

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **Whanganui Golf 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/001/2018) was publically advertised in the Wanganui River City Press on the 15th August 2019. 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

Whanganui Golf Club Incorporated made the application on the prescribed form received on 15th August 2019.

The application for renewal of Club Licence is in relation to the clubs premises at 13 Clarkson Avenue, Whanganui.

The general nature of the business is that of a sports (Golf) club. The Whanganui Golf Club has been incorporated since 1912 and has held a liquor licence most of those years. A new licence was procured in 2018 and this is the first renewal. 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 apart from related discretionary conditions from the Local alcohol Policy which is now in force. 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 since 1912 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 sufficient to manage the licence.

The suitability of the applicant is not challenged.

(c) any relevant local alcohol policy:

The inspector notes that the applicant has agreed in writing to two extra conditions on the licence which are discretionary conditions under the LAP, namely –

- Where patronage exceeds 100 people at any one time, a certified manager must be on duty.
- The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.

(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 Thursday, 10.30am to 10.00pm (extended to 11.00pm during periods of daylight saving),**
- **Friday and Saturday and public holidays, 10.30am 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. An existing floor plan layout appears to function satisfactorily and includes outdoor area.

(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 golf.

(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 20th August 2019.

3.2 Medical Officer of Health - Report received on 2nd September 2019 of no opposition.

3.2 Licensing Inspector – Full report dated 11th September 2019. 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 subject to the two additional LAP conditions.

5 Decision

The licence can be issued subject to the following conditions –

(a) The holder of a club licence must ensure that no alcohol is sold or supplied to any person for consumption on the premises unless the person is an authorised customer.

An authorised customer, in relation to premises a club licence is held for, means a person who—

- is a member of the club concerned; or

- is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or
- is an authorised visitor

(b) The holder of a club licence must take all practicable steps to ensure that—

- there is at all times a secretary of the club; and
- within 10 working days of the appointment of a new secretary, the secretary of the appropriate licensing committee is told the name of the new secretary; and
- all proceeds from the sale of alcohol belong to the club

(c) The club must have for consumption on the premises, at all times when the club is open for the sale of alcohol, a reasonable range of non-alcoholic refreshments and low-alcohol beverages.

(d) Liquor may only be sold on the following days and during the following hours:

- **Sunday to Thursday, 10.30am to 10.00pm (extended to 11.00pm during periods of daylight saving),**
- **Friday and Saturday and public holidays, 10.30am to 12.00 midnight,**

(e) At all times when the premises are authorised to be open for the sale of alcohol, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, must be conveniently available to all members and their guests and the availability of those foodstuffs must be notified to them by appropriate notices throughout the premises.

(f) The licensee must ensure that signs are predominantly displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.

(g) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.

- (h) The licensee and managers on duty must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.
- (i) Where patronage exceeds 100 people at any one time, a certified manager must be on duty.
- (j) The licensee is required to maintain a register of significant alcohol-related incidents that is available for inspection by enforcement authorities at any time during trading hours.

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

Dated at Whanganui District this 19th day of September 2019.

Signed



Stuart Hylton
Whanganui District Licensing Commissioner

