

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by the
**Wanganui Darts League
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/CL/3/98) was publically advertised in the Whanganui River City Press on the 21st March 2019 with no objections received. No matters of opposition were raised under section 128 and 129 reports; therefore the matter was 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 Darts League Incorporated made the application on the prescribed form received on 12th March 2019. The application for renewal of Club Licence is in relation to the clubs premises situated at 388a Heads Road, Whanganui.

The general nature of the business is that of a sports club (darts). The Club has been incorporated since 1971 and has held a liquor licence of some sort for a good number of those years. The sale and supply of liquor is not the main focus of the Club. The premises is undesignated and has not come to the attention of the authorities in an adverse manner during the renewal period.

The renewal seeks to keep the same hours and conditions of the current licence.

The complete file included –

- The application
- Reports from Police, Medical Officer of Health and Inspector

- Host Policy
- Incorporation details
- Club activities list
- Fire Evacuation Scheme and declaration
- Site plan
- S. 208 request along with decision
- Copy of public 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 ensure the responsible sale and supply of alcohol. There have been no issues raised concerning previous operations so if the policy is followed then continued compliance should be able to be achieved.

(b) the suitability of the applicant:

The applicant is an incorporated society since 1971. The applicant has supplied the name of one certified manager for the Club which is considered as the bare minimum for the Club. In saying this the manager is very conscientious and the Club is not open for sale and consumption that often. The applicant appears to have appropriate systems, staff and training to comply with the law. Suitability 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 Friday, 5.00 pm to 12.00 midnight,
- Saturday, Sunday and public holidays, 9.00 am to 12.00 midnight.

This is seen as adequate and has operated without incident.

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

No CPTED assessment received with application but I concur with inspectors comment that there are no concerns with the layout of this premises. The floor plan provided has worked well over the years.

(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:

Sports, darts principally.

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

One certified manager is adequate, the club implements good host responsibility measures and attends training events.

(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#). (see 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 agree with inspector's assessment.

(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 report received within statutory timeframe therefore we must assume there is no opposition.

3.2 Medical Officer of Health - Report received on 4th April 2019, of no opposition.

3.2 Licensing Inspector – Full report dated 17th April 2019. The inspector was satisfied the application is complete and appears to meet the criteria for renewal.

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 is issued subject to the following conditions –

- (a) Administrative requirements as per s.61 (a), (b), and (c)
- (b) 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.
- (c) Liquor may only be sold only on the following days and during the following hours:
 - **Monday to Friday, 5.00pm to 12.00midnight,**
 - **Saturday, Sunday and Public Holidays, 9.00am to 12.00 midnight.**
- (d) At all times when the premises are open for the sale and supply of alcohol, a reasonable range of food is to be available for sale and consumption on the premises, in portions suitable for a single customer,—
 - at reasonable prices; and
 - within a reasonable time of being ordered, and
 - Notifiable to customers through appropriate notices throughout the premises.
- (e) The licensee must ensure that signs are predominantly displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.
- (f) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.

(g) The license 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 23 day of April 2019.

Signed



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Stuart Hylton
Whanganui District Licensing Commissioner