

P14-003 District Licensing Committee Administration Policy

Approved by the Council on 18 March 2014.

POLICY PURPOSE

The policy provides guidance to the District Licensing Committee on those matters that have not been prescribed under the Sale and Supply of Alcohol Act 2012 (SSAA).

POLICY STATEMENTS

SSAA SECTION REFERENCE	ACTIVITY	POLICY
APPLICATIONS		
99, 127, 136, 137, 219	Acceptance of applications	<ul style="list-style-type: none">• No application shall be accepted for processing until the application is complete, i.e., contains all of the information required under the Act. Evidence of application for building certificate and RMA certificate is sufficient to accept as a complete application.• An application for a Manager's Certificate from a person appointed as a Temporary Manager, pursuant to section 229 of the Act, shall<ul style="list-style-type: none">(a) be required to include evidence that the applicant has enrolled in a course to achieve a prescribed qualification, and(b) shall be placed on hold without further processing for a period being the lesser of either:<ul style="list-style-type: none">(i) the time taken to provide confirmation to the Secretary of the District Licensing Committee of the qualification being gained, or(ii) 40 working days.
103, 129	Notification to reporting bodies	Notification of an application to reporting bodies shall be made within five working days of acceptance of the application for processing.
74	Advice of Temporary Licence	Advice of the issue of a Temporary Licence shall be given to the Police, Medical Officer of Health and the Licensing Inspector within five working days of issue of the Temporary Licence.
136	Advice of Temporary Authority	<ul style="list-style-type: none">• Advice of an application for a Temporary Authority shall be immediately given to the Police and the Licensing Inspector.• Police and the Licensing Inspector will report to the DLC within five working days of the receipt of application if any concerns are raised for the issue of a Temporary Authority.

SSAA SECTION REFERENCE	ACTIVITY	POLICY
HEARINGS / DECISIONS		
64, 202	Decision on the papers	<p>Any decision able to be made on the papers shall be so made, and the licence, certificate or authority issued, within ten working days of either:</p> <ul style="list-style-type: none"> • the closing date for objections, for the consideration of a licence or licence renewal, or • the closing date for reports, for the consideration of a manager's certificate or certificate renewal, or • the date of application, for temporary authority or temporary licence.
202	Requirement for a Hearing	<ul style="list-style-type: none"> • The period over which an objection or report concerning an application is received may be extended provided that this does not prejudice or alter the timing for a hearing or consideration of an application that would otherwise have applied. • Any report from either the Police, the Medical Officer of Health or a Licensing Inspector which contains any matter raised in opposition to either the whole or any part of an application shall be considered before a public hearing in the same manner as provided for under the Act in respect of an objection.
64, 202	Convening of Hearing	<ul style="list-style-type: none"> • The District Licensing Committee shall be convened to consider and/or hear an application within 15 working days of the closing date for objections. • Any decision shall be released, and the licence or certificate issued, within no greater than ten working days of the close of the District Licensing Committee meeting for an application.
ON / OFF / CLUB LICENCES		
101, 127(3)	Notification of applications	<ul style="list-style-type: none"> • The following are approved for the purposes of public notification: <ul style="list-style-type: none"> - the Stratford Press - the North Taranaki Midweek - the Opunake and Coastal Press - the Daily News - http://www.newplymouthnz.com/ - http://www.stratford.govt.nz/

SSAA SECTION REFERENCE	ACTIVITY	POLICY
103, 129	Inspections	<ul style="list-style-type: none"> • Each application for a licence renewal shall result in an inspection prior to completion of the Licensing Inspector's report on the application. • Sufficient inspections, including associated reports, shall be made each year to ensure compliance with the Act to the appropriate level as determined by the risk profile of the particular premises. All inspections should, as much as is practicable be made during the hours of operation. • Joint inspections with other reporting agencies shall be carried out in accordance with the Combined Agency Agreement.
127(2)(b)	Late renewal applications	A renewal application may be lodged at any time prior to the expiry date of the licence.
SPECIAL LICENCES		
137	Late filing of applications	<ul style="list-style-type: none"> • Any application filed less than 20 working days prior to the event for which the licence is sought shall include documentation demonstrating compliance with section 137(2) of the Act, that the need for the licence could not reasonably have been foreseen earlier.
143	Large scale events	<ul style="list-style-type: none"> • Any application for a large scale event shall include: <ul style="list-style-type: none"> (a) An Alcohol Management Plan (b) An Event Management Plan (c) A Traffic Management Plan • The scope of the plans should be appropriate to the scale of the event.
137	Notification of applications	<ul style="list-style-type: none"> • The following are approved for the purposes of public notification: <ul style="list-style-type: none"> - the Stratford Press - the North Taranaki Midweek - the Opunake and Coastal Press - the Daily News - http://www.newplymouthnz.com/ - http://www.stratford.govt.nz/ • Public Notification shall be required where <ul style="list-style-type: none"> (a) there has been a history of written substantiated complaint(s), and (b) the complaint(s) concerned a matter related to the sale or supply of alcohol from the licensed premises or similar previous event at that premises, and (c) the complaint(s) was made in the previous two years.

SSAA SECTION REFERENCE	ACTIVITY	POLICY
137	Processing requirements - notified	<ul style="list-style-type: none"> Any application which meets the requirements for public notification shall be lodged no less than 60 working days prior to the day on which the event concerned begins.
140		<ul style="list-style-type: none"> Any objection shall be made and filed with the District Licensing Committee within 15 working days of the date of notice.
202		<ul style="list-style-type: none"> The District Licensing Committee shall be convened to consider and/or hear an application within 15 working days of the closing date for objections.
GENERAL		
208	Waiving of omissions	<ul style="list-style-type: none"> Section 208 of the Act may only be exercised in any situation, including matters related to this policy, where the omission does not materially alter any part of the application and does not prejudice any actual or potential party to the consideration of the application. In any circumstance where the consideration of Section 208 of the Act is required in respect of a Public Notice, that consideration shall be provided to the Executive Secretary by the Chairperson of the District Licensing Committee as soon as is practicable following identification of the omission.
64	Signing and issue of Licence / Certificate / Renewal Notice	The Secretary of the District Licensing Committee or delegate shall be responsible for the signing and issuing of any licence, certificate or renewal notice pursuant to Section 64(1) of the Act.

POLICY CONTACT

The policy holder is the Environmental Health Team within the Environment and Regulatory Group.

POLICY REVIEW

This policy shall be reviewed three yearly from the date the policy is adopted.