

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Whanganui Athletic Football 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/001/2014.1) was publically advertised in the Whanganui Midweek on the 2 March 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

Wanganui Athletic Football Club Incorporated made the application on the prescribed form received on 27 February 2023.

The application for renewal of Club Licence is in relation to the clubs premises at 14 Wilkie Street, Whanganui.

The general nature of the business is that of a sports (Football) club. The Whanganui Athletic Football Club has been licensed since 1987. 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 premise has not come to the notice of officials during the renewal period.

The complete file included –

- The application
- Supporting letter
- Floor plan
- Reports from Police, Medical Officer of Health and Inspector
- Club's Host Responsibility Policy
- Fire Evacuation Scheme letter of compliance from applicant
- 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. There have been no issues raised concerning previous operations so if the policy is followed then compliance with the object of the Act should be able to be achieved.

(b) the suitability of the applicant:

The applicant is an incorporated society for many years and located on the current site for many years. The applicant has supplied the name of two certified managers for the licence. This is considered to be adequate to manage the licence.

The suitability of the applicant is not challenged.

(c) any relevant local alcohol policy:

The application accords with the LAP.

(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 i.e.

- **Monday to Thursday, between 6.00pm to 10.00pm,**
- **Friday, between 6.00pm to 12.00 midnight,**
- **Saturday 11.00am till 12.00 midnight,**
- **Sunday and Public Holidays, 12.00 midday to 10.00pm.**

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. An existing floor plan 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 football.

(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 – No opposition within report received on 6 March 2023.

3.2 Medical Officer of Health - Report received on 16 March 2023 of no opposition. The MOH representative has suggested the applicant maintains appropriate records and signage for various SSAA requirements.

We endorse this approach and the request made to the Club in this regard during a recent inspection. The MOH has requested a condition relating to food to be sold on the licence. This condition is already a current condition of the licence.

3.3 Licensing Inspector – Full report dated 24 March 2023. The inspector is satisfied the application is complete and 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 current conditions plus the discretionary LAP conditions agreed to by the inspector and the applicant.

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

Dated at Whanganui District this 24 March 2023.

Signed



.....

Stuart Hylton
Whanganui District Licensing Commissioner

