

Application	SP1303
<u>IN THE MATTER</u>	the Sale and Supply of Alcohol Act 2012
<u>AND</u>	
<u>IN THE MATTER</u>	of an application by Quota Club Te Kuiti Incorporated for a special licence pursuant to section 138 of the Act

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The application for an on-site special licence is granted. The special licence may issue immediately.
2. Quota Club Te Kuiti Incorporated is authorised to sell and supply alcohol, at 71 Taupiri Street, Te Kuiti to any person attending the Fundraiser for Te Reina Worsley.
3. This licence is subject to the following conditions:
 - (a) A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it and all staff must be familiar with the conditions.
 - (b) Alcohol may be sold under the licence on Saturday 16 March 2019, from 12.00 midday to 1.00am the following day.
 - (c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
 - (d) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Waitomo District Licensing Committee on 13 February 2019 and no alcohol is to be taken out of this area.
 - (e) The holder of a manager's certificate shall be on duty and on the premises at all times alcohol is sold. A sign shall be displayed identify the duty manager.
 - (f) The bar service area, gaming and smoking areas are designated as restricted areas (no persons under 18 are permitted in the area). The remainder of the club is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian).

- (g) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point of sale appropriate signs detailing these restrictions.
- (h) Drinking water must be freely available from the bar and this must be clear to customers while the premises is open for the sale and supply of alcohol.
- (i) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol in accordance with the menu submitted with the application for this licence, or variations of a similar range and standard.
- (j) A range of low-alcohol (less than 2.5% by volume) and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- (k) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed. The availability of the courtesy van to transport patrons home from the premises shall be promoted.

REASONS

1. This is an application by Quota Club Te Kuiti Incorporated for a special licence for the Fundraiser for Te Reina Worsley to be held at 71 Taupiri Street, Te Kuiti on Saturday 16 March 2019, from 12.00 midday to 1.00am the following day.
2. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
3. The Liquor Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). Accordingly, this application is decided on the papers (s 202).
4. The purpose of the Act is to put in place a new system of control over the sale and supply of alcohol (s 3). The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
5. In deciding whether to grant a special licence the District Licensing Committee must have regard to the criteria in s 142 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) What is the nature of the event? Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
 - b) Is the applicant suitable?
 - c) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?
 - d) Are the days and hours during which the applicant proposes to sell alcohol reasonable?

- e) Is the design and layout of the premises suitable? Are any areas of the premises designated restricted or supervised areas?
- f) Does the applicant have appropriate systems, staff and training to comply with the law? What steps will the applicant take to ensure that alcohol is not sold to prohibited persons?
- g) What proposals does the applicant have in relation to the sale and supply of non-alcoholic drinks and food, low-alcohol drinks and the provision of help with or information about alternative forms of transport from the premises?
- h) Have the Inspector, Police and Medical Officer of Health raised any relevant considerations?
- i) Does the application comply with the Waitomo District Local Alcohol Policy?

6. The licensing committee may refuse a special licence even if there was no objection to the application (s 144). Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

7. This fundraising event has been organised by the club for Te Reina Worsley, a club staff member, who has suffered a major stroke as a result of having a very rare condition Moya Moya disease. The surgery required to improve the blood supply to the brain is not able to be provided in New Zealand. Therefore, the club together with the family is raising funds for surgery overseas. The event will consist of a number of different fundraising activities including; a car boot sale, a power pulling competition with teams of six, DJ entertainment, raffles, a wishing well, an auction of goods donated by local businesses and t-shirt sales. It is expected that over the course of the whole day and evening up to 400 people may attend, however they will not all be present at once. Having regard to the nature of the event and the number of different activities being offered at different times, the licensing committee is satisfied that the proposed trading hours are reasonable.
8. The licensing committee is satisfied that Quota Club Te Kuiti Incorporated is a suitable applicant to hold a special licence. The club currently holds a club licence and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The issue of a special licence for this event will allow the applicant to sell alcohol to non-members of the club attending the event. Two Duty Managers will be present on the premises for the duration of the proposed event to ensure compliance with the Act.
9. The application has been assessed by the Licensing Inspector to be compliant with the Local Alcohol Policy.
10. It is possible that the numbers of people attending will reach 400, therefore the fundraiser is considered to be a “large scale event”. The Quota Club Te Kuiti Incorporated has supplied an Alcohol Management Plan detailing the measures that will be taken to ensure that alcohol is sold and supplied responsibly, and that harm caused by inappropriate or excessive consumption of alcohol is minimised. The entrances to the club premises will be monitored by committee members. The bar service area, gaming and smoking areas are designated as restricted areas (no persons under 18 are permitted in the area). The remainder of the club is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian). Minors will be asked to leave the club’s premises by 9.00pm. This will ensure that no unaccompanied minors attend the event and that all minors will leave the event by 9.00pm.

11. Given the nature of the event and the venue it is not likely that the issue of the special licence will adversely affect neighbouring properties. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence.
12. The licensing committee is satisfied that the applicant will provide sufficient food, low alcohol and non-alcoholic refreshments for the duration of the event. Free water will be provided at the bar. The use of the club's courtesy van will be promoted as a safe option for transport home from the event.

Conclusion

13. The licensing committee is satisfied that the grant of the special licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.
14. Therefore, the application for a special licence is granted.

Dated this 8th day of March 2019



Sara Grayson
Commissioner
Waitomo District Licensing Committee