

# Report

To	Mayor and Councillors
From	Regulatory Services Projects Officer, Adrienne Cook
Date	26 September 2016
Subject	<b>Annual Liquor Licensing Report – 2015/16</b>

(This report shall not be construed as policy until adopted by full Council)

## Executive Summary

1. The Council is required under the Sale and Supply of Alcohol Act 2012 (the Act) to provide a report for each financial year, on the proceedings and operations of its District Licensing Committee (DLC). This report recommends that the Annual Liquor Licensing Report be adopted, a copy provided to the Alcohol Regulatory and Licensing Authority (ARLA) and also be made available to the public.

## Recommendation

- (1) THAT the Council;
  - a) Adopts the attached South Taranaki District Council Annual Liquor Licensing Report – 2015/16 in accordance with Section 199 of the Sale and Supply of Alcohol Act 2012.
  - b) Notes that adoption will trigger public notification of the report and that a copy will be provided to the Alcohol Regulatory and Licensing Authority (ARLA).

## Background

2. Every territorial authority is required under the Act to provide an annual report to the ARLA on the proceedings and operations on its DLC for every financial year.

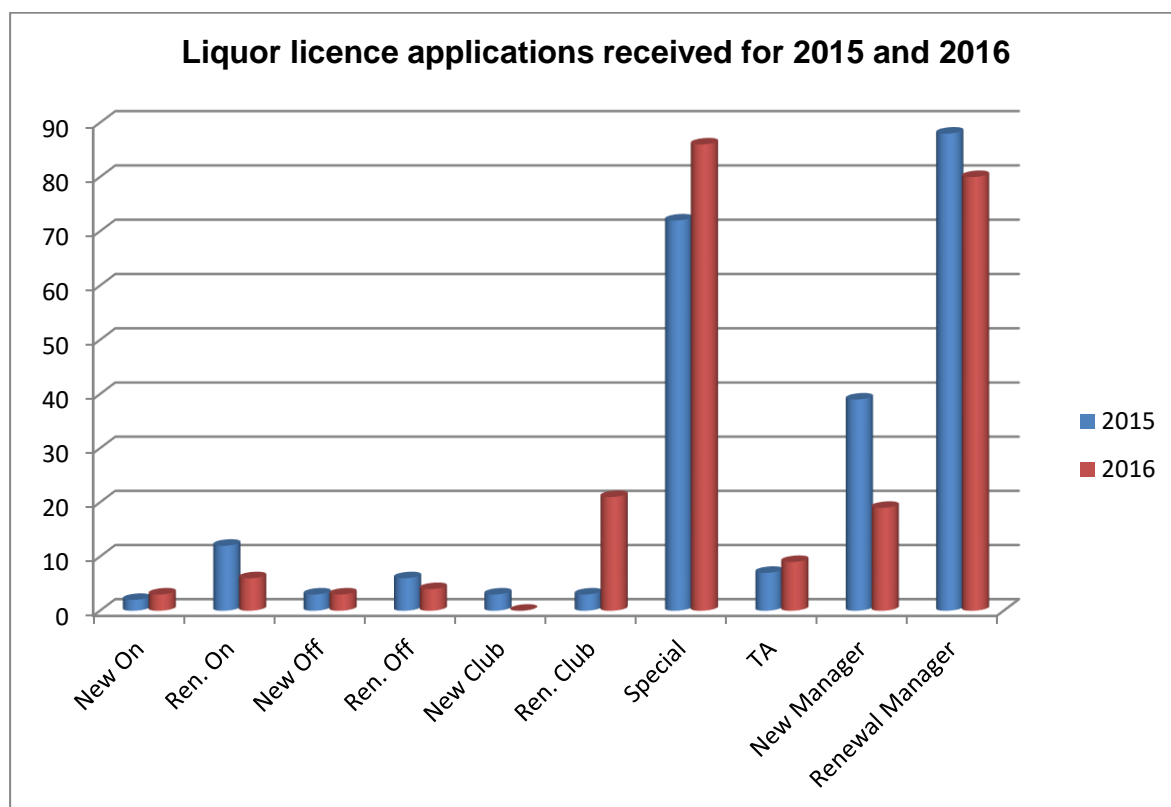
## Local Government Purpose

3. Under Section 10 of the Local Government Act 2002, the purpose of Local Government is:
  - “1) a) *To enable democratic local decision-making and action by, and on behalf of, communities; and*  
b) *To meet the current and future needs of communities for good quality local infrastructure, local public services, and performance of regulatory functions in a way that is cost-effective for households and businesses.*
  - 2) *In this Act, good quality, in relation to local infrastructure, local public services, and performance of regulatory functions, means infrastructure, services, and performance that are –*
    - a) *Efficient*
    - b) *Effective; and*
    - c) *Appropriate to present and anticipated future circumstances.”*

- The Council provides a regulatory function in regards to liquor licensing, which includes the enforcement of compliance with the Act and administration support to the DLC for the issuing of liquor licences and holding DLC hearings.

## Analysis

- The following chart provides an analysis of the liquor licence applications received in the 2015/16 year and compares this to the previous year's statistics.



## Considerations and Assessments

### Assessment of Significance and Engagement

- In terms of the Council's Significance and Engagement Policy the adoption of the Annual Liquor Licensing Report is of **low significance**. It should be noted that the Council is required to make a copy of the report publicly available and also publish it online on its website.

### Legislative Considerations

- Section 199 of the Act requires that:

- "1) Within three months after the end of every financial year, every territorial authority must prepare and send to the licensing authority a report of the proceedings and operations of its licensing committees during the year.*
- 2) The licensing authority may specify the form of the annual report and the matters to be included in the report.*

- 3) *The licensing authority or the licensing committee must, on payment of any reasonable fee it may prescribe, provide a copy of each report to any person who asks for one.*
- 4) *Every annual report required to be prepared under this section is a public record for the purposes of this Act.*
- 5) *A copy of every annual report must be made available by the territorial authority for inspection free of charge and be made available on an Internet site maintained by or on behalf of the territorial authority for a period of not less than five years."*

### **Financial/Budget Considerations**

8. There are no financial or budget implications regarding this report.

### **Consistency with Plans/Policies/Community Outcomes**

9. Nothing in this report is inconsistent with any Council policy, plan or strategy.
10. This matter contributes to our District's community outcome namely:
  - Secure and Healthy South Taranaki

### **Impact on Māori/Iwi**

11. The community, including Māori and Iwi, will equally benefit from the Council providing a regulatory function for liquor licensing within the District.

### **Affected Parties Consultation**

12. Under the Act the Council must ensure that the adopted report is publicly available.

### **Conclusion**

13. The attached Annual Liquor Licensing Report 2015/16 has been compiled to formally record the operations of the South Taranaki DLC during the 2015/16 financial year. It is recommended that the Council formally adopt the report, after which the report will be forwarded to the ARLA. This will meet the Council's legal obligations under the Act.

### **Recommendation**

- (1) THAT the Council;
  - a) **Adopts** the attached South Taranaki District Council Annual Liquor Licensing Report – 2015/16 in accordance with Section 199 of the Sale and Supply of Alcohol Act 2012.
  - b) **Notes** that adoption will trigger public notification of the report and that a copy will be provided to the Alcohol Regulatory and Licensing Authority (ARLA).



Adrienne Cook  
**Regulatory Services Projects Officer**



[seen by]  
Doug Scott  
**Regulatory Services Manager**

## **1.0 Overview of the South Taranaki District Licensing Committee Workload**

### **1.1 District Licensing Committee (DLC) Structure and Personnel**

The DLC consists of four members: a Chairperson and Deputy Chair from elected members of the Council; two list members include one other appointed Councillor and a member who was selected from a regional list.

### **1.2 Any Staff Training Undertaken Relating to the Sale and Supply of Alcohol Act 2012 (the Act)**

#### **1.2.1 Liquor Licensing Inspectors**

The Council employs one Chief Licensing Inspector and two Liquor Licensing Inspectors. All Liquor Licensing Inspectors have completed the Licence Controller Qualification.

### **1.3 DLC meetings or hearings**

In the 2015/16 year the South Taranaki DLC held one hearing as follows:

- Waverley Liquormart – New Off Licence

The DLC has held several informal meetings to keep members informed of relevant matters, and for the Chair to discuss operational matters.

### **1.4 Trends or Issues Faced by the DLC**

#### **1.4.1 Issues**

Feedback from Liquor Licensing Inspectors and Applicants highlighted that twenty working days prior to events is rather onerous for Special Licences, especially for short notice events such as funerals.

## **2.0 District Licensing Committee Initiatives**

### **2.1 Drink Safe Workshop Programme**

Drink Safe workshops provide training for licensed premises staff covering intoxication, sale and supply to minors, identification checking, host responsibility options and offences under the Act. The Public Health Unit run this event with a combined agency effort from the Police. This financial year the Public Health Unit has provided six workshops, with one workshop being held in South Taranaki.

## **2.2 Liaison with Other Agency Groups**

The Combined Agency Agreement has proved a successful approach to Liquor Licensing between the Licensing Inspector, the Police and the District Health Board. It helps with greater communication and co-ordination between the reporting agencies with an increased level of monitoring of licensed premises within the District.

The Agencies meet quarterly as the South Taranaki Liquor Liaison Group.

## **2.3 DLC member meetings**

The DLC holds quarterly formal meetings. Most of the week by week licence decisions are made by the Chairperson. To allow continuity, the DLC feel it is important to allow the DLC Deputy and other members to be kept informed about decisions made by the Chairperson and to be familiar with the process.

## **3.0 Local Alcohol Policy (LAP)**

The South Taranaki District Council (the Council) is in the process of developing an LAP and is in the primary stages of research and development, which includes gathering evidence of the local situation.

## **4.0 Current Legislation**

There is no comment on the current legislation.

## **5.0 Other Matters**

The Council would like to raise the matter of the ARLA providing guidance or advice for Inspectors. At present each Territorial Authority is advised to obtain its own legal advice. It would be helpful to gain advice or guidance from the ARLA.

The DLC members believe it would be beneficial to have regular training/workshops run by the Ministry, to keep DLC members informed of changes to legislation and relative matters.

## **6.0 Statistical Information**

The South Taranaki DLC Annual Return 1 July 2015 to 30 June 2016 showing payments made to the ARLA, is attached in the required.

On pages 6 to 10 is the South Taranaki DLC Financial Analysis Report 2015/16 Annual Return, which provides information on the DLC income from Liquor Licensing (excluding the portion paid to the ARLA) and the cost of running the DLC for the financial year.

Appendix 1 is the additional information of Council contacts which the Authorities Secretariat has requested.

**South Taranaki District Licensing Committee  
Annual Return 1 July 2015 - 30 June 2016**



**Payments made to the Authority**

**On-Licence, Off-Licence and Club Licence applications – received**

Application Type	Number received in fee category: Very Low	Number received in fee category: Low	Number received in fee category: Medium	Number received in fee category: High	Number received in fee category: Very High
On-licence new	-	-	3	-	-
On-licence variation	-	-	-	-	-
On-licence renewal	-	1	10	-	-
Off-licence new	-	-	3	-	-
Off-licence variation	-	-	-	-	-
Off-licence renewal	-	1	6	-	-
Club licence new	-	-	-	-	-
Club licence variation	-	-	-	-	-
Club licence renewal	15	2	-	-	-
<b>Total number</b>	<b>15</b>	<b>4</b>	<b>22</b>	<b>0</b>	<b>0</b>
<b>ARLA portion (\$)</b>	<b>\$17.25</b>	<b>\$34.50</b>	<b>\$51.75</b>	<b>\$86.25</b>	<b>\$172.50</b>
<b>Total Fee paid to the Authority (GST inclusive)</b>	<b>\$258.75</b>	<b>\$138.00</b>	<b>\$1,138.50</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Annual fee for existing licences – received**

Licence type	Number received in fee category: Very Low	Number received in fee category: Low	Number received in fee category: Medium	Number received in fee category: High	Number received in fee category: Very High
On-licence	1	4	23	-	-
Off-licence	-	-	23	-	-
Club licence	31	4	1	-	-
<b>Total number</b>	<b>32</b>	<b>8</b>	<b>46</b>		
<b>ARLA portion (\$)</b>	<b>\$17.25</b>	<b>\$34.50</b>	<b>\$51.75</b>	<b>\$86.25</b>	<b>\$172.50</b>
<b>Total Fee paid to the Authority (GST inclusive)</b>	<b>\$552.00</b>	<b>\$276.00</b>	<b>\$2,380.50</b>	<b>\$0.00</b>	<b>\$0.00</b>

### Manager's Certificate applications – received

	Number received
Manager's certificate new	36
Manager's certificate renewal	59
Total number	95
Total Fee paid to the Authority (GST inclusive)	\$2,731.25

### Special Licence applications - received

	Number received in category: Class 1 (Small)	Number received in category: Class 2 (Medium)	Number received in category: Class 3 (Large)
Special Licence	47	39	0

### Temporary Authority applications - received

	Number received
Temporary authorities	9

### Permanent Club Charter payments - received

	Number received
Permanent Club Charters	1

### Totals

On, Off and Club Licences	\$1,535.25
Existing Licences	\$3,208.50
Managers Certificates	\$2,731.25
Total to be paid to the Authority (GST inclusive) for 2015/16 year	\$7,475.00

# South Taranaki District Licensing Committee Financial Analysis Report: 2015/16 year



## Annual Return

### On-Licence, Off-Licence and Club Licence applications – received

Licence type	Number received in fee category: Very Low	Number received in fee category: Low	Number received in fee category: Medium	Number received in fee category: High	Number received in fee category: Very High
Total number of On, Off and Club Licences	15	4	22	0	0
1a) Total income (GST inclusive) excluding portion paid to the Authority	\$5,261.25	\$2,300.00	\$16,824.50	\$0.00	\$0.00

### Annual fee for existing licences – received

Licence type	Number received in fee category: Very Low	Number received in fee category: Low	Number received in fee category: Medium	Number received in fee category: High	Number received in fee category: Very High
Total number of On, Off and Club Licences	32	8	46	0	0
1b) Total Income (GST inclusive) excluding portion paid to the Authority	\$4,600.00	\$2,852.00	\$26,714.50	\$0.00	\$0.00

### Manager's Certificate applications – received

	Number received
Total number of Managers certificates	95
1c) Total Income (GST inclusive) excluding portion paid to the Authority	\$27,312.50

### Special Licence applications – received

	Number received	Amount
Special Licences Small	47	\$2,972.75
Special Licences Medium	39	\$8,073.00
Special Licences Large	0	\$0.00
1d) Total Income (GST inclusive)		\$11,045.75



### Temporary Authority applications - received

	Number received
Temporary authorities	9
1e) Total Income (GST inclusive)	\$2,670.30

### Permanent Club Charter payments - received

	Number received
Permanent Club Charters	1
1f) Total Income (GST inclusive)	\$632.50

### Totals

1a) On, Off and Club Licences	\$24,385.75
1b) Existing Licences	\$34,166.50
1c) Managers Certificates	\$27,312.50
1d) Special Licences	\$11,045.75
1e) Temporary Authorities	\$2,670.30
1f) Permanent Club Charters	\$632.50
2a) Total Income (GST inclusive) excluding portion paid to the Authority	\$100,213.30

## DLC Functioning – actual and reasonable costs involved in functions of the DLC



### DLC Functions

DLC Functioning	Hours worked – (per hour)	Hours worked – (daily rate)	Travel
Committee Members	72.5	0	544
3a) Total expenditure	\$5,290.82		

DLC Functioning	FTE
Secretary	0.1
Licensing Inspector	0.5
Administration Support	1.5
3b) Total expenditure	\$85,550.00

### Hearings expenditure

One Hearing was held in the 2015/16 year – Waverley Liquor Mart

Hearing Costs	Amount
Photocopying	\$50.00
Miscellaneous	\$500.00
3c) Total expenditure	\$550.00

### Totals

Licensing income (2a)	\$100,213.30
Minus expenditure costs (3a + 3b + 3c)	- \$88,690.82
Total	\$11,522.48

## **Appendix 1 – Contacts for South Taranaki District Council**



### **DLC Secretary:**

John McKenzie  
[John.mckenzie@stdc.govt.nz](mailto:John.mckenzie@stdc.govt.nz)

### **Chief Licensing Inspector:**

Doug Scott  
[Doug.Scott@stdc.govt.nz](mailto:Doug.Scott@stdc.govt.nz)

### **Licensing Inspectors:**

Mark Superfine  
[Mark.superfine@stdc.govt.nz](mailto:Mark.superfine@stdc.govt.nz)

Chantelle Denton  
[Chantelle.denton@stdc.govt.nz](mailto:Chantelle.denton@stdc.govt.nz)

### **Support/Administration personnel:**

Sharon Cossey  
[Sharon.cossey@stdc.govt.nz](mailto:Sharon.cossey@stdc.govt.nz)

Nicky Maeda  
[Nicky.maeda@stdc.govt.nz](mailto:Nicky.maeda@stdc.govt.nz)

### **Reporting:**

Adrienne Cook  
[Adrienne.cook@stdc.govt.nz](mailto:Adrienne.cook@stdc.govt.nz)

Please note that all Officers can be contacted via phone on 0800 111 323.