

Toolbox content for 2.4 Step 4

Example agenda for a district licensing committee hearing

This is a fictional agenda. It should not be relied on for legal principles.

Kaitoke District Council

Notice

I give notice that a meeting of the Kaitoke District Licensing Committee will be held as follows:

Date: Wednesday 18 December 2015
Time: 9.30am
Venue: Kaitoke District Council Chambers, 1 High Street, Kaitoke

James MacDonald
Committee Advisor
4 December 2015

District licensing committee members (quorum is three members):

Chair: I. N. Jones
Members: B. J. Thorpe
L. E. Cooper

Agenda

1. Welcome and introductions

2. Overview of the proceedings

The chair will outline the process for the hearing of evidence from the parties.

3. Application by Spinning Disc Limited for an off-licence, 123 Main Road, Kaitoke

James MacDonald, Committee Advisor

The following papers are provided in relation to the application:

Application

Application by Spinning Disc Limited Appendix A

Objections

Mr Sammy Brown, 18 Ruru Rd, Kaitoke Appendix B
Ms Lauren Good, 23 High St, Kaitoke Appendix C
Mr Nathan Briggs, 12 West St, Kaitoke Appendix D

Reporting agencies' reports

Mr A. Smith, Licensing Inspector, Kaitoke District Council Appendix E

Example script for a district licensing committee chair

This is a fictional script. It should not be relied on for legal principles.

Good morning ladies and gentlemen. My name is Cr Ian Jones and I am the chair of the Kaitoke District Licensing Committee.

I would like to welcome you to this meeting of the district licensing committee.

The committee is now hearing the application of Spinning Disc Limited for an off-licence, 123 Main Road, Kaitoke. The committee has advised of no conflicts of interest.

I will introduce members of the committee and council staff:

- Councillor Benjamin Thorpe
- Councillor Leah Cooper

I will now call for appearances for all parties – applicant and agencies.

Sergeant Fiona Hillary	On behalf of the New Zealand Police In opposition
Ms Helen Henare	On behalf of the Medical Officer of Health In opposition
Mr Alan Smith	Licensing Inspector To assist
Mr Brown, Spinning Disc Limited	Applicant

The procedure for the hearing will be as follows:

1. The applicant will be heard first.
2. Then we will hear from the Police, the Medical Officer of Health, and the inspector and any witnesses they call.
3. [If relevant] Next, other people with speaking rights will be heard. These include objectors and s 204 parties.
4. Members of the district licensing committee may ask questions to clarify the information presented. At the conclusion each party will be given the opportunity to sum up their position and the applicant will have the final right of reply.
5. I will then close the hearing and the committee will leave the room. The committee will deliberate and release its decision in writing in due course.
6. Refer to emergency procedures

7. Refer to breaks and their timing.

Please be aware that the committee members or chair may have questions for you or your witnesses, and the applicant and reporting agencies can also ask questions. The committee will endeavour to make this hearing as relaxed and informal as possible.

INTRODUCTION

I will now ask the applicant to present their case.

EVIDENCE

Note: All parties can ask questions of the party giving evidence/submissions.

Spinning Disc Limited (Mr Brown)

Submissions

Witnesses to speak in support of his application

Questions from inspector, Police, Medical Officer of Health, committee, and any others

Police (Sergeant Fiona Hillary)

Evidence/submissions

Any witnesses

Questions from applicant, inspector, Medical Officer of Health, committee, and any others

Medical Officer of Health (Ms Helen Henare)

Evidence/submissions

Any witnesses

Questions from applicant, inspector, Police, committee and any others

Inspector (Mr Alan Smith)

Evidence/submissions

Questions from applicant, Police, Medical Officer of Health, committee

Closing submissions

Police

Medical Officer of Health

Inspector

Applicant

CONCLUSION

That concludes the hearing of this matter, and I would like to thank you for your participation.

The committee will now leave the room and deliberate in private to consider its decision. For your information, s 203 of the Sale and Supply of Alcohol Act 2012 allows the committee to exclude the public so as to deliberate on its decision, and there may be a right of appeal against the decision to the Alcohol Regulatory and Licensing Authority.

Mr MacDonald will formally notify all parties of the committee's decision, in writing, as soon as possible, in accordance with s 211 of the Sale and Supply of Alcohol Act.

OR We will return shortly with an oral decision. You are welcome to wait in this room.

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