

Report

To	Mayor and Councillors
From	Regulatory Services Manager, Doug Scott
Date	21 August 2017
Subject	Annual Liquor Licensing Report – 2016/17

(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 – 2016/17 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.”*

4. 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

5. The table in the annual report provides an analysis of the liquor licence applications received in the 2016/17 year and compares this to the previous year's statistics.

Considerations and Assessments

Assessment of Significance and Engagement

6. 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

7. 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 2016/17 has been compiled to formally record the operations of the South Taranaki DLC during the 2016/17 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.

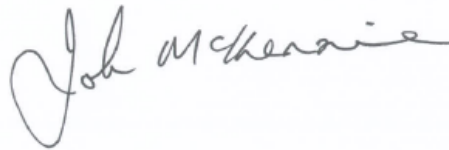
Recommendation

(2) THAT the Council;

- c) **Adopts** the attached South Taranaki District Council Annual Liquor Licensing Report – 2016/17 in accordance with Section 199 of the Sale and Supply of Alcohol Act 2012.
- d) **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).



Doug Scott
Regulatory Services Manager



[seen by]
John McKenzie
Group Manager
Environmental Services

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, includes 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 District Licensing Committee

DLC members undertook a 'Sale and Supply of Alcohol Act 2012 – Workshop for District Licensing Committee Members and Staff' workshop facilitated by Meeting and Governance Solutions Limited in Hawera on 24 March 2017.

1.2.2 Licensing Inspectors

Both the Councils Inspectors have informal training with the Chief Inspector on a regular basis.

1.3 DLC Meetings or Hearings

In the 2016/17 year the South Taranaki DLC held one hearing to deal with the following applications as follows:

- Waverley Liquormart Limited - New Off Licence
- Pangotra Holdings - Renewal Off Licence
- Club Hotel Limited - Renewal On Licence
- Club Hotel Limited - Renewal Off Licence
- Stacey Laison - New Managers Certificate

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 Trends

The Inspector and administration staff have dealt with a number of enquiries from Club Managers asking about the requirements for Licence Controller Qualifications.

1.4.2 Issues

Application and processing times of twenty (20) 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.

2.2 Liaison with Other Agency Groups

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

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, which would provide national consistency.

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 2016 to 30 June 2017 showing payments made to the ARLA are tabled below:

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	1	1	6	0	0
On licence variation	0	0	0	0	0
On licence renewal	0	1	4	0	0
Off licence new	0	0	4	0	0
Off licence variation	0	0	0	0	0
Off licence renewal	0	0	10	0	0
Club licence new	3	0	0	0	0
Club licence variation	0	0	0	0	0
Club licence renewal	7	1	0	0	0
Total number	11	3	24	0	0
Total Fee paid to ARLA (GST incl)	\$189.75	\$138.00	\$1,349.75	\$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
On licence	2	5	23	0	0
Off licence	1	0	21	0	0
Club	22	2	1	0	0
Total number	25	7	45	0	0
Total Fee paid to ARLA (GST incl)	\$448.50	\$241.50	\$2,352.00	\$0.00	\$0.00

Manager's Certificate Applications Received

	Number received
Manager's certificate new	56
Manager's certificate renewal	61
Total Number	117
Total Fee paid to ARLA (GST incl)	\$4,457.25

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	33	33	0

Temporary Authority Applications Received

	Number received
Temporary Authorities	22

Permanent Club Charter Payments Received

	Number received
Permanent Club Charters	0

6.1 Current Listing of Licensed Premises

On Licence

Kakaramea Hotel
 Wallis Cameron Developments Limited
 DB Entertainment Limited
 Surf Inn (DA Hospitality) Ltd
 Waimate Hotel
 Waitotara Hotel (2008) Limited
 DB Hospitality Limited
 Morrieson's Café Bar
 Town Takeaways
 Raceway Events and Catering Limited
 Tairoa Lodge and Cottage
 The Naki Limited
 Okaiawa Crossroads Limited
 Coronation Hotel
 Headlands
 Touchpoint
 Soul Kitchen
 Southern Catering Limited
 Black and White Café
 Indian Zaika
 MJ Hospitality
 East Ocean Seafood Restaurant
 Kaponga Hotel
 Il Chefs Restaurant
 Princess Entertainment Limited
 Clarendon Hotel
 Rahotu Tavern Limited
 Ashley Park
 Club Hotel
 Rough Habits
 Marracbo Café
 Sugar Juice Café

Off Licence

Hawera Food Warehouse Ltd
 Pangotra Holdings (Taumarunui) Limited
 Waverley Liquormart
 Black Bull
 Waimate Hotel
 Waitotara Hotel (2008) Limited
 Vanjara 2015 Limited T/A Patea Liquor Centre
 Cee Breeze Ltd
 Rahotu Four Square
 Manaia Four Square
 Patea Four Square
 The Last Drop (Hawera) Ltd
 MSA & Sons Limited
 Super Liquor Hawera
 Haylock Investments Limited
 Black Bull Liquor Eltham
 South Taranaki Club Incorporated
 Rahotu Tavern Limited
 Club Hotel
 Kaponga Four Square
 Countdown
 Clarendon Hotel
 Shree Sai Holdings (New Plymouth) Limited
 Kaponga Hotel
 Jago Enterprizes Limited

Club Licence

South Taranaki RSA
South Taranaki Club
Tumahu Golf Club Incorporated
Patea Bowling Club
Eltham Squash Racquets Club Incorporated
South Taranaki Darts Association Incorporated
Waverley Golf Club
Patea Golf Club Incorporated
Kaponga Rugby Football Club
Manaia Golf Club Incorporated
Rahotu Bowling Club Incorporated
Alton Bowling Club Incorporated
Hawera Park Bowling Club Incorporated
Southern Rugby Football Club (Taranaki) Incorporated
Border Rugby & Sports Club
Pungarehu Golf Club Incorporated
Okaiawa Rugby Football Club Incorporated
Nolantown Bowling Club Incorporated
Hawera Soccer Club Incorporated
Hawera Golf Club Incorporated
Hawera Lawn Tennis & Squash Club
Opunake Bowling Club Incorporated
Waverley Bowling Club (North Island) Incorporated
Opunake Golf Club Incorporated
Hawera Bowling Club Incorporated
Cape Egmont Boat Club Incorporated
Eltham Golf Club Incorporated
Rahotu Community & Sports Club Incorporated
Manaia Bowling Club Incorporated
Pihama Cricket Club Incorporated
Te Ngutu Golf Club Incorporated