

ŌTOROHANGA DISTRICT LICENSING COMMITTEE

Decision	018/0512
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Ōtorohanga Bowls, Croquet and Recreation Club Incorporated for the renewal of a club licence pursuant to section 127 in respect of the premises at 52 Te Kawa Street, Ōtorohanga and known as Ōtorohanga Bowls, Croquet and Recreation Club

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. Ōtorohanga Bowls, Croquet and Recreation Club Incorporated is authorised to sell and supply alcohol on the premises situated at 52 Te Kawa Street, Ōtorohanga and known as Ōtorohanga Bowls, Croquet and Recreation Club Incorporated for consumption on the premises to any authorised customer or visitor as described in the licence conditions.
2. The on-licence 018/CLUB/001/21 is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
3. The present conditions of the licence are replaced as follows:
 - (a) Alcohol may only be sold and supplied to:
 - (i) a member of the club,
 - (ii) any member of any other club where this club has an arrangement for reciprocal visiting rights,
 - (iii) a person who is invited and accompanied by the members listed in (i) or (ii) above.
 - (b) Alcohol may be sold only on the following days and during the following hours:
Wednesday and Friday, from 4.00pm to 9.00pm
Thursday, from 10.30am to 9.30pm
Saturday and Sunday, from 12.30pm to 8.30pm
 - (c) The club must always have a secretary.

- (d) The club must inform the District Licensing Committee of the name of a new secretary within 10 working days of their appointment.
- (e) All proceeds from the sale of alcohol belong to the club.
- (f) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Hamilton District Licensing Committee on 12 July 2024 and no alcohol is to be taken out of this area.
- (g) The entire premises is undesignated (persons under 18 can be in the area).
- (h) A properly appointed certificated, acting or temporary manager must be on duty and on the premises at all times for tournaments and functions only. At all other times there should be a suitable club member responsible for compliance.
- (i) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- (j) The licensee must maintain and display a Host Responsibility Policy and ensure all staff and committee members receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- (k) Alcohol must not be sold or supplied to minors or intoxicated persons. The Licensee must display appropriate signs at every point-of-sale detailing restrictions on the sale and supply of alcohol to such persons.
- (l) Drinking water must be freely available and this must be clear to customers while the premises are open for the sale and supply of alcohol.
- (m) A range of non-alcoholic and low-alcohol drinks must be available at all times when the premises is open for the sale of alcohol.
- (n) 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.
- (o) 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, including sober driver services and the availability of a courtesy vehicle, must be displayed and promoted.
- (p) No BYO alcohol is permitted on the premises while alcohol is available for sale.
- (a) The Licensee must ensure the following are displayed;
 - i) A copy of the original licence with all the conditions, displayed prominently in the premises.
 - ii) A sign in a prominent place identifying the duty manager or responsible bar person

REASONS

1. This is an application by Ōtorohanga Bowls, Croquet and Recreation Club Incorporated for renewal of a club licence in respect of the premises situated at 52 Te Kawa Street, Otorohanga. The club has been operating under a licence for a number of years. The applicant confirmed the number of members has grown to 60 since 2023 when the club merged with Croquet club. All members are 65+ in age.
2. The application was advertised, and no objections have been received from members of the public. The Liquor Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
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 renew a club licence the licensing committee must have regard to sections 105 and 131 of the Act. Therefore, this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) Is the applicant suitable?
 - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - c) Is the design and layout of the premises suitable?
 - d) 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?
 - e) Does the applicant have appropriate systems, staff and training to comply with the law?
 - f) Have the police, inspector and medical officer of health raised any relevant considerations?
 - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?
 - h) Has the applicant sold, displayed, advertised, or promoted alcohol in a responsible manner?
 - i) Does the application comply with the Otorohanga District Local Alcohol Policy?
5. Section 132 provides that the licensing committee may vary or cancel any conditions applying to the licence before its renewal.

Should the licence be renewed?

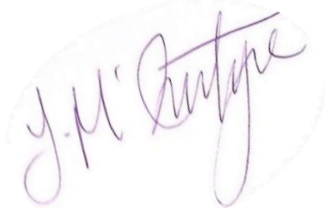
6. The licensing committee is satisfied that Ōtorohanga Bowls, Croquet and Recreation Club Incorporated is a suitable applicant to hold a club licence. The club has demonstrated compliance with the Sale and Supply of Alcohol Act 2012.
7. Ōtorohanga Bowls, Croquet and Recreation Club Incorporated proposes to continue operating as a club with no change to the licensed hours. The licensing committee is satisfied that these are appropriate hours of operation.
8. The Licensing Inspector reports that the application does comply with the Ōtorohanga District Local Alcohol Policy.
9. The licensing committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. The club rooms consist of one building and is of an open plan layout. It has a bar, kitchen, and toilets and the licensed area includes the green in front of the clubroom. The premises is well appointed and able to be monitored effectively by the staff of the premises.

10. The licensing committee is satisfied that the club has an appropriate Host Responsibility Policy which demonstrates suitable measures will be undertaken in regard to responsible sale and supply of alcohol and that harm will be reduced. It is a condition of this licence that staff employed by the club and committee are trained in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012. As licensees, this ensures Ōtorohanga Bowls, Croquet and Recreation Club Incorporated committee members are aware of their responsibilities in ensuring the club complies with the responsibilities under the Sale and Supply of Alcohol Act 2012. We are pleased to see this committee training actively taking place.
11. The licensing committee is satisfied that the club has sufficient Duty Managers who serve on these premises to ensure the responsible sale and supply of alcohol.
12. The licensing committee is satisfied that the renewal of the club licence will not reduce the amenity and good order of the locality by more than a minor extent. There have been no reports of any nuisance, vandalism or noise problems associated with this premises in the previous licensing period.

Conclusion

13. Therefore, the application for the renewal of the club licence is granted.

Dated at this 23rd day of September 2024



Tegan McIntyre
Commissioner
Ōtorohanga District Licensing Committee