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# Western Bay of Plenty District Council

## Regulatory Hearings Committee

### Western Bay of Plenty District Licensing Committee Annual Report 2017 / 2018

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#### Purpose and Summary

This report provides information on the Western Bay of Plenty District Licensing Committee activities for the twelve month period 1 July 2017 to 30 June 2018. This information is also provided to the Alcohol Regulatory Licensing Authority in Wellington as required under the Sale and Supply of Alcohol Act 2012.

The information listed in this report is in direct response to the reporting requirements of the Alcohol Regulatory Licensing Authority.

#### Recommendation

- 1. THAT the Compliance and Monitoring Manager's report dated 20 August 2018 regarding the Western Bay of Plenty District Licensing Committee Annual Report 2017/ 2018 be received.**
- 2. THAT the report relates to an issue that is considered to be of Low significance in terms of Council's Significance and Engagement Policy.**
- 3. THAT the Regulatory Hearings Committee approves the Western Bay of Plenty District Licensing Committee Annual Report 2017 / 2018 dated 20 August 2018.**

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Alison Curtis  
**Compliance and Monitoring Manager**

Approved

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Rachael Davie  
**Group Manager**  
**Policy Planning and Regulatory Services**

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## **1. Western Bay of Plenty District Licensing Committee Annual Report 2017-2018**

The following report is a summary of activities for the Western Bay of Plenty District Licensing Committee. The information outlined in the report is required under the Sale and Supply of Alcohol Act 2012.

The statistical information is provided to the Alcohol Regulatory Licensing Authority through an online survey, the survey capture of the information through the survey is a new initiative by the Authority for reporting for 2017-18 year. The financial information for the financial year 1 July 2017 to 30 June 2018 is reported separately. All required information is outlined following.

### **1.1 Overview of District Licensing Committee Workload**

- 1.1.1 The District Licensing Committee (DLC) has met on the following occasions in the period 1 July 2017 to 30 June 2018.
- 1.1.2 Five (5) meetings of the District Licensing Committee have been held during the 2017-18 year. This included hearings for opposed applications.
- 1.1.3 Opposed applications hearing date 1 March 2018 – Two (2) Managers Certificates- Applications by 2 licensed managers for the following licensed premises; Sandhu Bar Limited and Waihi Beach Superette. These were opposed by the Licensing Inspector, on grounds of unsatisfactory knowledge in the Sale and Supply of Alcohol Act 2012, to manage a licensed establishment. These applications were heard by the DLC and the members were in agreement with the position of the Councils Licensing Inspector and were declined.
- 1.1.4 Hearing date 27 November 2017. Off licence applications were heard for Jones Liquor Limited; trading as Katikati Wines and Spirits and Telfords Yard Limited; trading as Super Liquor Katikati. Both applications received objections from members of the community and had opposition from the Medical Officer of Health and were set down for hearing. These applications were granted by the District Licensing Committee.
- 1.1.5 The Committee has met on three other occasions to consider Temporary Authority applications.
- 1.1.6 The District Licensing Committee membership has remained static during the licensing year. The membership includes:
  - Michael Jones (Commissioner)
  - Maria Horne
  - Jim Davison
  - Councillor Don Thwaites
  - Councillor Peter MacKay

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1.1.7 Council's Licensing Inspector is Dougal Elvin.

1.1.8 The District Licensing Committee Secretary is Alison Curtis, Council's Compliance and Monitoring Manager, supported by democracy and compliance staff

1.1.6 District Licensing Committee members will be appointed/reappointed in October 2018. Training will be undertaken for all new and existing members, and Committee and secretariat support staff.

## **1.2 District Licensing Committee Initiatives**

Changes to on-line applications and electronic processing of licence applications is currently in progress.

## **1.3 Local Alcohol Policy and Bylaw**

The combined Tauranga City Council and Western Bay of Plenty District Council Local Alcohol Policy (LAP) came into force on 16 November 2015.

The Local Alcohol Policy has reduced the trading hours for premises with later trading licences that were operating within the Western Bay of Plenty District since its adoption in 2015. The reduced premises trading hours apply across the District (maximum trading to 1am for on-licences and 10pm for off-licences).

Council has not undertaken any formal community feedback survey on the impact of the Local Alcohol Policy, this will be undertaken at its first review.

The Liquor Control Bylaw 2016 applies in the District, the areas controlled include Katikati Township, Waihi Beach and Te Puke Township.

## **1.4 Enforcement and Inspections**

The Licensing Inspector undertakes inspections of premises including:

- inspections of new licensed premises,
- premises renewing their licence,
- regular monitoring of premises during trade.

260 licence premises inspections were undertaken during the year.

Fifteen (15) Controlled Purchase Operations (CPO's) were undertaken during the year, one premises failed a CPO during the year and sold to minors. The premises was an off-licence, Paengaroa Liquor Store.

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## 1.5 Commentary- How the Act is achieving its object

The Alcohol Regulatory Licensing Authority in this years annual report survey has requested comment on how the Sale and Supply of Alcohol Act 2012 is achieving its object. Note: the object of the Sale and Supply of Alcohol Act 2012 is that:

- a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
- b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The following feedback has been provided to the survey:

It is recognised that the Act has only been in effect for 5 years. There are a number of changes that have taken effect locally that have contributed to the object of the Act. Specific areas where the Act is achieving its object are as follows:

- Sales and supply and availability of alcohol through off licences. This is an area where communities through the Act have seen change. There are tighter controls on alcohol display and promotion in supermarkets, with alcohol less prominently displayed and promoted to patrons. Grocery stores are also clearly defined in the legislation, with smaller "dairy style" operations no longer trading, due to alcohol sales stronger association to grocery sales.
- The Local Alcohol Policy has seen a reduction in trading hours for those with later trading licences.
- The income from annual fees has been beneficial in increasing the funding for monitoring by Council of licensed outlets. Increased inspections and interactions with licensees has seen an improvement in the knowledge of requirements by licensees, and compliance with the Act.

## 1.6 Fees Received

Over the 12 month period 1 July 2017 – 30 June 2018 fees totalling **\$145,427.10** were collected of which **\$10,321** was apportioned to the Alcohol Regulatory Licensing Authority, as required by the Sale and Supply of Alcohol Regulations 2013.

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## 1.7 Application Trends

For trends and comparative purposes the last four years licence application numbers are listed below.

TYPE	1 July 2017 to 30 June 2018	1 July 2016 to 30 June 2017	1 July 2015 to 30 June 2016	1 July 2014 to 30 June 2015
Special Licences	94	91	116	102
On Licences	32	29	24	16
Club Licences	7	2	12	5
Off Licences	12	15	17	16
Manager's Certificates	162	161	169	139
Temporary Authorities	17	16	16	5
<b>TOTAL</b>	<b>324</b>	<b>314</b>	<b>354</b>	<b>283</b>

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## Licence Applications Issued

### On-licence, off-licence and club licence applications:

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	0	6	5	0	0
On-licence variation	0	0	0	0	0
On-licence renewal	0	9	7	0	0
Off-licence new	0	0	2	0	0
Off-licence variation	0	0	0	0	0
Off-licence renewal	0	1	8	2	0
Club licence new	2	0	0	0	0
Club licence variation	0	0	0	0	0
Club licence renewal	1	3	0	0	
<b>Total number</b>	<b>3</b>	<b>19</b>	<b>22</b>	<b>2</b>	<b>0</b>
<b>Total fee payable to ARLA (GST incl)</b>	<b>\$51.75</b>	<b>\$655.50</b>	<b>\$1,138.50</b>	<b>\$172.50</b>	<b>\$0</b>
<b>Total Fee paid to ARLA (GST incl)</b>	<b>\$51.75</b>	<b>\$655.50</b>	<b>\$1,138.50</b>	<b>\$172.50</b>	<b>\$0</b>
<b>Balance payable</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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Annual fees 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	0	26	19	0	0
Off-licence	3	1	23	3	0
Club licence	7	11	2	0	0
<b>Total number</b>	<b>10</b>	<b>38</b>	<b>44</b>	<b>3</b>	<b>0</b>
<b>Total fee payable to ARLA (GST incl)</b>	<b>\$172.50</b>	<b>\$1,311.00</b>	<b>\$2,277.00</b>	<b>\$258.75</b>	<b>\$0</b>
<b>Total Fee paid to ARLA (GST incl)</b>	<b>\$172.50</b>	<b>\$1,311.00</b>	<b>\$2,277.00</b>	<b>\$258.75</b>	<b>\$0</b>
<b>Balance Payable</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Managers' certificate applications:

	Number received
Manager's certificate new	70
Manager's certificate renewal	79
<b>Total number</b>	<b>149</b>
<b>Total fee payable to ARLA (GST incl)</b>	<b>\$4,283.75</b>
<b>Total Fee paid to ARLA (GST incl)</b>	<b>\$4,283.75</b>
<b>Balance Payable</b>	<b>\$0</b>

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Special licence applications:

	Number received in category: Class 1	Number received in category: Class 2	Number received in category: Class 3
special licences	1	43	55

Temporary authority applications:

	Number received
Temporary authority	18

Permanent club charter payments:

	Number received
Permanent club charter payments	

<b>Total paid to ARLA</b>	<b>\$ 10,321.25</b>
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