

OTOROHANGA DISTRICT LICENSING COMMITTEE

Application	018-0089
<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 Claire Robertson for Kio Kio School Supporters Committee for a special licence pursuant to section 138 of the Act

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The application for a special licence is granted. The special licence may issue immediately.
2. Claire Robertson for Kio Kio School Supporters Committee is authorised to sell and supply alcohol, on the premises situated at Kio Kio School to any person attending Fundraising Quiz Night.
3. This licence is subject to the following conditions:
 - (a) Alcohol may be sold under the licence only on Friday 22 June 2018 between the hours of 6.00pm and 12 midnight.
 - (b) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 2 May 2018 and no alcohol is to be taken out of this area.
 - (c) The holder of a manager's certificate shall be on duty and on the premises at all times alcohol is sold. If a certificated duty manager is unavailable due to illness, the person 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 is Claire Robertson. 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.
 - (d) 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
 - (e) Drinking water must be freely available from the bar and at each table and this must be clear to customers while the premises is open for the sale and supply of alcohol.
 - (f) 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.

(g) 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.

(h) A courtesy van shall be promoted as safe transport home from the event.

(i) The entire premises is to be undesignated.

REASONS

1. This is an application by Claire Robertson for Kio Kio School Supporters Committee for a special licence for a Fundraising Quiz Night to be held at Kio Kio School on Friday 22 June 2018 between the hours of 6.00pm and 12 midnight. The application was filed more than 20 working days prior to the event as required by section 137.
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 Otorohanga District Local Alcohol Policy?
5. The licensing committee may refuse a special licence even if there was no objection to the application (s 144). Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

6. Approximately 100 people are expected to attend the ticketed fundraising event. The event will encompass a quiz as well as an auction of goods and services and the proceeds will go to the school to update equipment. The licensing committee is satisfied that proposed hours are reasonable.

7. The Licensing Inspector reports that the application does comply with the Otorohanga District Local Alcohol Policy.
8. The licensing committee is satisfied that Claire Robertson for Kio Kio School Supporters Committee is a suitable applicant to hold a special licence. The Kio Kio School Supporters Committee have been granted a number of special licences for similar fundraising events in the past and have demonstrated compliance with the Act. Claire Robertson is the deputy chairperson of the committee.
9. 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 design and layout of the premises is suitable given the temporary nature of the licence. The entire premises is to be designated as an unsupervised area. This is appropriate given that some minors are attending the event.
11. A certificated duty manager will be working at this event. However, Claire Robertson for Kio Kio School Supporters Committee has asked to be appointed as a nominated manager in addition to the certificated duty manager. It is unclear why this request has been made as no reasons were given on the waiver form, however it is assumed this is a backup option in case the duty manager becomes unavailable due to illness. The licensing committee is satisfied that an exemption may be granted from the requirement to appoint a duty manager (s 213) in the event that a certificated duty manager is unavailable due to illness. This is a relatively small event and Claire Robertson for Kio Kio School Supporters Committee is capable of managing it without a certificated duty manager. The licensing committee is satisfied that Kio Kio School Supporters Committee will provide a briefing to the volunteer bar staff based on the Alcohol Management Plan submitted with the application.
12. The licensing committee is satisfied that the applicant will provide sufficient food, low-alcohol and non-alcoholic refreshments. Free water will also be provided. The school van and designated sober drivers will be used to provide safe transport home from the event.

Conclusion

13. 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.
14. Therefore, the application for a special licence is granted.

Dated at this 27th day of May 2018



Sara Grayson
Commissioner
District Licensing Committee