

ŌTOROHANGA DISTRICT LICENSING COMMITTEE

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| Decision | 018-0556 |
| <u>IN THE MATTER</u> | the Sale and Supply of Alcohol Act 2012 |
| <u>AND</u> | of an application by |
| <u>IN THE MATTER</u> | Kio Kio School Board of Trustees 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. Kio Kio School Board of Trustees is authorised to sell and supply alcohol, on the Kio Kio Community Hall premises situated at 7 Ellis Road, Ōtorohanga to any person attending the Rio Carnival Annual Mid-Winter Fundraiser
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 10 May 2025, from 6.00pm to 12midnight.
 - (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 District Licensing Committee on 13 March 2025 and no alcohol is to be taken out of this area.
 - (e) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.
 - (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: spit meat, burgers and salad available throughout the event.
- (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 entire premises is designated as a restricted area (no persons under 18 are permitted on the premises).

REASONS

1. This is an application by Kio Kio School Board of Trustees for a special licence for a Rio Carnival Fundraising event to be held at the Kio Kio Community Hall, 10 May 2025. 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 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). 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 Ōtorohanga District Local Alcohol Policy?
4. 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.

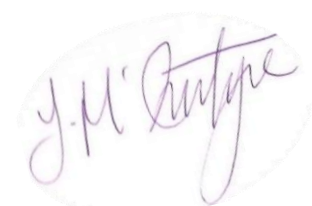
Should the special licence be granted?

5. The event is a fundraiser for Kio Kio School to help update school equipment. The Board of Trustees has confirmed that this is a ticketed event and includes a live band by way of entertainment and an auction. Tickets are purchased through the school office. Approximately 150 people expected to attend this event and most attendees will be known to the community. The licensing committee is satisfied that the proposed trading hours are reasonable.
6. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.
7. The Licensing Committee is satisfied that the Kio Kio School Board of Trustees is a suitable applicant to hold a special licence. The Trust is a body corporate pursuant to section 18(1) of the School Trustees Act 1989 and has previously held special licences for similar fundraising events, which have been conducted without any issues. An experienced, certificated Duty Manager will be responsible for ensuring compliance with the Act, and all staff are trained in its requirements.
8. 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. The applicant has advised patrons will be served a maximum of 4 drinks per serve and after 10p.m this reduces to 2 drinks per serve. The bar will cease service at 11.30p.m in preparation for the end of the event.
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. The licensing committee is satisfied that the design and layout of the premises is suitable given the temporary nature of the licence. The licensed area includes a bar and main meal serving are. Water and snack foods will be presented on tables and in the bar area and will be available for the duration of the event. The entire premises is to be a restricted area.
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. The use of sober driver, uber and taxi services will be promoted as a safe option for transport home from the event.

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 at this 7th day of April 2025



Tegan McIntyre
Commissioner
Ōtorohanga District Licensing Committee