

## ŌTOROHANGA DISTRICT LICENSING COMMITTEE

<b>Decision</b>	018-0561
<b><u>IN THE MATTER</u></b>	the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b> <b><u>IN THE MATTER</u></b>	of an application by Ōtorohanga District Council 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. Ōtorohanga District Council is authorised to sell and supply alcohol, on the Ōtorohanga Library premises situated at 27 Turongo Street, Ōtorohanga to any person attending a Meet the Author event on 29 April 2025.
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 Tuesday 29 April 2025, from 5.15pm to 7.00pm
  - (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 District Licensing Committee on 27 March 2025 and no alcohol is to be taken out of this area.
  - (e) The persons nominated to manage the sale and supply of alcohol at all times the premises is open for the sale and supply of alcohol are Heather Francis Taylor and Gaylene Donna Cumpstone, and a sign shall be prominently displayed inside the premises identifying the person/s responsible for the management of the sale and supply of alcohol under the licence.
    - (i) All staff will be trained in their responsibilities under the Act;
    - (ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
    - (iii) There must be no consumption of alcohol by staff or managers immediately before or during their shifts.

- (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 area and on tables 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: Finger food platters.
- (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 to be undesignated.

## REASONS

1. This is an application by Ōtorohanga District Council for a special licence for a Meet the Author event to be held at the Ōtorohanga Library on Tuesday 29 April 2025. 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 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?

### Should the special licence be granted?

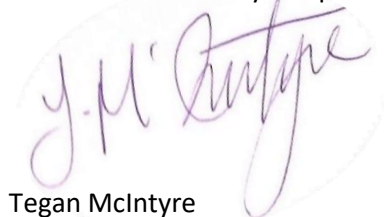
The application is for a book marketing event, providing an opportunity for the author to meet with their audience. The Library Manager, Heather Taylor, has confirmed that wine will be served, limited to two glasses per person during the event. Similar events have been held at the Ōtorohanga Council Library over the past two years. All guests are greeted at the entrance, and their name registered, and entrance fee of \$5 will apply. Each patron will then receive two “wine vouchers” to redeem during the event. Both food and wine will be provided by the Council. A book sale will follow the event. Approximately 100 people are expected to attend this ticketed event, including minors, as the library is a public space. The Licensing Committee is satisfied that the proposed hours are reasonable.

4. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.
5. The licensing committee is satisfied that Ōtorohanga District Council is a suitable applicant to hold a special licence. Ōtorohanga District Council is entitled to hold an on-site special licence because it is a crown entity (s28(h)) and has demonstrated compliance with the Act.
6. 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.
7. 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 undesignated.
8. Ōtorohanga District Council 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). This is a small private function and Ōtorohanga District Council is capable of managing it without a certificated duty manager. The licensing committee is satisfied that the applicant will have trained bar staff on the premises that are aware of their responsibilities and obligations under the Act. Finally, Heather Taylor and Gaylene Cumpstone will take responsibility for the management of the event and ensure that it complies with the Act.
9. 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 use of taxi services will be promoted as a safe option for transport home from the event.

### Conclusion

10. 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.
11. Therefore, the application for a special licence is granted.

Dated at this 15<sup>th</sup> day of April 2025



Tegan McIntyre  
Commissioner  
Ōtorohanga District Licensing Committee