

OTOROHANGA DISTRICT LICENSING COMMITTEE

Application	SP1476
<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 Otorohanga Polocrosse Club for a special licence pursuant to section 138 of the Act

DECISION OF THE OTOROHANGA DISTRICT LICENSING COMMITTEE

1. The application for an on-site special licence is granted. The special licence may issue immediately.
2. Otorohanga Polocrosse Club is authorised to sell and supply alcohol, on the premises situated at Orahiri Terrace, Otorohanga to any person attending the Polocrosse Carnival.
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 on Saturday 11 March 2017 from 1.00pm to 8.00pm, or if this date is cancelled due to unsuitable weather alcohol may be sold under the licence on Saturday 25 March 2017 from 1.00pm to 8.00pm.
 - (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 Otorohanga District Licensing Committee on 10 February 2017 and no alcohol is to be taken out of this area.
 - (e) The entire premises is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian). A sign must be displayed at the bar and at the principle entrance explaining the supervised designation.

- (f) Evidence of age documents must be requested from any person appearing to be under the age of 25.
- (g) 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 and their name shall be on display.
- (h) 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.
- (i) The principal entrance is to be monitored by security staff at all times.
- (j) 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.
- (k) A reasonable range of food must be available from the Pizza Food truck and Sandwich Bar for consumption on the premises at all times the premises is open for the sale of alcohol.
- (l) 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.
- (m) 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.

REASONS

1. This is an application by Otorohanga Polocrosse Club for a special on-site licence for a Polocrosse Carnival to be held at Orahiri Terrace, Otorohanga on Saturday 11 March 2017 from 1.00pm to 8.00pm. This application was received more than 20 working days prior to the event as required by section 137 of the Act.
2. On 8 March 2017, the Otorohanga Polocrosse Club advised the District Licensing Committee that the event scheduled for Saturday 11 March 2017 was likely to be postponed due to wet weather. An alternative date is proposed for Saturday 25 March 2017, from 1.00pm to 8.00pm. Given that all other aspects of the application remain the same, this late amendment is accepted because it will not alter the assessment of this application against the criteria of the Act.
3. 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).
4. 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).

5. 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?
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 Otorohanga Polocrosse Club is an amateur sports club that competes in New Zealand Polocrosse. They are not an incorporated club. The club intends to host a Polocrosse Carnival and will be hosting district polocrosse teams, spectators and guests. The estimated number of people attending will be up to 250 people, including children. This is the first special licence that the club has applied for.
8. The event is on land to the rear of the Otorohanga Sports Club. A fenced off area will incorporate the bar, food truck and sandwich bar, and a marquee for patrons to sit under and watch the polocrosse event.
9. The licensing committee is satisfied that Otorohanga Polocrosse Club is a suitable applicant to hold a special licence. Club member Ryan Gloyn will oversee the event and he has four years experience managing events and two years bar tending experience. Two other club members, Elizabeth Dunn and Robert Tahī, have been nominated as being responsible for overseeing this event. Vet Ent are sponsoring the event and access to the licensed area is by invite only. There will be a certificated Duty Manager responsible for ensuring compliance with the Act.
10. 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 event will have a supervised designation which means that no persons under 18 can be in the area unless with their parent or legal guardian. A sign at the principle entrance will explain the supervised designation. Two nominated security staff members will be present; one will patrol the perimeter of the licensed area and the other will be stationed at the

principle entrance to check tickets, age identification and to ensure minors are only entering with their parent or legal guardian. If a child arrives with a family group that does not include their parent or legal guardian, then the whole group will be denied entry. A parent or legal guardian will have to sign a slip of paper to confirm their eligibility. On production of acceptable identification, adults will be provided with a wristband to assist the Duty Manager and bar staff to identify minors. Security staff will communicate with bar staff using a two-way radio.

11. The proposed trading hours are reasonable and the proposed date and postponement date are suitable. The event complies with the Otorohanga District Local Alcohol Policy.
12. 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.
13. The licensing committee is satisfied that the applicant will ensure that the sufficient food is provided at all time alcohol is sold. A Pizza Truck and a Sandwich Bar will provide a selection of food. Low alcohol and non-alcoholic refreshments will be available and free water will be provided at the bar. Assistance with transport home from the premises will be provided.

Conclusion

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

Dated this 9th day of March 2017



Sara Brown
Commissioner