

18<sup>th</sup> September 2024

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## **#. District Licensing Committee Annual Report: 1 July 2023 to 30 June 2024**

Activity Manager

*Rick Catchpowle, Environmental Monitoring Manager*

Executive Team Member

*Ian Hyde, Compliance and Development*

### **Summary**

- The Sale and Supply of Alcohol Act (the Act) requires each Territorial Authority to submit its annual report on the proceedings and operations of its District Licensing Committee (DLC) to the Alcohol Regulatory and Licensing Authority (ARLA). This report is for the period 1 July 2023 to 30<sup>th</sup> June 2024.
- The Act further requires that reports are submitted within three months of the end of every financial year.

### **Recommendations:**

- **That** the report be received
- **That** the report be posted on the Ashburton District Council website
- **That** the report be submitted to the Secretary for the Alcohol and Regulatory and Licensing Authority by 30 September 2024

## Background

1. Section 199 of the Act requires every territorial authority to prepare and send to the licensing authority a report of the proceedings and operations of its licensing committee in the set format below.
2. A copy of the report must be made available by the territorial authority for inspection free of charge for a period of not less than 5 years.
3. Regulation 19 of the Sale and Supply of Alcohol (Fees) Regulations 2013 also requires Territorial Authorities to prepare a report detailing income from fees and licensing costs under the Act. This includes costs relating to DLC functioning, licensing inspectors and enforcement activities relating to the year commencing 1 July 2023. While this additional information is not required to be in the report to ARLA, it must be made publicly available and is therefore included in the overall report.

## District Licensing Committee Structure and Personnel

4. The DLC is a combined committee with Selwyn District Council. The following is a full list of the combined DLC:

**Commissioners:**

Robin Kilworth  
Simon McDonnell  
Simon Moore  
Merelyn Redstone  
Tracy McIlraith

**Members:**

Tanya Surrey  
Martin Ferguson  
Carl Purcell  
Shane Epiha

**Secretariat and Support Staff:**

Jane Donaldson	Secretary (for reporting period)
Rick Catchpowle	Secretary
Julie Clements	Licensing Inspector
Cara Badger	Administration Support/Registrar

## Alcohol licensing and the Fees System

5. Under previous legislation all fees were the same across licensed premises, regardless of the costs and risks the operation might create. Whereas Regulations under the current Act has set default fees for each type of licence.
6. This fee system allows alcohol licensing staff to apply a cost/risk rating based on the style of licence, trading hours and any enforcement that may have occurred in the previous 18 months.
7. In effect, low risk outlets such as winery cellar door sales, and small clubs pay lower fees, while higher risk outlets that typically create higher costs, such as bottle stores and taverns, pay more. The same cost/risk approach is also used when assessing special licences for events.

## Workflow 2023/2024

8. In the reporting period the Ashburton DLC issued 315 licences which is broken down as follows:

### Applications Processed and Licences issued by Category:

Month	On/Off/Club new applications	On/Off/Club renewal applications	Special Licence applications	Managers Certificates (new and renewal)	Temporary Authority
July	1	6	9	17	1
August	2	3	9	8	2
September	0	1	10	19	0
October	1	4	11	13	0
November	2	2	6	17	0
December	1	3	6	7	1
January	0	0	0	10	0
February	1	5	13	15	1
March	0	1	7	18	1
April	0	0	4	17	1
May	1	7	7	20	1
June	0	5	5	12	1

**The Risk Category of all applications received for On, Off and Club licences:**

<b>Application type</b>	<b>Number received in Fee Category: Very Low</b>	<b>Number received in Fee Category: Low</b>	<b>Number received in Fee Category: Medium</b>	<b>Number received in Fee Category: High</b>	<b>Number received in Fee Category: Very High</b>
<b>On-licence new</b>	1	3	4	0	0
<b>On-licence variation</b>	0	0	0	0	0
On-licence renewal	1	4	9	0	0
<b>Off-licence new</b>	0	0	3	0	0
<b>Off-licence variation</b>	0	0	0	0	0
Off-licence renewal	0	1	9	0	0
<b>Club licence new</b>	0	0	0	0	0
<b>Club licence variation</b>	1	0	0	0	0
Club licence renewal	3	1	0	0	0
<b>Total Number</b>	6	9	25	0	0
<b>Total fee paid to ARLA (GST inc)</b>	\$103.50	\$310.50	\$1293.75	0	0

**The annual fees for existing licences received during reporting period:**

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	15	43	0	0
Off-licence	1	3	26	0	0
Club licence	13	13	2	0	0
<b>Total Number</b>	<b>15</b>	<b>31</b>	<b>71</b>	<b>0</b>	<b>0</b>
<b>Total fee paid to ARLA (GST inc)</b>	<b>\$258.75</b>	<b>\$1069.50</b>	<b>\$3674.25</b>	<b>0</b>	<b>0</b>

**Managers' certificate applications received during reporting period:**

	Number received
Managers' certificate new	84
Managers' certificate renewal	89
<b>Total Number</b>	<b>173</b>
<b>Total fee paid to ARLA (GST inc)</b>	<b>\$4973.75</b>

**Special licence applications received during reporting period:**

	Class 1	Class 2	Class 3
Special licence	12	45	30

**Temporary authority applications received during reporting period:**

	Number received
Temporary authority	9

**Permanent club charter payments received during reporting period:**

	Number received
Permanent club charter payments	1

**Current Liquor Licences**

9. A list of all On, Off and Club liquor licences in the District is attached.

**Conferences and Training**

10. Commissioners and members of the combined Ashburton/Selwyn DLC conducted on-line training during the reporting period.

**DLC Hearings**

11. During the reporting period the DLC convened for one publicly held hearing concerning an opposed application for a renewal of Manager's certificate based on unsuitability of the applicant. The objection was upheld.

**Publication of DLC Decisions**

12. All decisions made by the DLC are published on the Council's website at:  
<http://ashburtondc.govt.nz>

**Notable Trends or Issues**

13. DLC members are satisfied with the current procedures and processes associated with liquor licensing activities.

**DLC Initiatives**

14. No new initiatives were adopted or trialled during the reporting period.

**Local Alcohol Policy**

15. In accordance with Part 2 subpart 2 of the Act, Ashburton District Council developed a Local Alcohol Policy (LAP) which was reviewed and adopted on 13<sup>th</sup> January 2024 to take effect 14<sup>th</sup> March 2024.

**Future Reporting of DLC activity:**

16. The Act requires TAs to submit a report each year to ARLA concerning DLC activities conducted through the year. The Act further allows ARLA to specify the form of the annual report and the matters to be included, which, to date, has been submitted by way of an annual report to Council.

17. ARLA has now developed an on-line platform to enable TAs to submit their reports directly to ARLA which, in turn, replaces the requirement to submit the annual report via Council.
18. However, It is appreciated that Councillors will still wish to be kept informed of licensing activities undertaken each year and it is therefore planned to expand the unit's activity briefing reports to include additional information on licensing matters.

## Legal and Policy Implications

19. The Act requires TA's to submit a report each year to ARLA

### Climate change

NA

## Strategic alignment

20. The recommendation relates to Council's community outcome of Social because

Wellbeing		Reasons why the recommended outcome has an effect on this wellbeing
Economic	✓	Hospitality is a key industry within the District
Environmental	X	NA
Cultural	✓	Amendment to the Act are promoting inclusivity or making arrangements for those to be heard
Social	✓	Amenity and Good Order is a consideration within the Act

## Financial implications

Requirement	Explanation
What is the cost?	The cost of monitoring the activity is included in the Liquor Licensing budget
Is there budget available in LTP / AP?	Yes
Where is the funding coming from?	Alcohol licensing cost centre
Are there any future budget implications?	No
Reviewed by Finance	<i>Not required</i>

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low, not significant
Rationale for selecting level of significance	<i>The recommendation is of low significance because it is only to receive information and no decision is being made.</i>
Level of engagement selected	<i>1. Inform</i>
Rationale for selecting level of engagement	The purpose of the report is to inform Council and the community of the activity's work over 2023/24. The report will be made publicly available.
Reviewed by Strategy & Policy	Mark Low, Strategy & Policy Manager