

IN THE MATTER of the Sale and Supply of Alcohol
Act 2012 (“the Act”)

AND

IN THE MATTER of an application by **JACQUELEN
SCOOTY SHELFORD** pursuant to
s.224 of the Act for the renewal of
a Manager's Certificate

BEFORE THE FAR NORTH DISTRICT LICENSING COMMITTEE

Members: Mrs Ann Court (Chairperson)
Mr Martin Macpherson (Member)
Mr John Thorne (Member)

HEARING at **KAIKOHE** on 29 May 2023

APPEARANCES

Mrs Jacqueline Scooty Shelford (applicant)
Sergeant Michelle Rowe – NZ Police – to assist
Ms Megan Edwards – Far North District Alcohol Licensing Inspector – in opposition
Ms Te Orakiri Graham – Far North District Licensing Inspector – to assist

DECISION OF THE COMMITTEE

INTRODUCTION

- [1] This is an application made by Jacqueline Scooty Shelford for the renewal of her manager’s certificate number **01/CERT/114/2021**. Application for renewal was lodged prior to the expiry date of 05 August 2022. This is the first renewal.
- [2] The applicant continues to use her certificate at the Towai Tavern, SH1 Towai.
- [3] The Police had no matters of opposition.
- [4] The applicant has the full support of her employer although we note that she paid the application fee herself.
- [5] The Licensing Inspector opposed the application for renewal on the grounds of two unsatisfactory in person interviews raising suitability concerns. It did not help that two earlier scheduled appointments were not kept.

EVIDENCE OF THE APPLICANT

- [6] At the hearing Mrs Shelford addressed the Committee. She had not produced a written brief of evidence but told us about her role at the Towai Tavern. She responded candidly to the Committee’s questions.

- [7] She said that she lived near to the Tavern and was flexible with working hours. There were no issues or matters of complaint relating to the use of her Certificate over the past year. She was predominantly employed as the cook but appointed the Duty Manager if circumstances required it.
- [8] In response to questions from member Macpherson, Mrs Shelford demonstrated good practical knowledge of the Act and Host Responsibility requirements as the appointed duty manager. The meal menu is extensive. She now understands the SCAB test intoxication indicators. Her employer keeps a Training Register on site and it is used.
- [9] She apologised for the communication delays and agreed the face to face interviews with the Inspector did not go well. She explained that at that time she was not in a good space due to personal family matters and work issues. In her words it had all mounted up. This was now all behind her.
- [10] The applicant also expressed interest in engaging with the Inspector in the on-line Serve Wise training programme to enhance her knowledge.

THE INSPECTOR

- [11] The Inspectors Report was taken as read and not challenged.
- [12] The Inspector Ms Edwards said that given the evidence heard she was satisfied as to the applicants knowledge and suitability. The opposition to the renewal of a Managers Certificate to Mrs Shelford was now withdrawn.
- [13] It is noted that going forward the Inspector undertook to explore the Serve Wise training programme possibilities with applicant employers – particularly for applicants who may not have electronic device access.

EVIDENCE OF THE POLICE

- [14] The Police had no matters of concern.

REASONS FOR THE DECISION

- [15] The premises are a rural Tavern offering good meals. We believe that the applicant is suitably trained and qualified and has the necessary experience and knowledge. There are now no matters of opposition to the grant of the certificate.
- [16] In the lessons learned from this hearing and others similar, we believe it is very important that licensees and managers develop and maintain a good working relationship with Agency representatives.

[17] As Chairperson Court said by way of a verbal decision at the conclusion of the hearing, the application by Mrs Shelford for renewal of her Managers Certificate is granted. This written Decision is confirmation of that.

[18] It will be renewed for 3 years from the expiry date of 05 August 2022.

DATED at Kaikohe this 31st day of May 2023



PP

**John Thorne
Member
For the Far North District Licensing Committee**

*Section 105(j) of the Act requires employers to provide staff with appropriate training to comply with the law