

Application number: 036/SOL/053/2016

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

AND

IN THE MATTER of an application by Wanganui Road
Rodders Club Inc. for a special-licence
pursuant to section 138 of the Act on the
occasion of the 'Club Meetings and
Special Meetings'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Commissioner
Mr S G Hylton

DECISION

1. Introduction

This is an application by Wanganui Road Rodders Club Inc. for a special licence in respect of their clubs premises situated at 134 London Street, Wanganui. The nature of the particular event for which the licence is sought is the Club Social Events. There are twelve events in total, nine of which are for club nights whilst the others are for 'special' social events around the club's interests.

The dates and hours for the events are –

- 18 June 2016 between 6.00pm and 12.00pm.
- 11 July 2016 between 7.00pm and 10.00pm.
- 8 August 2016 between 7.00pm and 10.00pm.
- 12 September 2016 between 7.00pm and 10.00pm.
- 10 October 2016 between 7.00pm and 10.00pm.
- 14 November 2016 between 7.00pm and 10.00pm.
- 12 December 2016 between 7.00pm and 10.00pm.
- 9 January 2017 between 7.00pm and 10.00pm.
- 13 February 2017 between 7.00pm and 10.00pm.
- 13 March 2017 between 7.00pm and 10.00pm.
- 24 February 2017 between 5.00pm and 10.00pm.
- 25 February 2017 between 4.00pm and 12.30am.

2. Application

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 from report dated 13th June 2016.

Medical Officer of Health – No objection from report dated 7th June 2016.

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 section 142 of the Act. Draft conditions are also offered by the inspector.

The inspector also noted in his report that –

- The applicant is a responsible organisation of long term existence, incorporated since 1974
- The applicant has held similar events in the past with no known issues reported
- The hours are reasonable for the events listed
- There are no named certified managers for the events as required under the Act. The inspector is comfortable with the knowledge there are three responsible persons named as managers and makes the recommendation that a waiver is granted in terms of section 213(2) of the Sale of Liquor Act, 2012.

Whilst I concur with the inspector's assessment and draft conditions for the proposed event I am mindful that the Club does not have a certified manager for the various events listed. Whilst on this occasion I will be granting a s. 213(2) waiver as recommended by the inspector I want to make the Club aware that this does not absolve them from knowing their collective responsibilities to conduct the licence in a lawful manner and in accordance with the conditions of the licence.

4. Decision

Accordingly the application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report.

The requirement for a certified manager for the events listed is waived in terms of section 213(2) of the Act.

DATED at Whanganui this 14th day of June, 2016.



Secretary

Whanganui District Licensing Committee

