

Kaipara Territorial Authority

Annual Report - Kaipara District Licensing Committee Proceedings for the period 01 July 2019 to 30 June 2020

Introduction

The Kaipara Territorial Authority presents the following report pursuant to s.19 of the Sale and Supply of Alcohol (Fees) Regulations 2013. It outlines the Territorial Authority's (TA) proceedings and operations during the period 01 July 2019 to 30 June 2020 and gives an accounting for expenditure incurred with regard to the administration of the legislative requirements under the Sale and Supply of Alcohol Act 2012.

1 Overview of the Territorial Authority's Workload

1.1 Changes to Territorial Authority's Structure and Personnel

- From 19 December 2013, with the full implementation of the Sale and Supply of Alcohol Act 2012, all applications received are required to be placed before and determined by the Kaipara District Licensing Committee (DLC).
- Council continues to conduct its day-to-day business with administrative staff based at Kaipara District Council's (KDC) service centre at Mangawhai. From 11 July 2016, the role of Licensing Inspector was brought back "in-house". This position was formerly satisfied on a contractual basis between Council and the Northland District Health Board (NDHB). Council's Regulatory Team Leader Licensing continues to hold the appointment of Chief Licensing Inspector pursuant to s.197 (5) of the Act.

1.2 Staff training undertaken relating to the Sale and Supply of Alcohol Act 2012

- The administration staff have not undertaken any formal training courses over the past year. In-house training throughout the year continues to provide an upskill on a knowledge sharing basis. Staff training remains a learning curve with a "hands on" approach rather than formal training by external providers. It is critical new administration team members are provided in depth training that is essential for quality control and professional performance. Success in this aspect is reflected by the timely processing of all alcohol applications which currently averages out at 14 working days.

1.3 Noticeable increase or decrease in the TA's business

- A review of the past history for the last four years identifies the following trends:

Year ending 30 June	Applications received	New premises	District Licensing application and annual fees collected
2017	216	2	\$117,962.40
2018	197	0	\$103,674.80
2019	181	1	\$87,802.50
2020	188	1	\$91,755.05

- Compared with previous years, there is a slight upward trend with regard to applications received by the Territorial Authority. During 2019/2020 this also reflects a comparative

increase in revenue received for licensing administration. Three premises have changed hands during this year which is comparative with the previous 2018/2019 financial year. Two new premises have been licensed within Kaipara district during the past fiscal year.

- Revenue paid to the Territorial Authority for application fees and annual fees continues to partly finance the inspectorate, administrative and committee components with regard to the preparing of all applications which must be determined by the District Licensing Committee.
- A schedule of applications received is compiled and sent to the Alcohol Regulatory and Licensing Authority (ARLA) in Wellington on a monthly basis, together with a remittance to cover the proportion of fees due in terms of the Sale and Supply of Alcohol (Fees) Regulations SR 2013/452;
- Fees paid to ARLA for 2018/2019 totalled \$7,291.00;
- DLC expenditure – the Chair and members and associated costs for the 2019-2020 financial year totalled \$7,374.10.
- Administration – Salaries (or parts thereof) of those administering the alcohol legislation within Council has not altered and equates to \$88,032.
- Monitoring and administrative team members continue to spend considerable time on scrutinising and auditing the applications received by Council in order to ensure consistency and compliance with the Sale and Supply of Alcohol Act 2012;
- During the review period, there have been four licensed premises that have ceased trading alcohol sales, (three premises ceased trading and one premises was destroyed by fire during January 2020). There are 75 premises currently licensed, of these, seven premises hold both on and off licences, this being a comparative number with previous years.

1.4 Agency meetings or hearings

- Quarterly meetings continue to be held for the Kaipara Alcohol Accord. These meetings are well supported by the licensees who have expressed their desire to continue to meet regularly with agency representation. The meetings are held and hosted at alternating venues to allow maximum licensee attendance across the district. From the agency perspective; the Licensing Inspectors, Police, Medical Officer of Health and Fire Service (Kaipara Management of Alcohol Group representation) continue to work together collaboratively in satisfaction of s.295 of the Sale and Supply of Alcohol Act 2012.

One Controlled Purchase Operation (CPO) was carried out within Kaipara district during the financial year on 14 December 2019. Nineteen premises in total were visited and tested with two resulting sales. Both of the premises and duty managers that failed the CPO have served suspension orders as determined by the Authority. Compliance checks and random visits to all licensed premises within Kaipara continue to be undertaken with a joint agency initiative.

1.5 Noticeable trends or issues faced by the Territorial Authority

- Monitoring and policing the alcohol control areas in the Dargaville, Ruawai and Mangawhai areas continue as per the recently reviewed Policy adopted by Council on 18 December 2018.

2 Territorial Authority Initiatives

2.1 New initiatives adopted or tried by the Territorial Authority

- The Kaipara Alcohol Accord continues to provide a forum where positive relationships are being maintained with the Police, licensees and other agencies. During each 12-month period, an incentive of the Accord group is to deliver one key message to the community with regard to their mission statement. *“As a collective we agree to promote the safe and responsible use of alcohol in the community as outlined in the Sale and Supply of Alcohol Act 2012 and any amendments with the aim of contributing to the reduction in alcohol abuse”.*

3 Sale of Alcohol Policy

3.1 Sale of Alcohol Policy and when last reviewed

- Kaipara district does not have a Local Alcohol Policy (LAP). The Territorial Authority continues to successfully work closely with the Police, Ministry of Health, Fire Service and other agencies to provide a uniform and consistent approach when reporting on applications. In order for Council to consider the implementation of a LAP, there would need to be evidence based statistical data directly linked to alcohol related harm within Kaipara district. To date no evidence has proven conclusive to necessitate the progressing of a LAP for Kaipara district.

4 Enforcement and Inspections

4.1 Alcohol-related Bylaws

- As referred in 1.5 above, the Alcohol Control Bylaw 2018 was passed by Council resolution, and adopted on 18 December 2018. The Alcohol Control areas in Mangawhai, Dargaville, Ruawai, Kaihu, Aranga, Omamari, Bayllys, Glinks Gully, Pouto and Te Kopuru continue to be monitored and policed as necessary.

4.2 Summary of inspections undertaken of licensed premises

From 01 July 2019 all compliance checks were undertaken by warranted officers appointed by Council. Licensed premises have been subject to inspections as and when required with the aim of visiting 100% of all licensed premises annually. 98% of all premises were checked during this past year but reported at 100% as two premises did not require inspections because they are privately based and operate as remote (website based) sellers.

- The total number of inspections of Licensed Premises conducted during the year was 71. No inspections were undertaken during April and May 2020 due to COVID-19 lockdown.

5 Liaison with Other Agency Groups

5.1 Liaison Group Meetings

- As referred in 1.4 above, the Territorial Authority representation at inter-agency meetings namely, Kaipara Management of Alcohol Group, with Kaipara hosting regular meetings;
- As referred in 2.1 above, the Kaipara Alcohol Accord also continues to meet quarterly with enthusiasm. Attendance is strong from a cross-selection of licensees representing hotels, taverns, restaurants and clubs. The Territorial Authority continues to facilitate the meetings and to encourage the Accord Committee with their innovative and creative ideas targeting the reduction in alcohol related harm within the community.

5.2 Joint initiatives

- As referred in 1.4 above, under the supervision of the Police, one Controlled Purchase Operation was carried out within Kaipara district during the 2019/2020 financial year with two sales to minors.
- The Territorial Authority continues to work closely with the Environmental Health Officers, Licensing Inspectors, Police, Public Health and the Fire Service in relation to inspections and any complaints lodged with the Territorial Authority. General checks for compliance are undertaken during both scheduled and impromptu visits to licensed premises. Joint agency/licensee meetings are held regularly to resolve any issues of concern and any remedial actions deemed necessary.

6 Statistical Information

6.1 Annual return to the Alcohol Regulatory and Licensing Authority (ARLA)

- A quantitative return (**Attachment A**) is prepared annually and furnished as requisite to the TA.

7 Current listing of licensed premises

The list of currently licensed premises within Kaipara district is included and circulated with this report (**Attachment B**).

Conclusion

The Alcohol administration team continues to explore business improvement opportunities to ensure the continued timely processing of all applications. The formative setting of a regular weekly hearing date for unopposed applications for determination by the Committee Chair continues to provide for streamlined administrative procedures. Processing timeframes remain steady at an average 14 working days. Tangible efficiency gains and overall professional performance remain a high priority as Kaipara District Council continues to be portrayed as a high performing organisation.