

**OTOROHANGA DISTRICT LICENSING COMMITTEE**

<b>Application</b>	018-0008
<b><u>IN THE MATTER</u></b>	the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b>	of an application by
<b><u>IN THE MATTER</u></b>	Kio Kio School Supporters Committee 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. Kio Kio School Supporters Committee is authorised to sell and supply alcohol, on the premises situated at 1701 SH3, Otorohanga to any person attending the Kio Kio School Supporters Quiz Night.
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 Friday 16 June 2017, from 7.30pm to 11.30pm.
  - (c) 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 17 May 2017 and no alcohol is to be taken out of this area.
  - (d) The persons 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 are Karyn Flett and Clare Robertson and a sign shall be prominently displayed inside the premises which identifies by name the persons 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 must be requested from any person appearing to be under the age of 25.
    - iii) There must be no consumption of alcohol by bar staff while on duty.
  - (e) The entire premises is designated as a restricted area (no persons under 18 can be in the area).
  - (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 on the 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, or variations of a similar range and standard.
- (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 courtesy van must be made available to transport patrons from the premises and this assistance must be displayed in a notice to patrons.

## REASONS

1. This is an application by Kio Kio School Supporters Committee for a special licence for the Kio Kio School Supporters Quiz Night to be held at 1701 SH3, Otorohanga. 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 Otorohanga 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. The Kio Kio School Supporters Quiz Night is a fundraising event for up to 150 people. The committee has applied for trading hours of 7.00pm to 12.00 midnight, however the Acting Principal, Karen Coleman has only given permission for the recreation centre to be used from 7.30pm to 11.30pm. Therefore, these are the maximum hours that can be granted.
7. The licensing committee is satisfied that Kio Kio School Supporters Committee is a suitable applicant to hold a special licence. Kio Kio School Supporters Committee has been granted a number special licences in the past and there have been no adverse reports about these events.
8. The application complies with the Otorohanga District Local Alcohol Policy.
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 designated as a restricted area (no persons under 18 can be in the area).
11. Kio Kio School Supporters Committee does not propose to have a certificated duty manager at this event. This is because the committee was unable to find a certificated duty manager for that date. However, the licensing committee is satisfied that an exemption may be granted from the requirement to appoint a duty manager (s 213). The event is relatively small and Kio Kio School Supporters Committee is capable of managing it without a certificated duty manager. Karyn Flett and Clare Robertson will take responsibility for the management of the event and ensure that it complies with the Act. Tickets will be sold to parents and friends of the school, over 18 years of age, and most attendees will be known to the committee.
12. The committee has provided a detailed Alcohol Management Plan, which shows that suitable measures will be taken to ensure that alcohol related harm will be minimised. The Licensing Inspector reports that both Karyn Flett and Clare Robertson have previous bar experience. In addition, other committee members will take charge of the entry and general observation of patrons throughout the evening.
13. The licensing committee is satisfied that the applicant will provide sufficient food, low-alcohol and non-alcoholic refreshments. Free water will also be provided. Two courtesy vans will be available as a safe option for transport home from the event.

### **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 13th day of June 2017



Sara Brown  
Commissioner