

**AUCKLAND COUNCIL**  
**ANNUAL REPORT TO THE**  
**ALCOHOL REGULATORY AND LICENSING**  
**AUTHORITY**  
**2014**



## **Overview of DLC workload**

### **DLCs structure**

Auckland Council appointed a region-wide pool of 11 commissioner chairs and 22 members, who are selected on a case-by-case basis to sit as a District Licensing Committee.

The commissioner chairs are allocated unopposed applications by DLC Administration staff to decide on-the-papers. This allocation is made on a proportionate basis according to the availability of the chairs.

Opposed applications or temporary authorities are allocated to panel members and chairs by DLC Hearings staff on the basis of their availability, location and expertise.

Within the region-wide pool, six DLC members and two commissioner chairs are also local board members or chairs. To avoid potential conflicts of interest, local board members are not selected for hearings that relate to premises in their own local board area.

On 22 August 2013, Auckland Council's Governing Body resolved that the DLC structure would be reviewed after the first year of operation. This will occur in December 2014.

### **Personnel**

The Auckland DLC is supported by 7 administration and hearings staff and 25 licensing inspectors, including 3 team leaders and a senior advisor. The inspectors work in 3 teams, from 7 locations.

As noted above, there are two separate teams that allocate work to the DLC.

The DLC Administration team has two staff and a team leader, who act as the primary liaison between DLC chairs and Auckland Council licensing and administration staff for on-the-papers applications.

DLC Hearings staff support and administer all DLC hearings and form part of a broader Hearings team. Three out of six members of the Hearings team are dedicated to DLC hearings and are overseen by a team leader.

DLC Hearings staff are the primary liaison between DLC chairs and members, DLC Administration, and licensing and administration staff for hearings and temporary authority applications.

A new role of Principal Advisor – Hearings was established in January 2014, which shares the delegation of DLC Secretary with the Manager Alcohol Licensing. The Principal Advisor – Hearings is the key point of contact for DLC chairs and members in relation to legal and process-related queries, complaints, performance management and training matters.

## **Staff training relating to the Sale and Supply of Alcohol Act 2012**

All DLC hearings staff and the Principal Advisor – Hearings have attended training on the Sale and Supply of Alcohol Act 2012. This includes attending the one-day DLC training course offered by Local Government New Zealand or the Working with District Licensing Committees training course offered by the NZ Society of Local Government Managers.

Informal training is provided to DLC chairs and members through quarterly DLC forums and bi-monthly DLC chairs meetings. These meetings are facilitated by the Principal Advisor – Hearings and are an opportunity to raise and discuss current issues or events relating to DLCs.

The Manager Alcohol Licensing and a Senior Solicitor from council's Legal Services Department also attend the forums and meetings.

The licensing inspectors received four days of formal training prior to the 18 December 2013, together with a number of opportunities for ad hoc training. The inspectors meet every two months or so for ongoing training opportunities.

## **Change in business compared with the DLA**

The biggest change has been adapting to the fact that there is now one more step in the decision making (being the DLC) which can add time and complication to an application decision. It is also noticeable that whereas staff could quite easily and quickly approach delegated DLA members on a matter the process is now more formal and has taken some getting used to. That is not to say this is a bad thing.

## **DLC meetings or hearings**

In the period ending 30 June 2014, the District Licensing Committee held 33 public hearings.

The number of District Licensing Committee hearings is significantly lower than expected. Prior to the establishment of the DLC, we estimated that up to 15 per cent of alcohol licensing applications would go to a hearing. However, less than 10 per cent of applications have been sent to the DLC hearings team for allocation to a DLC panel, and most of this percentage includes temporary authorities.

The proportion of applications received that result in a public hearing is less than one per cent (noting that often the opposition is withdrawn or an objection is declared invalid and the application therefore decided on the papers).

## **Noticeable trends or issues faced by the DLC**

The low number of hearings has been a source of frustration for DLC chairs and members, some of whom resigned from permanent jobs to take up the DLC position. We may see a reduction in the number of chairs and members in the pool as they seek alternative employment opportunities.

## **Local Alcohol Policy**

Auckland Council publicly notified its draft Local Alcohol Policy on 16 June 2014. Over 2500 submissions were received. Public hearings for these submissions will conclude in November 2014 and it is expected that a provisional Local Alcohol Policy will be produced early in 2015.

## **Current legislation**

The Auckland District Licensing Committee wishes to convey its concern that temporary authority applications are not listed in Section 191(3) of the Sale and Supply of Alcohol Act 2012.

The result of this omission is that a quorum of three members is required for all temporary authority applications. This is an onerous and time-consuming exercise for applications that are generally urgent, low-risk and can only be granted for a maximum of three months.

The DLC would like temporary authorities to be added to the list in Section 191(3), to enable those applications to be determined by a quorum of one member who must be the chairperson.

Rob Abbott  
Secretary DLC

Elizabeth McKenzie  
Secretary DLC

## Statistical information

### TERRITORIAL AUTHORITY: AUCKLAND COUNCIL

ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2014

On-licence, off-licence and club applications received

	Risk Category				
	Very Low	Low	Medium	High	Very High
<b>18 December 2013 - 30 June 2014</b>					
On-licence new	13	129	126	42	0
On-licence variation	0	0	0	0	0
On-licence renewal	9	81	119	21	2
Off-licence new	9	16	53	32	1
Off-licence variation	0	0	0	0	0
Off-licence renewal	5	6	27	29	0
Club licence new	4	24	1	0	0
Club licence variation	0	0	0	0	0
Club licence renewal	4	17	48	0	0
<b>TOTAL (1)</b>	<b>44</b>	<b>273</b>	<b>374</b>	<b>124</b>	<b>3</b>
<b>FEE</b>	<b>\$15</b>	<b>\$30</b>	<b>\$45</b>	<b>\$75</b>	<b>\$150</b>
Fee paid to ARLA (1)	\$759.00	\$9,418.50	\$19,354.50	\$10,695.00	\$517.50
<b>1 July 2013 - 17 December 2013</b>					
	<b>ALL</b>	<b>FEE</b>	<b>TOTAL</b>		
On-licence new	241	\$126.76	\$30,549.16		
On-licence renewal	290	\$126.76	\$36,760.40		
On-licence endorsed	15	\$21.47	\$322.05		
Off-licence new	58	\$126.76	\$7,352.08		
Off-licence renewal	119	\$126.76	\$15,084.44		
Off-licence endorsed	13	\$21.47	\$279.11		
Club licence new	4	\$126.76	\$507.04		
Club licence renewal	32	\$126.76	\$4,056.32		
<b>TOTAL (2)</b>	<b>772</b>				
Fee paid to LLA (2)		\$94,910.60			
<b>Total fees (LLA/ARLA) (1+2)</b>		<b>\$135,655.10</b>			

Annual fees for existing licences received

	Risk Category				
	Very Low	Low	Medium	High	Very High
<b>18 December 2013 - 30 June 2014</b>					
On-licence	10	119	156	37	0
Off-licence	14	27	44	60	1
Club licence	12	46	4	0	0
TOTAL	36	192	204	97	1
FEE	\$15	\$30	\$45	\$75	\$150
Fee paid to ARLA	\$621.00	\$6,624.00	\$10,557.00	\$8,366.25	\$172.50

Managers' certificate applications received

<b>18 December 2013 - 30 June 2014</b>			
	ALL		
Manager's cert new	1,038		
Manager's cert renewal	1,213		
TOTAL (1)	2,251		
FEE	\$25		
Fee paid to ARLA (1)	\$64,716.25		
<b>1 July 2013 - 17 December 2013</b>			
	ALL	FEE	TOTAL
GM cert new	1,381	\$21.47	\$29,650.07
GM cert renewal	1,569	\$21.47	\$33,686.43
CM cert new	37	\$21.47	\$794.39
CM cert renewal	82	\$21.47	\$1,760.54
TOTAL (1)	3,069		
Fee paid to LLA (1)	\$65,891.43		
Total fees (LLA/ARLA) (1+2)	\$130,607.68		

Special licence applications received

	Class		
	1	2	3
<b>18 December 2013 - 30 June 2014</b>			
Special licence	97	392	494

Temporary authority applications received

<b>18 December 2013 - 30 June 2014</b>	
Temporary authority	331