

LICENSING COMMITTEE

Application	018-0303
<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>	Otewa 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. Otewa School Board of Trustees is authorised to sell and supply alcohol, on the premises situated at the Otewa Hall to any person attending Friday 11 June 2021, from 6.00pm to 12.00 midnight.
3. This licence is subject to the following conditions:
 - (a) Alcohol may be sold under the licence only on Friday 11 June 2021, from 6.00pm to 12.00 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 21 May 2021 and no alcohol is to be taken out of this area.
 - (c) 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 Angela Joy Wilson and 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 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 telephone must be freely available for customers to call for transport and staff must assist is required. A sober driver service must be promoted.
 - (i) The entire premises is to be restricted (no persons under 18 years may attend).

REASONS

1. This is an application by Otewa School Board of Trustees for a special licence for a fundraising quiz night to be held at the Otewa Hall on Friday 11 June 2021, from 6.00pm to 12.00 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 Ōtorohanga District Local Alcohol Policy?

5. The licensing committee may refuse a special licence even if there was no objection to the application (s 144).
6. Sections 146 – 149 of the Act outline the compulsory and discretionary conditions for a special licence.

Should the special licence be granted?

7. The general nature of the event is a quiz night to raise funds for the Otewa Hall. Approximately 130 people are expected to attend the ticketed event for persons over the age of 18 years. The event will include a raffle and auction. The licensing committee is satisfied that proposed hours are reasonable.
8. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy. The licensing committee is satisfied that Otewa School Board of Trustees is a suitable applicant to hold a special licence.
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 a restricted area, as it is an event for over 18 year olds.
11. Otewa School Board of Trustees 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 Otewa School Board of Trustees is capable of managing it without a certificated duty manager. The licensing committee is satisfied that the applicant will have trained volunteer bar staff on the premises that are aware of their responsibilities and obligations under the Act. Finally, Angela Joy Wilson will take responsibility for the management of the event and ensure that it complies with the Act. She has served behind the bar at a previous quiz night and also has previous experience working in the hospitality industry. She completed the HPA online Servewise course on 18 May 2021 and will train volunteer staff in appropriate Host Responsibility practises and the conditions of the licence
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. As there are no taxi services available in the area, a sober driver service must be promoted.

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

Dated this 3rd day of June 2021



Sara Grayson
Commissioner
District Licensing Committee