

**Application**

SP1432

**IN THE MATTER**

the Sale and Supply of Alcohol  
Act 2012

**AND**  
**IN THE MATTER**

of an application by  
Quota Club Te Kuiti Incorporated  
for a special licence  
pursuant to section 138 of the  
Act

**DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE**

1. The application for an on-site special licence is granted. The special licence may issue immediately.
2. Quota Club Te Kuiti Incorporated is authorised to sell and supply alcohol, at 71 Taupiri Street, Te Kuiti to any person attending the Hot Rod and Motorbike Club Poker Poker Run.
3. This licence is subject to the following conditions:
  - (a) A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it and all staff must be familiar with the conditions.
  - (b) Alcohol may be sold under the licence on Saturday 19 November 2022, from 3.00pm to 8.00pm.
  - (c) Alcohol may be sold or supplied to people present participating in the event this licence is issued for.
  - (d) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Waitomo District Licensing Committee on 12 November 2022 and no alcohol is to be taken out of this area.
  - (e) The holder of a manager's certificate shall be on duty and on the premises at all times alcohol is sold. A sign shall be displayed identify the duty manager.
  - (f) The entire premises is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian), except for the bar and smoking area which is designated as a restricted area (no persons under 18 are permitted on the premises).

- (g) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point of sale appropriate signs detailing these restrictions.
- (h) Drinking water must be freely available from the bar and this must be clear to customers while the premises is open for the sale and supply of alcohol.
- (i) Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol in accordance with the menu submitted with the application for this licence, or variations of a similar range and standard.
- (j) A range of low-alcohol (less than 2.5% by volume) and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- (k) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed. The availability of the courtesy van to transport patrons home from the premises shall be promoted.

## **REASONS**

1. This is an application by Quota Club Te Kuiti Incorporated for a special licence for the Hot Rod and Motorbike Club Poker Poker Run to be held at 71 Taupiri Street, Te Kuiti.
2. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
3. The Licensing Inspector, Police and Medical Officer of Health have no objection to this application for a special licence (s 141). Accordingly, this application is decided on the papers (s 202).
4. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
5. In deciding whether to grant a special licence the District Licensing Committee must have regard to the criteria in s 142 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
  - a) What is the nature of the event? Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
  - b) Is the applicant suitable?
  - c) Will the amenity and good order of the locality be reduced to more than a minor extent by the effects of the issue of the licence?
  - d) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
  - e) Is the design and layout of the premises suitable? Are any areas of the premises designated restricted or supervised areas?

- f) Does the applicant have appropriate systems, staff and training to comply with the law? What steps will the applicant take to ensure that alcohol is not sold to prohibited persons?
- g) What proposals does the applicant have in relation to the sale and supply of non-alcoholic drinks and food, low-alcohol drinks and the provision of help with or information about alternative forms of transport from the premises?
- h) Have the Inspector, Police and Medical Officer of Health raised any relevant considerations?
- i) Does the application comply with the Waitomo District Local Alcohol Policy?

**Should the special licence be granted?**

6. The Quota Club describes the event as a fund-raiser poker run for classic car and motorcycle enthusiasts. The drivers travel to five different locations and collect a card from each location, returning to the Quota Club afterwards. The team with the best poker hand wins a prize. The event commences with registration at 9.00am and breakfast and the Poker Run begins at 10.00am. Proceeds go to the Quota club and will then be distributed to St Johns and the Fire Service in Te Kuiti. It is expected that 200 people will attend the event. Minors are to leave the premises by 8.00pm and no alcohol will be permitted in the outside grassed areas (carpark and grassed area) after 8.00pm. Music via Bluetooth will be played inside the club. Cars and bikes will be on display.
7. The licensing committee is satisfied that Quota Club Te Kuiti Incorporated is a suitable applicant to hold a special licence. The club currently holds a club licence and has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The issue of a special licence for this event will allow the applicant to sell alcohol to non-members of the club attending the event. Two Duty Managers will be present on the premises for the duration of the proposed event to ensure compliance with the Act. The application has been assessed by the Licensing Inspector to be compliant with the Local Alcohol Policy.
8. The special licence is sought for Saturday 19 November 2022, from 1.00pm to 1.00am the following day, for the interior of the premises and until 8.00pm for the exterior of the premises. The designation sought is supervised, except the bar and smoking area, which will be restricted.
9. The licensing committee is concerned about the duration of the special licence over a 12-hour period, and the potential for intoxication with long periods of alcohol consumption. The club provided very little information about the programme and what would be taking place over this time period. This is especially concerning given that the focus of the event is driving cars and motorcycles.
10. In a direction dated 15 November 2022, the licensing committee asked the Quota Club Te Kuiti Incorporated to provide further information about the event programme and the reason why a special licence is required for such a long period of time. In addition, further information about the menu and what will be provided over the whole programme was requested.
11. Two responses were received from the Quota Club Te Kuiti Incorporated and a different programme was provided in each response. One indicated that the Poker run would begin at 11.00am and would return to the Club between 3.30 and 4.00pm when the poker cards would be handed in, followed by the prizegiving and presentations at 5.00pm. The other response indicated that the poker run would begin at 11.00am and that participants would

return to the Club between 1.30 and 2.00pm and the prizegiving would be at 2.30pm. The only other activity mentioned is that the owners would showcase their vehicles to the public.

12. There is no time left to seek clarification about the two different programmes, therefore the licensing committee will assume that the most recent communication received by email at 6.21pm on Thursday 17 November is correct. This one indicates that participants will not return to the Club until 3.30 to 4.00pm. Therefore, allowing some flexibility for participants arriving slightly earlier, the licence is granted from 3.00pm. There is no justification for the licence to start at 1.00pm as requested. There is no evening programme provided to justify a 1.00am finish. The programme indicates a prizegiving and speeches at 5.00pm. Therefore, allowing time for this to be completed, the licence is granted until 8.00pm. This effectively allows five hours for participants to return to the Club and display their vehicles and for the prizegiving and presentations to take place.
13. Given the nature of the event and the venue it is not likely that the issue of the special licence will adversely affect neighbouring properties. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence.
14. The licensing committee is satisfied that the applicant will provide sufficient food, low alcohol and non-alcoholic refreshments. Free water will be provided at the bar. The use of a courtesy van will be promoted as a safe option for transport home from the event.

#### **Conclusion**

15. The licensing committee is satisfied that the grant of the special licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol. Therefore, the application for a special licence is granted.

Dated this 17th day of November 2022



Sara Grayson  
Commissioner  
Waitomo District Licensing Committee