cultural Industries	Two (2) Members
Proxies	Each member may delegate a proxy to attend in their place providing it is done in writing to the Chairperson prior to the meeting.
Meeting Location	Shire of Broome Administration Building
Quorum	70 percent of Licensees are required for meetings to proceed, plus one Shire of Broome Councillor and one WAPOL delegate.

2.0 Name

The name of the group is **Broome Liquor Accord**.

3.0 District / Control Area

Local Government boundaries of the Shire of Broome.

4.0 Vision / Purpose

The Broome Liquor Accord is a voluntary group that seeks to minimise alcohol-related problems in Broome and promote responsible practices in the sale, supply and service of liquor and provide a safe environment for the community.

5.0 Objectives

1. Reduce alcohol-related harm and problems in the Broome Community.
2. Promote and foster the responsible service of alcohol.
3. Minimise the abuse of alcohol in public areas.
4. Manage contributing factors to excessive alcohol consumption off-premise throughout the town.
5. Reduce the impact of alcohol abuse on the community and visitors.
6. Facilitate and maintain positive communication between stakeholders.
7. Develop, implement, assess and review plans and strategies to reduce and minimise harm caused by liquor abuse in Broome.
8. Regularly evaluate the effectiveness of the Broome Liquor Accord.
9. Improve licensees and club operators', managers' and staff knowledge of legislation and obligations.
- 10.
11. Engage stakeholders in various controls and strategies that affect their community.
12. Lobby for and support changes to legislation that assists the Accord, WAPOL and the Broome community to implement successful policies that reduce and minimise harm caused by liquor abuse and support businesses to operate effectively within such policies..

6.0 Roles of Members

Roles of the members of the Liquor Accord are outlined in **Appendix 1**.

7.0 Agreed Rules and Positions

The rules and conditions outlined in **Appendix 2** are agreed to by the members of the Liquor Accord.

8. Membership

8.1 General

The Shire of Broome Council will appoint 1 elected member as a Delegate to the Accord and 1 elected member as the Delegate's proxy.

8.2 Tenure of Membership

Where a person is appointed as a member of the Accord the person's membership of the Accord continues until —

- For a Council or WAPOL representative, the person no longer holds office by virtue of which the person became a delegate.
- For a delegate, the person is no longer employed by the licensee.
- The person resigns from membership of the Accord.
- The Accord is disbanded.
- The Accord removes the person from the Accord by agreement of a majority of delegates, including the Council and 1 WAPOL representative.

Shire staff may be appointed and removed from the Accord by the Director/s of the functional area responsible for the Accord.

9.0 Meetings

9.1 Accord Meetings

Meetings will be held quarterly. Special meetings may be added should urgent Accord matters arise.

9.3 Voting

Voting shall be by a show of hands from delegates as directed by the Chairperson, noting that only 1 representative from each Licensee is able to vote on behalf of the Licensee represented. One WAPOL representative may also cast a vote. Voting must be unanimous and all licensees must be present for a vote to occur.

9.4 Minutes of Meetings

The Shire of Broome will ensure that minutes are kept of meeting proceedings.

The meeting minutes will be noted by members present at the next meeting. Once the minutes have been confirmed by members they will be recorded by the Shire of Broome.

9.5 Who Acts if No Presiding Member

If, in relation to the presiding member of the Accord:

- (a) the office of presiding member and the office of deputy presiding member are vacant; or
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member, then the Accord members present at the meeting are to choose one of themselves to preside at the meeting.

10 Evaluation and Monitoring

The following information will be used to develop and evaluate the Liquor Accord's strategies and initiatives:

- Police call outs to Licensed Premises
- Police call outs for alcohol related matters in public areas
- Police enforcement action (by number) relating to on and off-premise alcohol related matters
- Alcohol related hospital admissions
- Sober Up Shelter Admissions
- Kullarri Patrol pick ups
- Domestic violence involving alcohol
- Assaults involving alcohol
- Drink driving offences
- Other data as agreed

APPENDIX 1 – Roles of Liquor Accord Members

Role of all members

- Promote community education about responsible liquor trading and consumption.
- Education of the community about the Liquor Accord.
- To encourage and lobby stakeholders associated with the contributing factors or enduring the impact of public drunkenness to engage with the efforts of the Liquor Accord.

Police role

- To provide support to licensees and their staff, including the provision of information to licensees' staff at the request of the license/manager.
- To encourage a clear flow of communication between Licensees and security contractors to reduce misunderstanding of defined roles and responsibilities of both parties.
- The Officer in Charge (OIC) of the Broome Police Station, or his/her delegate, will (as required) meet with Licensees to discuss matters of mutual interest and/or concern.
- To conduct regular foot patrols of licensed premises and areas subject to the Occasional Licence Permits and all other premises that come within the definition of 'Licensed Premises'.
- Police officers are encouraged to serve infringement notices or prefer charges against patrons who breach the *Liquor Licencing Act*. These actions have to be upheld by the availability of all applicable evidence and are supported by Licensees and their staff.
- Police officers are encouraged to take enforcement action or prefer charges against individuals in breach of relevant legislation related to public drunkenness, fracas or antisocial behaviour, where directly linked to the excess consumption of alcohol in public areas.
- Police will review and consider options available to them to address identified issues of Licensees and/or their staff who have breached their legal obligations under the *Liquor Licensing Act*, permits and licences and the responsible service of alcohol.
- To encourage accountability of licensees/staff to deliver a clear message to patrons who fail to obey the authority of a licensee or their representative.
- To continue community education by Police Officers in relation to liquor licensing matters.
- To continue to provide ongoing support to all community groups or organisations assisting in the delivery of service under the agreed rules and conditions of the Liquor Accord.
- To work collaboratively with Licensees to eliminate the access of under-age patronage to licensed premises by those who do not meet the defined authority for access to premises within the *Liquor Licencing Act*.

Licensees' role

- Licensees will support the principle of equity of access to their premises in accordance with the *Equal Opportunity Act 1984*.
- Licensees will ensure that bar staff will not sell or serve liquor to any person who is noticeably affected by liquor. Bar staff and waiters will receive training to enable them to practice responsible service to patrons.

- Suspected juveniles will be requested to supply authorised identification prior to being served at all times.
- Potable drinking water is to be available free of charge and should be promoted (this is not to suggest bottled or packaged water should be free).
- Security at licensed premises is a responsibility of the licensee. The licensee is also responsible for controlling disorderly behaviour and noise generated on the premises, as well as the conduct of its patrons which is unduly offensive, annoying, disturbing or inconvenient to people who reside or work in the vicinity.
- All of the conditions placed on the liquor licence are to be strictly adhered to.
- Adhere to the Director of Liquor Licensing's policy relating to the responsible promotion of alcohol.
- Ensure crowd controllers are engaged in accordance with the *Security and Related Activities (Control) Act 1996* and discharge their duties in accordance with the liquor licence or as requested by police officers.

Shire of Broome's role

- Administration of the Broome Liquor Accord including agendas, minutes etc.
- To issue occupancy certificates and other planning, building and health statutory approvals to licenced premises.
- To promote the Liquor Accord and address wherever possible the concerns of its citizens, including licensees.
- Provide information to those that hire halls and venues under the Shire's control, regarding the hirer's responsibility to ensure appropriate and responsible consumption of liquor.
- To have an Alcohol Policy which it will refer to and abide by.

APPENDIX 2 – Agreed rules and conditions

1. Licensees will not sell take away liquor prior to 11am on any day of the week from 1 April to 31 October, and 12pm on any day of the week from the Monday before Melbourne Cup until the Monday before Easter or 1 April, which ever is sooner.
2. Sale of take away liquor will cease at 10pm.
3. Licenced premises are to discourage patrons from purchasing fortified wines in glass bottles.
4. Staff/employees of Licensees will report to police any suspected illegal sale of alcohol (sly grogging).
5. In relation to cyclones:
 - (a) On the issue of a Blue Alert by the Department of Fire and Emergency Services (DFES), venues are to consider selling low or mid strength alcohol and there is to be no bulk purchases of alcohol permitted.
 - (b) On the issue of a Yellow Alert by DFES, liquor outlets are to close and remain closed until the All Clear is issued. Restaurants and other licensed premises may continue to trade, however service of liquor is not permitted while under Yellow Alert.
 - (c) On the issue of a Red Alert by DFES, all licensed venues must cease trading and no takeaway sales are permitted under any circumstances.
6. Licensees will not serve to customers where there is a reasonable belief that this will lead to street drinking.
7. Best endeavours will be used to ensure that service will not be provided to customers in taxis, where it is suspected that this will lead to a breach of the Liquor Control Act.
8. Other conditions as agreed.