

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application for a special licence
pursuant to s. 137 by Wests Rugby Club
in respect of premises known as the
Wests Rugby Clubrooms at 50 Brittan
Street, Hokitika.

DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED APPLICATION

Authority:

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

Summary of Evidence

A special licence is sought for the purposes of providing alcohol at the Wests Rugby Club on several occasions to provide an alcohol service for after-match functions. The dates are Saturday 20 May 2023, Saturday 27 May 2023, Saturday 10 June 2023, Saturday 17 June 2023, Saturday 24 June 2023, Saturday 1 July 2023, Saturday 8 July 2023, Saturday 15 July 2023, Saturday 22 July 2023, Saturday 29 July 2023, Saturday 5 August 2023 and Saturday 12 August 2023 between the hours of 4.30pm to 7.00pm on each day.

The licensed area is defined on a plan accompanying the application and the applicant suggests that the area should be undesignated.

I note that the event is to be managed by three individuals: Gordon Davidson, Scott Baird and Karen Burrows. These individuals will be responsible for the sale and supply of alcohol at the events. Karen Burrows is the holder of a manager's certificate. Gordon Davidson and Scott Baird can be appointed pursuant to s. 213(2) as they have particular responsibilities to the Wests Rugby Club to responsibly operate the bar.

The application has been generally well made and specifically addresses those criteria that are critical when considering the grant of a special licence.

A report from the Inspector concludes that the applicant is suitable to operate the event under a special licence

The Police have no opposition to the grant of the special licence.

The Medical Officer of Health has no opposition to the grant of the special licence.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received and the complete file which has been made available to me. The application was not publicly notified. The matter can, therefore, be dealt with on the papers. The purpose of the licence is stated as being to facilitate several functions commonly known as after-match functions. This is a New Zealand cultural and sporting tradition and in my opinion a lot rests on the managers appointed to ensure that the various occasions are operated properly with responsibility and utmost care.

The application is made to give Wests Rugby Club authority to sell and supply alcohol at the Clubrooms at 50 Brittan Street, Hokitika and has been made with some conviction. It is reasonably comprehensive in its commitment to provide a safe drinking environment and have come to the view that the Club intends undertaking the sale and supply of alcohol sensibly and responsibly.

The responsible management of the sale and supply of alcohol is essential, particularly where younger people are involved. It is the Club's intention to use an appropriately qualified manager (Karen Burrows) and has selected Gordon Davidson and Scott Baird to manage the bar and ensure the events are operated as the application envisages. I am satisfied that the people nominated will manage the events with responsibility.

If the Licensee ensures that the licence is managed as the application states then I have no doubt that the licence will operate without incident. I have no intention of listing a multitude of conditions to be complied with and content myself with the knowledge that the applicant has made a very clear intention as to the parameters that will be put in place to provide a safe and responsible environment for the sale and consumption of alcohol.

The applicant has suggested that the licensed area shown on a plan attached to the application should be undesignated. I have not identified any compelling reason to require a designation one way or the other. The inspector has also not identified such a need. On the basis that it is most likely that younger people in the company of their parents will be in attendance at the various occasions and that they too should be able to partake as club members and actively participate in an important Club function, the public portion of the premises as per the plan submitted with the application should be undesignated..

Decision and Reasons

I am satisfied as to those matters provided for in s.142 of the Act.

The application is granted on the papers pursuant to s.202(1) of the Act as Decision Number **058-2023** and I direct that a special licence be issued pursuant to s.64 of the Act.

Pursuant to section 213(1) of the Sale and Supply of Alcohol Act 2012, Karen Burrows shall be appointed manager.

Pursuant to section 213(2) of the Sale and Supply of Alcohol Act 2012, the licensee is exempt from the duty to appoint further certified managers on the basis that Gordon Davidson and Scott Baird are capable of managing the premises.

The terms and conditions will be:

1. The Licence may be exercised for the sale and supply of alcohol to any person lawfully attending the premises on the following occasions: Saturday 20 May 2023, Saturday 27 May 2023, Saturday 10 June 2023, Saturday 17 June 2023, Saturday 24 June 2023, Saturday 1 July 2023, Saturday 8 July 2023, Saturday 15 July 2023, Saturday 22 July 2023, Saturday 29 July 2023, Saturday 5 August 2023 and Saturday 12 August 2023 between the hours of 4.30pm to 7.00pm on each day.
2. The areas to be licensed are those shown on a plan titled "West's Clubrooms" accompanying the application dated 6 April 2023.
3. Pursuant to section 147(3)(b) of the Act, drinking water shall be freely available on request at the bar and the kitchen.

Dated at Hokitika this 29th day of May 2023



Chairperson, Westland District Licensing Committee