

Decision

Under Section 142 and 187 of the Sale and Supply of Alcohol Act 2012



Applicant:	Gore Pakeke Lions
Reference:	071/SPL/282/2017
Application type:	Special Licence
Event:	Monthly Club Meals
Date :	6 July, 3 August, 7 September, 5 October, 2 November, 7 December 2017, 1 February, 1 March, 5 April, 3 May, 7 June, 5 July and 2 August 2018
Time:	5:45pm – 6:30pm
Date of Decision:	3 July 2017

Decision:

The decision to grant the licence was made because the Chairperson of the Gore District Licensing Committee, acting under authority delegated by the Gore District Council, was satisfied that the sale, supply and consumption of alcohol will be undertaken safely and responsibly, and that the harm caused by the excessive or inappropriate consumption of alcohol will be minimised. The decision was made after considering information contained in reports from the Gore District Council Licensing Inspector, the New Zealand Police, and the Medical Officer of Health.

Reports from Agencies:

On 20 June 2017 the application was referred to the Gore District Licensing Inspector, New Zealand Police and Medical Officer of Health. The following reports were provided under Section 141 of the Act:

Gore District Licensing Inspectors report and conditions:

On 3 July the Gore District Licensing Inspector provided the following report and recommended conditions.

The Gore District Licensing Inspector has no objections. The inspectors report is below:

OVERVIEW OF EVENT

The licensee for this event is the Gore Pakeke Lions who has applied for a special licence for their club meal where they will have a guest speaker attend on 6 July, 3 August, 7 September, 5 October, 2 November, 7 December 2017, 1 February, 1 March, 5 April, 3 May, 7 June, 5 July and 2 August 2018.

The applicant indicates that they may have up to 90 members attend with an age bracket of 55 years or older.

The events are advertised in their club newsletter only and are not open to members of the public.

The events are held in the Gore Senior Citizens Centre, 10B Ardwick Street, Gore. The applicant does not own the premises and has provided written approval from the president of the senior citizens club to use their clubrooms.

Those attending are provided with a catered meal. There will be one certificated manager on duty who will be assisted by two additional staff.

Alcohol (beer, wine, and spirits) will be sold through a cash bar and will be provided in glass bottles and glasses. The applicant has indicated that alcohol is only available for 45 minutes before the meal is served. A range of non-alcoholic drinks along with tea and coffee are available at all times. There is free drinking water in the bar and on all tables.

STATUTORY CRITERIA

The Object of the Act

The application states satisfactory Host Responsibility Procedures that, if followed correctly, will ensure the sale, supply and consumption of alcohol will be undertaken safely and responsibly and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The nature of the particular event for which the licence is sought and, in particular,-

- (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low alcohol refreshments, and food, and if so, which goods; and**
- (ii) whether the applicant is engaged in, or proposes at the event 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**

No

The suitability of the applicant

The applicant is not the owner of the premises but uses the senior citizens centre for their monthly meeting and meal.

Local Alcohol Policy

The Local Alcohol Policy (LAP) came into force on 31 May 2016. The Local Alcohol Policy allows for discretionary conditions to be imposed on special licences.

The following should be considered:

A. Premises layout and design

- (i) Design and layout requirements**
- (ii) Minimum seating requirements**
- (iii) Maximum number of patrons**

The premises layout and design is appropriate for these events.

B. Staffing

- (i) Training requirements for staff
- (ii) Management requirements in relation to staff (e.g. number of staff, duty managers)
- (iii) Prescribed ratio of security staff to patrons
- (iv) Uniform requirements (e.g. high visibility security vest for security staff)

The application has detailed adequate staffing for this event.

C. Host responsibility

- (i) Queue management

It is not envisaged that there will be any issues with queues at these events.

- (ii) Provision of food

A catered meal is provided.

- (iii) Management of an event in such a way as to reduce abuse of alcohol (consideration should be given to the following discretionary conditions if applicable):

- Ten minutes of “no alcohol service” every hour
- No “shots” served after midnight
- Limits on the number of drinks sold in any one transaction
- Restrictions on use of glass vessels
- Minimum wind-down periods (or short duration closings – to encourage a break in drinking and food consumption)
- Restrictions on discounts (e.g. “happy” hours)
- Steps to prevent sales to minors
- One-way door policy
- Entry or “cover charge”
- Restrictions on activities (e.g. drinking games, cage fights)
- Provision of a place of safety for any intoxicated patrons
- Limiting the sale of undiluted spirits close to closing time
- Restricting the number of serves per sale at large scale events
- Support mechanisms for sober drivers
- Advertising proposed for the event
- Advertising of alcohol promotions or “specials”
- Procedures that will ensure that minors only receive legal alcohol on the premises/event
- Requiring the presence of a Duty Manager

Consideration has been given to the above discretionary conditions and given the nature of these events I do not believe any additional conditions are required in this instance.

Availability of transport home for patrons

Transport options detailed in the application are adequate.

D. Amenity and good order

- (i) Cleaning the outside of the premises and immediate environs
- (ii) Use of CCTV
- (iii) Signage and advertising

This event is being held inside and alcohol is not permitted to be taken outside the building.

E. Management of incidents

- (i) Licensee to keep a register of incidents
- (ii) Mandatory notification to Police of violent incidents

Best practice is for all licensees to record any issues that occur before, during or after an event.

F. CPTED Principles

Licensees should consider CPTED principles when planning events.

The Policy also states for special licences that under Section 2, Trading Hours there is "no restriction, however application for special licences will need to justify the hours requested in terms of the purpose of the function or event".

I believe this is appropriate for the event.

Whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence

Based on the information in the application I do not believe that the amenity and good order of the area will be decreased by the issue of this special licence.

The days on which and the hours during which the applicant proposes to sell alcohol

The applicant has applied for the following days and hours:

5.45pm to 6.30pm on Thursdays 6 July, 3 August, 7 September, 5 October, 2 November, 7 December 2017, 1 February, 1 March, 5 April, 3 May, 7 June, 5 July and 2 August 2018

The hours are from 5.30pm to 9.30pm and the applicant has advised that alcohol will only be available for 45 minutes before the meal and guest speaker begins. I believe that these hours are appropriate for these events.

The design and layout of the premises

The sale and supply of alcohol is authorised to occur at the Gore Senior Citizens Centre located at 10B Ardwick Street, Gore.

Whether the applicant has the appropriate systems, staff and training to comply with the law

The proposed manager for these events will be Russell Sinclair Powley who is not the holder of a manager's certificate. I feel that Russell is capable of managing these events, and he is aware of his host responsibilities.

Russell will be assisted during the evening by two additional club members.

Any area of the premises that the applicant proposes should be designated as restricted areas or supervised areas

The clubrooms will be designated as a supervised area.

Any steps the applicant proposes to take to ensure that the requirements of the Act in relation to the sale and supply of alcohol to prohibited persons are observed

The manager has stated that only approved photo identification will be accepted, and no intoxicated persons will be allowed on the premises, and the manager will instruct or otherwise provide information to bar assistants and servers on their responsibilities in this regard.

Signs should be displayed prominently stating no alcohol shall be sold and supplied to minors or intoxicated persons

The applicants proposals relating to-

- (i) the sale and supply of non-alcoholic drinks and food; and**
- (ii) the sale and supply of low-alcohol drinks; and**
- (iii) the provision of help with to the information about alternative forms of transport from the premises**

The applicant has stated they will provide the following Host Responsibility matters.

- A range of substantial food shall be available at all times alcohol is available for sale and supply.
- At all times alcohol is available for sale and supply a range of non-alcoholic refreshments and low-alcohol beverages shall be available.
- Water shall be freely available and promoted by way of a large sign at the water station.
- Provide assistance with or information about alternative forms of transport from the premises, such as advising patrons that a courtesy coach is available.

All host responsibility requirements stated in the application are satisfactory for the event.

Any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under section 141

New Zealand Police and the Medical Officer of Health had no objections to the application.

CONCLUSION AND RECOMMENDATIONS

I, as the Licensing Inspector, have no objections to the issue of this Special Licence. I recommend that the District Licensing Committee grants a Special Licence, with the following conditions:

- a) Alcohol may be sold under the licence only on the following days and during the following hours:
5.45pm to 6.30pm on Thursdays 6 July, 3 August, 7 September, 5 October, 2 November, 7 December 2017, 1 February, 1 March, 5 April, 3 May, 7 June, 5 July and 2 August 2018
- b) The manager for the event shall be Russell Sinclair Powley who will be assisted by two additional club members each evening.
- c) A catered meal is provided to all people attending.
- d) A range of non-alcoholic refreshments shall be available at all times.
- e) Assistance with alternative transport shall be available at all times alcohol is available for sale and supply and actively promoted.
- f) Free drinking water must be provided at all times alcohol is available for sale and supply and actively promoted.
- g) Notices are to be displayed promoting the availability of the above at every point of sale.
- h) BYO will not be allowed on the premises.
- i) Alcohol will be sold and supplied in glassware and stubbies.

- j) Only approved ID will be accepted, no intoxicated persons will be allowed on the premises and signs should be prominently displayed at every point of sale stating no alcohol shall be sold or supplied to minors or intoxicated persons.
- k) The whole of the clubrooms shall be designated as a supervised area.
- l) The Licensee will ensure all practical steps are taken to disperse the crowd in a safe and orderly manner.
- m) The Licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.

- n) A copy of this licence must be displayed within the premises, as well as the full name of the manager on duty in accordance with the Act, and a copy of the licence carried by the duty manager throughout the duration of the event.

New Zealand Police Report:

On 21 June 2017 the Gore Police provided comment regarding the application.
The Gore Police have no objections.

Medical Officer of Health Report:

On 23 June 2017 the Medical Officer of Health provided comment regarding the application
The Medical Officer of Health had no objections.

Right of Appeal:

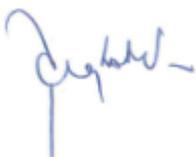
You have a right to appeal the decision of the Gore District Licensing Committee under Sections 154 and 155 of the Act. You must give notice of an appeal within ten working days after the date on which notice of the decision is given to you.

The notice of appeal must –

- (a) Be in writing; and
- (b) Specify the grounds of appeal in sufficient detail to fully inform the Gore District Licensing Committee and other parties of the issues in the appeal; and
- (c) Be sent to the Secretary of the Gore District Licensing Committee; and
- (d) Be accompanied by the prescribed fee.

Decision under Sections 142 of the Sale and Supply of Alcohol Act 2012

That the application is granted and a licence issued. This decision is made after considering information contained in reports from the Gore District Council Licensing Inspector, the New Zealand Police and the Medical Officer of Health. I am satisfied that the sale, supply and consumption of alcohol will be undertaken safely and responsibly, and that the harm caused by the excessive or inappropriate consumption of alcohol will be minimised.



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Cr Bret Highsted
Chairperson
Gore District Licensing Committee

Date 4 July 2017

