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## ***District Licensing Committee Annual Report: 1 July 2022 to 30 June 2023***

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GM Responsible	<i>Jane Donaldson; Strategy &amp; Compliance</i>

### **Summary**

- The Sale and Supply of Alcohol Act 2012 (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 2022 to 30 June 2023**.
- The Act further requires that reports are submitted within three months of the end of every financial year.

#### **Recommendations:**

1. **That** the report be received.
2. **That** the report be posted on the Ashburton District Council website.
3. **That** the report be submitted to the Secretary for the Alcohol Regulatory and Licensing Authority by 30 September 2023.

### **Attachments**

Appendix 1 List of current On, Off and Club liquor licences in District

## 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 2022. 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. During the reporting period additional members and commissioners were appointed so that the available pool is increased and better protected against retirements and resignations. The additional appointments also allow any conflict of interest with applications to be addressed as well as any non-availability of panel members for alcohol hearings. The following is a full list of the combined DLC:

### **Commissioners:**

Robin Kilworth  
Simon McDonnell  
Gregory Clapp  
Suzanne Griffin  
Simon Moore (new appointment)  
Mereylyn Redstone (new appointment)

### **Members:**

Tanya Surrey  
Tracy McIlraith  
Martin Ferguson (new appointment)  
Carl Purcell (new appointment)  
Shane Epiha (new appointment)

### **Secretariat and Support Staff:**

Jane Donaldson	Secretary
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 2022/2023

8. In the reporting period the Ashburton DLC received 459 applications of which 135 were subsequently cancelled or withdrawn, leaving a total of **324** licenses issued, 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	0	4	4	19	0
August	2	0	8	13	0
September	0	2	9	14	0
October	0	4	6	14	0
November	0	2	8	27	1
December	0	9	5	11	1
January	0	2	1	7	0
February	0	1	6	19	2
March	1	1	10	11	1
April	0	2	4	18	0
May	4	4	8	22	2
June	1	4	7	23	0



**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>	0	1	5	0	0
<b>On-licence variation</b>	0	1	1	0	0
On-licence renewal	0	6	18	0	0
<b>Off-licence new</b>	0	1	3	0	0
<b>Off-licence variation</b>	0	0	0	0	0
Off-licence renewal	0	2	7	0	0
<b>Club licence new</b>	0	0	0	0	0
<b>Club licence variation</b>	2	0	0	0	0
Club licence renewal	0	3	2	0	0
<b>Total Number</b>	<b>2</b>	<b>14</b>	<b>36</b>	<b>0</b>	<b>0</b>
<b>Total fee paid to ARLA (GST inc)</b>	<b>\$34.50</b>	<b>\$483.00</b>	<b>\$1863.00</b>	<b>0</b>	<b>0</b>

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

<b>Licence 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>
On-licence	1	14	42	0	0
Off-licence	0	3	28	0	0
Club licence	12	15	2	0	0
<b>Total Number</b>	<b>13</b>	<b>32</b>	<b>72</b>	<b>0</b>	<b>0</b>
<b>Total fee paid to ARLA (GST inc)</b>	<b>\$224.25</b>	<b>\$1104.00</b>	<b>\$3726.00</b>	<b>0</b>	<b>0</b>

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

	Number received
Managers' certificate new	78
Managers' certificate renewal	127
<b>Total Number</b>	<b>201</b>
<b>Total fee paid to ARLA (GST inc)</b>	<b>\$5778.75</b>

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

	Class 1	Class 2	Class 3
Special licence	30	47	7

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

	Number received
Temporary authority	6

**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 new OFF-Licence.

## **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 adopted on 5 April 2017. This policy is currently under review.

## **Current Legislation**

16. The DLC and the Ashburton District Council would welcome further coordinated guidance on best practice in the operation of the Act and its Regulations.

## **Options analysis**

### **Option 1**

17. Council could decide not to publicly report on annual DLC activities. This would be in breach of the Sale and Supply Act 2012 and is therefore not the recommended option.

### **Option 2**

18. This is the recommended option. This would see Council submit the annual report to ARLA and publicly report on the DLC activities for 2022/23

## **Legal/policy implications**

### **The Sale and Supply of Alcohol Act 2012**

19. It is a statutory requirement for the Council to publicly report on the proceedings and operations of its District Licensing Committee.

## 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	Not required

## Significance and engagement assessment

Requirement	Explanation
Is the matter considered significant?	No
Level of significance	Low; not significant
Level of engagement selected	1. Inform
Rationale for selecting level of engagement	The purpose of the report is to inform Council and the community of the activity's work over 2022/23. The report will be made publicly available.
Reviewed by Strategy & Policy	Mark Low , Strategy & Policy Manager