



What We Heard:
Public Resale Special Event
Consultation Results

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Introduction

Alberta Gaming, Liquor and Cannabis (AGLC) is responsible for licensing, regulating, and monitoring liquor in Alberta. AGLC administers the *Gaming, Liquor and Cannabis Act* (GLCA), Gaming, Liquor and Cannabis Regulation (GLCR), and related policy governing the manufacture, importation, sale, purchase, possession, storage, transportation, use and consumption of liquor in Alberta.

AGLC is focused on modernizing its liquor policies to ensure they reflect the needs of Albertans. Special Event Licensing (SEL) policies were identified for review and consultation as part of this modernization effort. This report summarizes the results of a Canadian cross-jurisdictional scan; a consultation with municipal and provincial stakeholders, law enforcement and liquor industry stakeholders including individuals and groups that hold recurring SELs throughout Alberta.

The objective of this consultation was to obtain feedback that could be used to revise existing AGLC SEL policy while balancing the flexibility Albertans would like and maintaining safe and responsible liquor service.

Background

Currently, AGLC determines SEL eligibility based on the type of event. Events are broadly categorized into public or private events. A private SEL is only open to members and invited guests, while a public SEL is open to the general public. Public events are further categorized into Community or Commercial events. Public resale special events are open to the public and offer liquor for purchase at the event.

Most major public special events in Alberta have a public resale SEL licence. Some examples of these events include: Taste of Edmonton, Chasing Summer, and Folk Fest. In recent years, many organizations or groups looking to obtain a public resale SEL for their event have been found ineligible because they did not fit neatly into the current SEL categories. As a result, AGLC has increasingly received requests to license public events that do not fit within these SEL categories.

Many of these public special events that do not fit within current SEL categories are perceived as being low-risk events by AGLC. In some cases, AGLC has made event-specific exceptions to license these events. Reaction to these exceptions has been very positive by the groups applying for the SEL licences.

Methodology

Staff from AGLC Policy and Communications Branch and Regulatory Services Division consulted stakeholders from September 20 to October 4, 2018. The following table shows the participation rates obtained for this consultation:

Participation Rates			
Client Group	Method of Data Collection	Invited to Participate	Participated (Provided Feedback)
Stakeholders (e.g., health-related, law enforcement, event planners, etc.)	Telephone interviews	31	18
Liquor industry stakeholders (e.g., industry associations)	A discussion guide distributed through email	16	3

Thirty-one stakeholders were invited to participate in an interview with AGLC and 18 telephone interviews were conducted. Each of the 18 stakeholders fit within one of three stakeholder groups:

- Alberta Health and Alberta Health Services (2)
- Law enforcement (2)
- Groups/individuals organizing recurring SEL events (14)

When determining which groups/individuals would be invited to participate (among those organizing recurring SEL events), special consideration was given to geographic location and the types of events these groups/individuals organize to ensure a broad spectrum of licensees would be represented. The stakeholders that participated are located throughout Alberta and plan diverse events like music festivals, rodeos, and food festivals.

An email was also distributed to 16 liquor industry stakeholders with a copy of the discussion guide attached, inviting them to provide feedback. Stakeholders receiving this email included:

- Alberta Craft Distillers Association
- Alberta Estate Winery and Meadery Association
- Alberta Hotel and Lodging Association
- Alberta Liquor Store Association
- Alberta Small Brewers Association
- Alberta Urban Municipalities Association
- Import Vintners and Spirits Association
- Restaurants Canada

Of these liquor industry stakeholders, three responded to the email.

Data Limitations

Response rates should be considered when reviewing the results of this consultation. While over half of stakeholders chose to participate in interviews, only a small number of liquor industry stakeholders chose to provide feedback through email. It is possible that the low response rate for this group could be attributed to these groups not having any particular concerns with SEL policies or the proposed approach, however, additional research would need to be undertaken to confirm this.

The Discussion Guide

The consultation discussion guide proposed a new approach to SEL licensing that would eliminate the current event categories, allowing all public special events in Alberta to be eligible for an SEL (see Attachment 1). The proposed approach would replace the eligibility categories to accommodate the various types of public events in Alberta. To ensure public safety is maintained, the guide suggested examining risk as a part of the licensing process.

Cross-Jurisdictional Research

Leading up to the consultation, AGLC undertook a review of Canadian provinces to determine what could be learned from other jurisdictions.

A few provinces employ a risk-based approach to licensing, most notably Saskatchewan and Ontario. Through discussions with colleagues in other provinces, Ontario's approach was continually identified as a best-in-class example.

The Alcohol and Gaming Commission of Ontario (AGCO) employs a risk-based approach when regulating liquor sales licences. With this system, AGCO encourages good business practices throughout the industry and strategically focuses regulatory resources where they will make the most difference.

AGCO has found that risk-based licensing is helpful for liquor licensees as it assists them in operating in a safe and responsible way, and helps them remain in compliance with legislative and regulatory requirements.

In addition to examining a risk-based approach to licensing, AGLC examined how other provinces issue licences. Currently, private SELs can be obtained online in Alberta. Special event permits for public events can also be obtained online in most other Canadian provinces, including British Columbia, Saskatchewan, and Ontario.

Consultation Findings

The discussion guide contained five key questions to initiate conversations with stakeholders:

1. Do you feel that it would be beneficial to combine community public resale and commercial resale policies?
2. Is the proposed risk-based approach beneficial? Could the risk-based approach be aligned with the number of event attendees? Is there a certain number of attendees that you would consider higher risk or lower risk?
3. Are there other changes you would suggest?
4. What risks may be associated with these considered changes or other changes to SEL?
5. Is there a way these risks could be mitigated?

Key Question 1 – Combining Public and Commercial

With respect to combining the community and commercial categories, of the 18 stakeholders interviewed, all (100%) were in support of combining the public and community resale licensing categories. The three stakeholder associations that responded to the consultation email were silent on this question.

Key Question 2 (and sub-questions) – Proposed Risk Based Approach

All interviewed stakeholders (100%) felt that including risk in the licensing process would be beneficial. The three stakeholder associations that responded also expressed support for considering risk. Discussions about the number of attendees were a bit varied with stakeholders having different thoughts on a specific number where an event becomes more risky than others. A common theme was that other factors besides the number of attendees impact the level of risk associated with events. Examples provided included venue size (relative to attendees) and the level of crowding (density of patrons).

Key Question 3 – Other Suggested Changes

On the topic of changes that respondents would like to see, 50% indicated they do not have issues with the current licensing process. About a third of the respondents (28%) stated that the steps involved in the current licensing process can be cumbersome and time consuming, particularly obtaining approvals from other approval bodies – however, these respondents also indicated that the process still functions for groups organizing large-scale public events.

Respondents shared that the licensing experience could be significantly enhanced with six improvements. Suggestions for improving the licensing experience included:

1. Permanent facilities should not require police and fire approval each time an applicant hosts an event at that facility. If a venue is regularly utilized, perhaps a venue could be deemed as acceptable/approved for multiple events. (2 stakeholders)
2. Providing an online system for public resale SEL applications could simplify the process. For example, providing an online licensing system that remembers previous applications could be helpful for licensees with annual events that do not change from year to year. (2 stakeholders)
3. Provide additional information online to assist new applicants in accessing Health, Municipal, Fire, and Police approvals. (2 stakeholders)
4. Send a reminder checklist to SEL licensees prior to their event. (1 stakeholder)
5. Create a list of pre-approved SEL venues and security companies for applicants to consider when planning their event. (1 stakeholder)
6. Events that have a long history of operating safely could be rewarded with a simplified licensing process. (6 stakeholders)

A few respondents (22%) also indicated that the process could be improved to make it simpler for first-time applicants who will likely not know the details related to SEL licensing. Two stakeholders (11%) even offered to have their contact information shared in a mentoring capacity with inexperienced event organizers on AGLC's website (note: this question was not directly asked; other respondents may also be willing to assist other potential SEL applicants).

Key Question 4 – Risks

On the topic of risk, all stakeholders provided valuable feedback regarding the characteristics of high-risk events versus low-risk events and some of the methods and best practices they employ to mitigate risk and ensure their events are safe for Albertans to enjoy. Approximately one third of the respondents mentioned that without mitigation strategies, they would likely see increased injuries to patrons (28%) and increased instances of intoxicated patrons (22%). Three respondents (17%) indicated that a negative incident occurring during their event would be bad for business and their event's public image.

One risk that was identified by two-thirds of the respondents (66%) pertained to the possibility of AGLC making changes to SEL policies that could make the licensing process more complex and cumbersome. In view of that, AGLC heard that it should be mindful of ensuring that any changes to SEL policies do not make the licensing process more difficult to navigate, but that attention be directed to simplifying the process.

Key Question 5 – Mitigations

This question asked respondents how risks could be mitigated. Some respondents suggested that AGLC licensing staff could spend more time working with less experienced applicants as their events may represent higher levels of risk and these applicants may benefit from more hands-on support.

Stakeholders also commented that if applicants were making a special effort to reduce risk, there could be opportunities to relax requirements such as the security-to-patron ratio. Current AGLC policy requires that public resale SELs have one security staff per 50 guests, a ratio of 1:50. One third of SEL licensees felt that the 1:50 ratio was adequate, but other stakeholders suggested this ratio is problematic (50%) for the following reasons:

1. The security requirements can be prohibitive for those events looking to transition from operating beer gardens into side-wide licensing. For example, an event with 3,000 guests may only have 600 guests in a licensed beer garden, requiring 12 security staff. If this event were to move toward a site-wide licence, the organizer would then require 50 security staff, effectively increasing security costs five-fold.
2. The 1:50 security ratio can seem excessive for small events held in venues capable of hosting many more guests. The security ratio is based on venue capacity, not the number of anticipated guests. For example, if an event is hosted in a venue with a capacity for 300 guests but only 100 are expected, the event still requires six security staff instead of two.
3. Stakeholders voiced concern that this ratio is cumbersome for low-risk events, such as those held in small/rural communities or small functions catering to low-risk demographics such as seniors. Suggestions for new security staff-to-guest ratios ranged from 1:75 to 1:100 and 1:200. The suggestions varied depending on the type of event being discussed.

AGLC also heard from law enforcement officials, who expressed that adequate security is paramount in ensuring event safety. Even if an event has a history of operating safely, or is considered low-risk, adequate security would be necessary in the event of an emergency.

In addition, event planners (who represented 14 of the 18 interviewees) felt that their previous history of compliance should be taken into consideration when dealing with specific requests on an event-to-event basis. It was also suggested that AGLC should consider risk as a risk spectrum and not strictly on a pass/fail basis.

Additional Feedback

Respondents also provided feedback on factors that could increase or decrease risk. Some stakeholders found that permitting minors to attend events decreased risk because their patrons tend to exhibit better behaviour in the presence of children (39%). Others stated that if an incident were to occur at an event, having children present actually increases risk (11%).

Additionally, the majority of stakeholders interviewed requested a review of AGLC's food requirements (56%). Alberta Health Services noted that hot food or meals do not generally decrease the risks associated with an event. In some cases, providing hot food at an outdoor event may pose an increased health risk due to the difficulty in ensuring food safety. Several stakeholders requested that these requirements be relaxed or removed altogether (39%).

Stakeholder Feedback

<i>Factors that Increase Risk</i>	<i>Factors that Decrease Risk</i>
Demographics: Age of crowd or demographics of area where event is held. Young adult crowds were cited as being higher risk. (10 respondents)	An all ages/family-friendly event (10 respondents)
Long hours of liquor service (5)	Short or earlier hours of liquor service (5)
An event with a history of not being safe (4)	Serving staff ProServe certified (5)
Crowded beer gardens (3)	Hiring off-duty police or RCMP to be on-site (5)
Serving spirits along with beer and wine (2)	Hiring competent, professional security staff (4)
Events with a major focus on liquor consumption or events using liquor sales as a primary revenue source (1)	The event's history of being safe over a number of years (4)
Dishonest applicants (1)	Site-wide licensing/no beer gardens (3)
	Medical response team on-site, such as an ambulance (3)

Conclusion and Recommendations

All respondents (100%) were supportive of including an assessment of risk in the licensing process. As part of this consultation, respondents identified various factors that they felt could either increase or decrease risk.

In addition, AGLC heard from stakeholders that there are concerns with some existing policy requirements regarding the number of security staff and food requirements for special events.

AGLC also heard that the licensing process and experience could be enhanced with a few key changes. Respondents expressed a desire for AGLC to ensure that any new processes would not make the licensing process more complex or cumbersome, but rather would streamline the process (particularly for low-risk events or higher-risk events where risks are being appropriately mitigated).

AGLC wishes to thank all stakeholders for their participation in the Public Resale SEL consultation.