

Application number: 036/SOL/037/2017

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by Wanganui Cycling Club Incorporated for a special-licence pursuant to section 138 of the Act on the occasion of a 'Weekly After-ride Get Together and Prize Giving'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Chairperson
Mr Stuart Hylton

DECISION

1. Introduction

This is an application by Wanganui Cycling Club Incorporated for a special licence in regard to an event to be held at the Club's premises, The Velodrome, 99 St Hill Street, Whanganui. The nature of the event for which the licence is sought is a 'Weekly After-ride Get Together and Prize Giving'. The dates and hours sought are every Saturday commencing 28th February 2017 to 28th February 2018, between 3.00pm and 9.00pm each day.

2. Application

The application was received on 4th April 2017 and included a site plan.

The application was not advertised and no objection or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (a) the object of this Act:
- (b) the nature of the particular event for which the licence is sought and, in particular,—
 - (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and
 - (ii) whether the applicant is engaged in, or proposes at the event 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:
- (c) the suitability of the applicant:
- (d) any relevant local alcohol policy:
- (e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:
- (f) the days on which and the hours during which the applicant proposes to sell alcohol:
- (g) the design and layout of the premises concerned:

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

(i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:

(j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:

(k) the applicant's proposals relating to—

- (i) the sale and supply of non-alcoholic drinks and food; and
- (ii) the sale and supply of low-alcohol drinks; and
- (iii) the provision of help with or information about alternative forms of transport from the premises:

(l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).

3. Reporting Agencies

The following reports were received under section 141 of the Act.

Police Report – No objection within report received on 12th April 2017.

Medical Officer of Health – No objection within report received on 19th April 2017.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. Draft conditions are also offered by the inspector.

The file and inspectors report noted the following pertinent points –

- The applicant is a body corporate incorporated in 1996.
- The club has a number of current serving or ex-Police officers.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise is located within Cooks Gardens in the centre of the city where the consumption of alcohol should play a very minor part of the clubs activities. The granting of the special licence should not reduce the amenity and good order of the locality.
- The premise is suitable for the type of event and layout has been suitable in the past. The marked floor plan shows the area to be licensed.
- The commencement date asked for has already passed so the first Saturday will be the first Saturday after this decision. The hours appear relevant for the event being undertaken.
- No certified manager is nominated for the event/s although three club members are nominated to ensure compliance. A section 213(2) waiver is recommended for the requirement to have a manager.
- A designation for the event is not required.
- Both the Police and MOH have no objections to the application.

4. Decision

The application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report and a s. 213(2) waiver.

DATED at Whanganui this 21st day of April, 2017.



Secretary
Whanganui District Licensing Committee

