

Decision Number: 019/CLUB/001/2015

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by **Te Kuiti Squash Rackets Club Incorporated** pursuant to s.100 of the Act for a **Renewal of Club Licence**

BEFORE THE WAITOMO DISTRICT LICENSING COMMITTEE

Chairperson: Diane Sharpe

MEETING at Te Awamutu / Cambridge on the 13th day of February 2015

INTRODUCTION

The Waitomo District Licensing Committee has before it an application by **Te Kuiti Squash Rackets Club Incorporated** pursuant to section 100 of the Act for a **Renewal of Club Licence**

Reports have been received from the Police, Medical Officer of Health and a Licensing Inspector. The application has been publically notified in accordance with the Act.

There are no objections to this application by reporting agencies or the public in respect to this application, and it is therefore determined on the papers by the Chairperson alone in accordance with section 191(2) of the Act.

THE APPLICATION:

The application was in the correct form and accompanied by the required supporting documents and fee. The application is to renew the club licence at the premises known as the Te Kuiti Squash Rackets Club.

DECISIONS AND REASONS

The criteria to which this committee must have regard are detailed in section 105 of the Act.

"105 Criteria for issue of licences

(1) In deciding whether to issue a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

- (a) the object of this Act:*
- (b) the suitability of the applicant:*
- (c) any relevant local alcohol policy:*
- (d) the days on which and the hours during which the applicant proposes to sell alcohol:*
- (e) the design and layout of any proposed premises:*
- (f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
- (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:*

- (h) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:
- (i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—
 - (i) they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but
 - (ii) it is nevertheless desirable not to issue any further licences:
- (j) whether the applicant has appropriate systems, staff, and training to comply with the law:
- (k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.

(2) The authority or committee must not take into account any prejudicial effect that the issue of the licence may have on the business conducted pursuant to any other licence"

SUITABILITY OF THE APPLICANT

The Club Secretary is Emilee Grainger and there are no suitable issues associated with the club secretary. The police have raised no objection.

LOCAL ALCOHOL POLICY

The Waitomo District Local Alcohol Policy is still provisional and cannot formally be considered. As a renewal of an existing club licence with hours proposed from 7:30am to 12:00 midnight it is unlikely to comply were the policy in force. The draft policy states:

5.0(f) No club licence shall be issued or renewed with hours that exceed the following: Monday to Sunday 9:00am to 1:00am the following day.

DAYS AND HOURS

The applicant proposes no changes to the hours of Monday to Sunday 7:30am to midnight. However, the default maximum trading hours (section 43 of the Act) now apply and therefore the club licence can only be renewed with hours from 8:00am.

DESIGN AND LAYOUT OF THE PREMISE

The premises are located on the site at Ngarongo Street, Te Kuiti on the perimeter of Centennial Park. The premises is formed from a two storey stand alone building with a small bar on the first floor as illustrated in the plans provided with the original licence application. There are no proposed changes.

SALE OF GOODS AND SERVICES OTHER THAN THOSE RELATED TO ALCOHOL

There are no goods sold other than those associated with the game of squash.

REDUCTION OF AMENITY AND GOOD ORDER

There are several sensitive sites within 500 metres of the applicant's premises: Centennial Park School located in Te Kuiti Road, a BMX track and a netball court.

Dwellings are located opposite the applicant's premises.

The applicant has indicated that the premises is not utilised for functions other than birthday parties for children of primary school age.

No complaints have been received directly by Waitomo District Council concerning noise issues associated with the applicant's premises.

There are no other licensed premises within the immediate vicinity of the applicant's premises.

The amenity and good order of the locality would not be reduced even by a minor extent by the effects of the renewal of the licence.

SYSTEMS, STAFF AND TRAINING

The applicant has indicated there are systems, staff and training of those staff in place to ensure compliance with the Act. These include a host responsibility policy, low alcohol drinks and a range of non alcoholic drinks, food available until time of closure, prohibited persons signage displayed, experienced club manager, free use of a telephone for patrons to call for transport and use of sober drivers promoted.

ISSUES RAISED BY REPORTING AGENCIES

No issues have been raised by reporting agencies.

THE PUBLIC

The application was duly advertised in accordance with the Act. No public objections were received.

CONCLUSION

Being satisfied as to the matters to which the Committee must have regard in s.105 of the Act the application is granted. ***The licence can be renewed and issued immediately for a three year period***, subject to the following conditions:

- (a) Alcohol may only be sold, for consumption on the premises, to:
 - i) **Any member of the club; or**
 - ii) **Any person who is a guest of, and is accompanied by, a member of the club; or**
 - iii) **Any member of any other club with which the holder of the licence has an arrangement for reciprocal visiting rights for members of the clubs.**
- (b) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1.00 pm on Anzac Day.
- (c) Alcohol may be sold under the licence only on the following days and during the following hours:
 - **Monday to Sunday 8.00am to 12.00 midnight**
- (d) Food must be available for consumption on the premises as follows:
 - i) A range of food choices must be readily available at all times that the premises are open. Menus must be visible at the bar and food should be actively promoted. A minimum of four types of food should be available.
- (e) The licensee must have available for consumption on the premises, at all times when alcohol may be sold under the licence, a reasonable range of non-alcoholic and low-alcohol beverages.
- (f) Drinking water must be freely available at the following places while the premises are open for business: at the drinking fountain and from the kitchen.
- (g) The licensee must take the following steps to ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons;
 - (ii) Request evidence of age documents from any person appearing to be under the age of 25.

- (h) The licensee must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
- (i) All staff will be trained in their responsibilities under the Act;
 - (ii) A sign shall be prominently displayed inside the premises, which identifies by name the manager on duty.
- (i) The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.
- (j) The licensee to have a club secretary at all times.
- (k) Within 10 working days of the appointment of a new club secretary, the licensee must inform the District Licensing Committee of the name of the new secretary.
- (l) All proceeds from the sale of alcohol belong to the licensee.

DATED at Te Awamutu / Cambridge this 13th day of February 2015



Diane Sharpe
Chairperson
Waitomo District Licensing Committee