

The role of an Alcohol Licensing Inspector

1. Alcohol Licensing Inspectors are appointed by the Council under section 197 of the Sale and Supply of Alcohol Act 2012 (**Act**). Christchurch inspectors hold a warrant issued by the Council and this includes evidence of their appointment. Christchurch Inspectors are all members of the New Zealand Institute of Licensing Inspectors.
2. Inspectors are required (under section 197) to act independently from the Council when exercising and performing their functions, duties, and powers, and the Council must also take steps to ensure that its Inspectors are able to act independently. In practice this means that they act free from interference from the Council when carrying out their statutory functions. This is different from having a delegated authority from the Council.
3. The functions, powers, and duties of inspectors cover the following areas:
 - a. Inquiring into all applications (on/off/club licences, managers certificates, temporary authorities, special licences, renewals and variations).
 - b. Filing a report on all applications under section 103, regardless of whether or not there are matters in opposition by any of the statutory reporting agencies or public objections. Reporting includes assessing:
 - i. The form of the application;
 - ii. Particular restrictions, conditions and prescribed requirements for different types of licences (required by the Act and Regulations); and
 - iii. Considering the criteria for issuing of applications under sections 105, 106, and 131 matters (for example amenity and good order of locality and factors such as noise, nuisance and vandalism in the locality). These considerations are the same grounds on which public objections can be made.
 - c. Appearing at District Licensing Committee (**DLC**) and Alcohol Regulatory and Licensing Authority (**ARLA**) hearings.
 - d. Monitoring licensees' compliance with the Act and taking enforcement action.
 - e. Collaborating with the Police and the Medical Officer of Health to establish and maintain arrangements with each other to ensure the ongoing monitoring of licences and the enforcement of the Act; as well as working together to develop and implement strategies for the reduction of alcohol-related harm through licensing practices in the licensing environment.
4. The Police and the Medical Officer of Health receive all applications to consider, but only alcohol licensing inspectors are required to inquire into and file with the DLC a report on every application. This means that inspectors have a pivotal statutory role as the only agency that **MUST** enquire into and report on ALL applications.
5. When Inspectors prepare their reports, they consider a wide range of matters and undertake a wide investigation. The Inspectors' reports will provide an overall summary of the application and collate all information for the DLC to consider so that they can provide to the DLC an independent, objective, compliance-focused view of both the applicant and the application.
6. Alcohol Licensing hearings are similar to tribunals and are quasi-judicial. There will be a certain degree of formality with the hearings proceedings, but the focus for the Committee (as a semi-judicial panel of inquiry) is to hear evidence that will help them determine their decision on an application, rather than being strictly adversarial.
7. As a part of their independent role, at a DLC or ARLA hearing, the inspectors will also assist the DLC at hearings. Assistance includes answering any questions the DLC members may have and correcting and clarifying information at any point during the hearing e.g. statistics relating to alcohol license numbers and locations in Christchurch, licencing procedures, relevant case law, or procedural considerations such as the application of Alcohol Rules in the District Plan.