

Application	SP1226
<u>IN THE MATTER</u>	the Sale and Supply of Alcohol Act 2012
<u>AND</u>	
<u>IN THE MATTER</u>	of an application by Te Anga Pig Hunting Club for a special licence pursuant to section 138 of the Act

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The application for an on-special licence is granted. The special licence may issue immediately.
2. Te Anga Pig Hunting Club is authorised to sell and supply alcohol, on the premises situated at Coast Community Recreational Hall and Sports Centre to any person attending the Pig Hunting Competition 2017.
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 only on Saturday 13 May 2017 from 3.00pm to 11.00pm.
 - (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 18 April 2018 and no alcohol is to be taken out of this area.
 - (e) The persons nominated to manage the conduct of the sale and supply of alcohol at all times the premises is open for the sale and supply of alcohol are Colin McQuilkan and Andrew Leonard-Rogers and a sign shall be prominently displayed inside the premises which identifies by name the person responsible for the management of the sale and supply of alcohol under the licence.
 - (f) 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.

- (g) 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.
- (h) 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.
- (i) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- (j) 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.
- (k) The bar is designated as a restricted area (no persons under 18 can be in the bar area). The main hall is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian). The remainder of the premises is undesignated.

REASONS

1. This is an application by Te Anga Pig Hunting Club for a special licence for Pig Hunting Competition 2017 to be held at Coast Community Recreational Hall and Sports Centre on Saturday 13 May 2017 from 3.00pm to 11.00pm. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
2. The Liquor 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).
3. The purpose of the Act is to put in place a new system of control over the sale and supply of alcohol (s 3). 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).
4. 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?
5. Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

- 6. The event is a pig hunting competition and up to 100 people are expected to attend. The proposed trading hours are reasonable. The application complies with the Waitomo District Local Alcohol Policy
- 7. The licensing committee is satisfied that Te Anga Pig Hunting Club is a suitable applicant to hold a special licence because the organising committee members are well respected and well organised.
- 8. Te Anga Pig Hunting Club does not propose to have a certificated duty manager at this event. However, the licensing committee is satisfied that an exemption may be granted from the requirement to appoint a duty manager (s 213). The function is relatively small and Te Anga Pig Hunting Club is capable of managing it without a certificated duty manager. Colin McQuilkan and Andrew Leonard-Rogers will take responsibility for the management of the event and ensure that it complies with the Act. Andrew Leonard-Rogers is a farmer and the club president. Colin McQuilkan has operated the bar for 15 previous events held under a special licence. There have been no adverse reports of any breaches of the Act or conditions of the licence for this event over the past three years.
- 9. The licensing committee is satisfied that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly and that harm caused by inappropriate or excessive consumption of alcohol is minimised. 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.
- 10. 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. Assistance with transport home from the premises will be provided.

Conclusion

- 11. 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.

12. Therefore, the application for a special licence is granted.

Dated this 30th day of April 2017

A handwritten signature in black ink, appearing to be 'Sara Brown', written in a cursive style.

Sara Brown
Commissioner