

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **Station United Sports 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/001/2020) was publically advertised in the Wanganui River City Press on the 10th June 2021. No public 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

Station United Sports Club Incorporated made the application on the prescribed form received on the 9th June 2021. The application for renewal of Club Licence is in relation to the clubs premises at 39 Peat Street, Whanganui.

The general nature of the business is that of a sports (general) club. The Station United Sports Club has been incorporated since May 2015 and has held a liquor licence for a number of years prior to that. 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 and the premise has not come to the notice of officials during the renewal period.

A letter was provided by the applicant advising that the premises has a current and compliant evacuation scheme in place.

The complete file included –

- The application
- Floor plan
- Reports from Police, Medical Officer of Health and Inspector
- Club's Host Responsibility Policy
- Club Rules
- Club Constitution
- Certificate of Incorporation
- Fire Evacuation Scheme letter of compliance from applicant
- Letter of explanation from applicant as to reason for late application
- Food / Drink list menu
- Floor Plan
- Copy of current licence
- Notice of renewal
- Copy of public advertisement
- Photo showing compliance with s.101(a) public notice requirement

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 and located and run a licence on the current site for a number of years. The club has a number of sporting/leisure adjuncts. The applicant has supplied the name of three 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:

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.

- Monday to Wednesday, 7.00pm to 10.00pm,
- Thursday and Friday, 5.00pm to 12.00 midnight,
- Saturday, 12.00noon to 12.00midnight,
- Sunday, 10.00am to 8.30pm.

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

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

A floor plan was provided with the application and indicates that no changes to layout have been made since the previous renewal. The layout appears to function satisfactorily. A continued 'supervised' designation is supported.

(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 and leisure activities.

(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:

One historical noise issue raised from early 2017 which appears to have been resolved with no repeat complaints. 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 2 August 2021 of no opposition.

3.2 Medical Officer of Health - Report received on 2 August 2021 of no opposition.

3.2 Licensing Inspector – Full report dated 5 August 2021. The inspector is satisfied the application is complete and having regard to the required criteria together with the performance of the applicant, has no opposition to the renewal application. The inspector notes concerns with one of the managers nominated however this has been satisfactorily dealt with by the Club and reported on by the Inspector.

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 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:
- **Monday to Wednesday, 7.00pm to 10.00pm,**
 - **Thursday and Friday, 5.00pm to 12.00 midnight,**
 - **Saturday, 12.00noon to 12.00midnight,**
 - **Sunday, 10.00am to 8.30pm.**
- (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.

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

Dated at Whanganui District this 6th day of August 2021.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner

