

# ATTACHMENT A

## CS-13-907 – SALE AND SUPPLY OF ALCOHOL ACT 2012 - DECISIONS

### BACKGROUND STATISTICS – ESTIMATED MEETINGS OF THE DISTRICT LICENSING COMMITTEE

- 1) During the last year the LLA determined one opposed licensed premises application and two opposed Managers Certificate applications for this District.
- 2) It is expected that, with the changes to the criteria for assessments of applications, opposed licensed premises applications may triple but opposed managers certificates are not expected to vary. The Council can realistically expect to be conducting oral hearings approximately three times per year for opposed premises applications and two times per year for opposed managers applications.
- 3) It has been estimated that each opposed premises oral hearing will take an average of five hours hearing and deliberation time for each DLC member, and opposed managers certificates will take an average of 1.5 hours hearing and deliberation time. This amounts to an estimated 18 hours hearing time for the DLC each year.
- 4) It is understood the full DLC will determine all temporary authority applications. It is estimated the DLC will determine approximately 20 of these applications each year. It is also anticipated that considering and determining these applications will take approximately 30 minutes each, totalling an estimated 10 hours for the DLC each year. It is likely these applications will need to be determined within a week or two of them being received because most applicants give very little notice of their intention to take over a licensed premise.
- 5) It is anticipated that most unopposed applications for either a licence or managers certificate will be considered and determined by the Chairperson as a quorum of one (permitted by legislation). However it is estimated approximately 20% of unopposed applications might be considered and determined by the full DLC. This could mean that the DLC may need to meet to consider and determine 65 unopposed applications each year. It is anticipated that considering and determining each of the 65 unopposed applications will take approximately 30 minutes each, totalling 32 hours for the DLC each year. Where these unopposed applications are renewals the DLC will be able to schedule these to ensure they deal with a number of applications on a given day, rather than dealing with each application individually as they arise. However with a new licence application there may be pressure to convene the meeting sooner.

### CHAIRPERSON

- 6) The chairperson or commissioner of the DLC can act as a quorum of one to make decisions on unopposed applications. In order to estimate the number of applications the DLC is likely to process licences issued over the last three years have been used to determine the average. It is estimated that in the first year the DLC will process approximately 76 unopposed licences, 200 special licences, 20 temporary authorities and 253 unopposed managers certificates. This is approximately 10.5 licence applications each week.

- 7) It is envisaged the chairperson would need to make decisions on unopposed applications on at least a weekly basis to ensure licences are issued in prompt manner. It is estimated it may take approximately 30 minutes for the chairperson to consider each application. This would result in the chairperson needing to be available for an estimated maximum of 5.25 hours each week for unopposed applications only.
- 8) Where applications have been opposed, the chairperson will need to be present at any hearings and deliberations and will be required to write decision reports associated with those hearings. If there are approximately three opposed licences and two opposed manager's certificates to consider each year and opposed licence hearings take approximately five hours and opposed manager's licences 1.5 hours, then there will be an additional requirement for the chairperson to be available up to a further 18 hours per year.
- 9) Lastly, dependent on the experience the chairperson has in alcohol licensing matters there may be a need for ongoing training or up-skilling for the role and allowance made for additional time spent researching case law and reading relevant papers, which may equate to approximately another 2 hours per week.