

File number: 3705.01/2015-2016 **Approved for agenda**

Report to: District Licensing Committee

Meeting date: 27 October 2015

Subject: **Application for Renewal of Managers Certificate – Meagan Leigh
Teresa Edmonds**

Date of report: 15 October 2015

From: Rachel Sheppard
Chief Licensing Inspector

Report purpose **Decision** **Recommendation** **Information**

Assessment of significance **Significant** **Non-significant**

Summary

In the matter of the Sale and Supply of Alcohol Act 2012 and an application pursuant to s.224 of the Act for the granting of the renewal of a Managers Certificate to Meagan Leigh Teresa Edmonds who is currently working in the licenced premises known as Southern (Te Kopuru) Rugby Football Club, 1050 Pouto Road, Pouto Peninsula, Kaipara District. The application was received by the Territorial Authority on 17 September 2015. All reports from the agencies were received by 29 September 2015 allowing the application to progress to the District Licensing Committee hearing scheduled for 27 October 2015.

Recommendation

That the District Licensing Committee:

- 1 *Receives the Chief Licensing Inspector's report titled 'Application for Renewal of Managers Certificate – Meagan Leigh Teresa Edmonds' dated 15 October 2015 and*
- 2 *Believes it has complied with the decision-making provisions of the Local Government Act 2002 to the extent necessary in relation to this decision; and in accordance with the provision of section 79 of the Act determines that it does not require further information prior to making a decision on this matter; and*
- 3 *Grants the application made by Meagan Leigh Teresa Edmonds for the renewal of her Managers Certificate.*

Reason for the Recommendation

Report received from the Licensing Inspector appointed under the Act is satisfactory and does not oppose the issue of the renewal of the Managers Certificate. No objection has been received from the Police. It is appropriate that the application be determined on the papers pursuant to s.228 of the Act.

Reason for the Report

Application under s.224 of the Sale and Supply of Alcohol Act 2012 has been made for the granting of the renewal of a Managers Certificate to Meagan Leigh Teresa Edmonds who is employed at the

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licenced premises known as Southern (Te Kopuru) Rugby Football Club, 1050 Pouto Road, Pouto Peninsula, Kaipara District.

Background

The applicant has been employed at Southern (Te Kopuru) Rugby Football Club, Dargaville for the last year and has held a managers certificate issued by the Kaipara Territorial Authority in October 2014. In order to continue her employment at Southern (Te Kopuru) Rugby Football Club and to be able to act as Duty Manager within the premises, Ms. Edmonds seeks the granting of the renewal of her Managers Certificate.

Experience

The applicant has been employed as Duty Manager at Southern (Te Kopuru) Rugby Football Club, running the bar, for the last year. During this time there have been no known issues or concerns brought to the attention of the Territorial Authority.

Section 225 of the Act provides for the application for the renewal of a Managers Certificate to be lodged with the territorial authority for reporting on by the Police and the Licensing Inspector. On receipt of those reports s.226 of the Act provides for the District Licensing Committee to grant or decline such application.

Issues

Section 216 of the Act requires that if the applicant wishes to work in a licensed premises as a duty manager to sell and supply alcohol from that premises, they must be the holder of a current Managers certificate or they would be deemed to be in breach of the Act. Neither report received from the Inspector nor the Police factor any objection to the application for the renewal of the certificate.

On interview, the Inspector's report details that the applicant adopts a responsible attitude towards the sale of alcohol. She has completed the course for the Licence Controller Qualification (LCQ). The LCQ certificate was issued on 09 July 2014 which demonstrates knowledge and understanding of the Sale and Supply of Alcohol Act 2012. Her certificate has been provided as proof of successfully completing the necessary unit standards NZQA 4646, 16705 thus meeting the prescribed qualifications as required under s.218 of the Act.

The existing certificate is deemed to be current under s.223 of the Act.

Factors to Consider

Community Views

The Community expects that only fit and proper persons are granted licences or certificates for any matter concerning the sale of alcohol. Others in the community will expect Council to deal with these matters in the most efficient and effective manner.

Policy Implications

The decision has no impact on Council policy.

Financial Implications

There are no financial implications attached to this decision.

Legal/Delegation Implications

The Sale and Supply of Alcohol Act 2012 provides for all decisions on applications to be made by Council's District Licensing Committee. For unopposed applications the Chairperson alone may determine the application based on information provided in the papers.

Options

The District Licensing Committee has two options; it may either grant the application with conditions or decline the application.

Option A: Grant the application with conditions

Option B: Decline the application.

Assessment of Options

There are no grounds that officers are aware of that would substantiate a declining of the application. Based on the reports received by the Police and the Licensing Inspector, there is no good reason to impose further conditions on the Certificate, other than those required under the Act. The applicant has provided all information to the satisfaction of the reporting agencies who have responded with no opposition being raised to the issuing of the Renewal of a Managers Certificate.

Option A is considered the preferred option as it satisfies all requirements of s.227 of the Sale and Supply of Alcohol Act 2012 allowing the unopposed application to issue once determined by the District Licensing Committee.

Assessment of Significance

A decision in accordance with the recommendation is not considered to have a high degree of significance because it doesn't involve any council expenditure or impact financially on any ratepayers.

Recommended Option

The recommended option is **Option A**.

Next Step

The decision by the District Licensing Committee will be publicised on Council's website.

Attachments

- Reports for Renewal of Managers Certificate for M L T Edmonds (Attachment 1).
- Draft Decision by District Licensing Committee (*to be finalised on letterhead when approved*) (Attachment 2).
- Draft Certificate (*to be finalised on letterhead when approved*) (Attachment 3).