

Application

19/049/2018

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND
IN THE MATTER

of an application by
Waitete Rugby Football Club Incorporated
for the renewal of a club licence pursuant
to section 127 in respect of the premises
at 57 Waitete Road, Te Kuiti and known as
Waitete Rugby Football Club

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The club licence 019/CLUB/011/2015 in respect of the premises situated at 57 Waitete Road, Te Kuiti and known as Waitete Rugby Football Club is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
2. The present conditions of the licence are replaced as follows:
 - (a) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday, from 12.00 noon to 1.00am the following day.
 - (b) The club must always have a secretary.
 - (c) The club must inform the District Licensing Committee of the name of a new secretary within 10 working days of their appointment.
 - (d) All proceeds from the sale of alcohol belong to the club.
 - (e) Alcohol may be sold or supplied to:
 - i) a member of the club,
 - ii) any member of any other club where this club has an arrangement for reciprocal visiting rights,
 - iii) a person who is invited and accompanied by the members listed in i) or ii) above.
 - (f) 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 1 September 2018 and no alcohol is to be taken out of this area.

- (g) The entire premises is undesignated (persons under 18 can be in the area).
- (h) A holder of a manager's certificate or a properly notified manager must be on duty and on the premises at all times alcohol is sold.
- (i) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- (j) The licensee must maintain and display a Host Responsibility Policy and ensure all bar staff and committee members receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- (k) Alcohol must not be sold or supplied to minors or intoxicated persons. The licensee must display appropriate signs at every point of sale detailing restrictions on the sale and supply of alcohol to such persons.
- (l) Drinking water must be freely available and this must be clear to customers while the premises are open for the sale and supply of alcohol.
- (m) A range of non-alcoholic and low-alcohol drinks must be available at all times when the premises is open for the sale of alcohol.
- (n) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol. Catered finger foods, buffet or a la carte meals must be provided for functions and tournaments. At all other times there must be a minimum of four types of light meals available (the choices exclude nuts and crisps and the like). Menus and the availability of food should be actively promoted to customers.
- (o) 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.
- (p) No BYO alcohol is permitted on the premises while alcohol is available for sale.
- (q) The Licensee must ensure the following are displayed;
 - i) A sign to be seen from outside the principal entrance stating the ordinary hours of business during which the premises will be open for the sale of alcohol.
 - ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
 - iii) A sign in a prominent place identifying the duty manager.

Reasons

1. This is an application by Waitete Rugby Football Club Incorporated for renewal of a club licence in respect of the premises situated at 57 Waitete Road, Te Kuiti. The club has requested a change to

the conditions of the existing licence to allow alcohol to be sold to a guest who is on the premises at the invitation of a member of a club with reciprocal visiting rights.

2. The application was advertised, and no objections have been received from members of the public. The Liquor Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
3. 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).
4. In deciding whether to renew a club licence the licensing committee must have regard to sections 131 and 105 of the Act. Therefore this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) Is the applicant suitable?
 - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - c) Is the design and layout of the premises suitable?
 - d) 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?
 - e) Does the applicant have appropriate systems, staff and training to comply with the law?
 - f) Have the police, inspector and medical officer of health raised any relevant considerations?
 - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
 - h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
 - i) Does the application comply with the Waitomo District Local Alcohol Policy?
5. Section 132 provides that the licensing committee may vary or cancel any conditions applying to the licence before its renewal.

Should the licence be renewed?

6. The licensing committee is satisfied that Waitete Rugby Football Club Incorporated is a suitable applicant to hold a club licence. The club has comprehensive systems in place to ensure compliance with the Sale and Supply of Alcohol Act 2012. The club has an effective sign in process to ensure that alcohol is only sold to authorised customers and their guests. The licensing committee is satisfied that the club has an appropriate Host Responsibility Policy and staff and committee member training which demonstrates that suitable measures will be undertaken in regard to responsible sale and supply of alcohol and that harm will be reduced. It is a condition of this licence that all bar staff and committee members are trained in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012. The club is reminded that records of training conducted should be presented with each renewal application.
7. The club has requested a change to the conditions of the existing licence to allow alcohol to be sold to a guest who is on the premises at the invitation of a member of a club with reciprocal visiting rights. This request is granted. It is specifically provided for in the Act and is being added as a standard condition of all club licences.

8. Waitete Rugby Football Club Incorporated proposes to continue operating as a club from 12.00 noon to 1.00am the following day Monday to Sunday. The licensing committee is satisfied that these are appropriate hours of operation.
9. The application complies with the Waitomo District Local Alcohol Policy.
10. The licensing committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. It is well appointed and able to be monitored effectively by the staff of the premises.
11. The licensing committee is satisfied that the club has sufficient Duty Managers who serve on these premises to ensure the responsible sale and supply of alcohol. Given the size and operating hours of the club, it is appropriate that it be a condition of the licence that a certificated duty manger must be on duty at all times that alcohol is sold.
12. The licensing committee is satisfied that the renewal of the club licence will not reduce the amenity and good order of the locality by more than a minor extent. There have been no reports of any nuisance, vandalism or noise problems associated with this premises in the previous licensing period.
13. The conditions for this licence have been replaced to ensure that they are consistent with club licences issued since the commencement of the Sale and Supply of Alcohol Act 2012. The new conditions include information about the statutory obligations relating to clubs, the display of signage and the maintenance of a manager's register.

Conclusion

14. Therefore, the application for the renewal of the club licence is granted.

Dated this 5th day of February 2019



Sara Grayson
Commissioner