

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Laird Park Bowling Club Incorporated** for a renewal of Club-licence pursuant to section 127 of the Supply of Alcohol Act 2012.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

The application for renewal of Club-licence (036/CLUB/006/2014) was publically advertised in the Wanganui River City Press on the 23 November 2023. No objections were received.

No matters of opposition were raised under section 128 and 129 reports; therefore the matter is considered by the Whanganui District Licensing Commissioner on the papers contained in the full file provided by the secretary.

**Commissioner: Stuart Hylton**

**RESERVED DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE**

**1. Application**

**Laird Park Bowling Club Incorporated** made the application on the prescribed form received on 21 November 2023.

The application for renewal of Club-licence is in relation to the clubs premises at 92 Peat Street, Whanganui.

The general nature of the business is that of a sports (bowls) club. The Laird Park Bowling Club has been incorporated since 1995 and has held a liquor licence all of those years. The use of the site for these purposes extended well before 1995. The sale and supply of liquor is not the main focus of the club.

The renewal seeks to keep the same conditions as the current licence.

The complete file included –

- The application
- Supporting letter
- New Floor plan
- Reports from Police, Medical Officer of Health and Inspector
- Club's Host Responsibility Policy
- Fire Evacuation Scheme letter of compliance from applicant
- Letter of explanation from applicant as to reason for late application
- Food / Drink list menu
- Copy of current licence
- Notice of renewal
- Copy of public advertisement and premise advertisement

**2. Decision Making**

In considering this application for Club-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act.

**Section 105/131 assessments:**

**(a) the object of this Act:**

The inspector notes that the applicant has supplied a Host Responsibility Policy stating the measures to be undertaken to ensure the responsible sale and supply of alcohol. If the policy is followed then compliance with the object of the Act should be able to be achieved.

**Note:** The Inspectors report notes the following statements which must be taken into account by this Committee when considering whether to renew this particular licence application.

*"While some practices impress as 'pushing boundaries' in regard to the expressly strict compliance requirements related to being a Club - the previous licences appear to have been managed in accordance with the*

*requirements of the Sale and Supply of Alcohol Act 2012 and also in accordance with the conditions of their licences and their Host Responsibility Policy.*

*Some issues are addressed in this report. In brief these issues relate to practices where services are increasingly promoted to the public irrespective of Club membership or affiliation.*

*Any issues addressed in this report have been discussed and considered with the help of the applicant. The applicant is very motivated to achieve all matters of compliance at all times as they move on".*

Similarly the Medical Officer of Health notes in his representatives report –

*"Of note was that no incident management system was in place and there appeared to be little understanding of what incidents would be appropriate to report and discuss at committee meetings to mitigate alcohol related harm. We recommend appropriate records are maintained for:*

*• Incidents, whether significant or not, should be recorded in an incident log (this may be in a diary or note book or use toolkit). Types of incidents that should be recorded include:*

- 1. Minors being found on premises*
- 2. Attempted purchase by a minor*
- 3. Turning away of minors*
- 4. Staff interventions with intoxicated customers – including complaints*
- 5. Removal of intoxicated customers / club members / visitors*
- 6. Police interventions required*
- 7. Police / Council spot inspections and outcome*
- 8. Inappropriate behaviour by customers, fights, accidents, drug use, damage, theft"*

Both agencies comment that these issues have been raised with the applicant and both are happy with the applicant's response thus far. Both offer no objection to the renewal.

This Committee suggests the applicant could do well to heed the advice of the agencies.

**(b) the suitability of the applicant:**

The applicant is an incorporated society since 1995 and located on the current site for many years. The property is leased from the Whanganui District Council.

The applicant has supplied the name of one certified manager for the licence. This is considered to be minimal to manage the licence. This was raised with the applicant last renewal and has not improved over the renewal period. The Inspector documents this struggle but reports he is working with the Club to promote another member to achieve their manager's certificate.

The Committee recommends the applicant takes up this help as a repeat of this situation may not be reflected on well at the next renewal of the Club's licence.

The suitability of the applicant is not challenged.

**(c) any relevant local alcohol policy:**

No local policies currently in place.

**(d) the days on which and the hours during which the applicant proposes to sell alcohol:**

Applicant has applied for the same days and hours as currently enjoyed i.e.

- **Sunday to Wednesday, 8.30am to 8.00pm,**
- **Thursday, Friday and Saturday, 8.30am to 12.00 midnight,**

This is seen as adequate and has operated in the past without incident.

**(e) the design and layout of any proposed premises:**

Past CPTED assessments have not raised any issues. A floor plan was provided with the application and includes the two greens. The layout appears to function satisfactorily.

**(g) whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:**

Currently the focus is on sport, namely bowls.

**(j) whether the applicant has appropriate systems, staff, and training to comply with the law:**

Previous operations have been satisfactory and therefore systems seem appropriate. The applicant has indicated staff have a good understanding of the Act.

**(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#). (see 3 below)**

**(s.131(1)(b))whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:**

No issues raised and amenity and good order should not be compromised by the renewal of the licence.

**(s.131(1)(d))the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.**

No issues raised within file.

### **3 Reporting Agencies**

The following reports were received under section 103 and 129 of the Act and taken into account during the decision.

**3.1 Police** – Report received on 23 November 2023 of no opposition.

**3.2 Medical Officer of Health** - Report received on 12<sup>th</sup> December 2023 of no opposition.

**3.2 Licensing Inspector** – Full report dated 24<sup>th</sup> January 2024. The inspector is satisfied the application is complete and whilst noting some concerns within his report, has no opposition to the renewal application.

### **4 Conclusion**

Based on the evidence provided to me within the complete file, my assessment above of section 105/131 matters and the past operation of the premise/licensee, I conclude that the application meets the statutory criteria to be granted a renewal of Club-Licence under the Act for a period of three (3) years.

### **5 Decision**

The licence can be issued subject to the conditions outlined in the Inspectors report.

The application is **Approved** for issue immediately.

**Dated at Whanganui District this 25th day of January 2024.**

**Signed**



**Stuart Hylton**  
**Whanganui District Licensing Commissioner**

