

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 a liquor service at the Wests Rugby Club on several occasions to provide an alcohol service for after-match functions. The dates are Saturday 13 April 2019, Saturday 27 April 2019, Saturday 11 May 2019, Saturday 18 May 2019, Saturday 8 June 2019, Saturday 15 June 2019, Saturday 6 July 2019, Saturday 13 July 2019, Saturday 20 July 2019, Saturday 27 July 2019, Saturday 3 August 2019 and Saturday 10 August 2019 between the hours of 4.00pm and 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 designated as a supervised area.

I note that the events are intended to be managed by three individuals; Gordon Davidson, Jud Dwyer and Jackie Monk. These individuals will be responsible for the sale and supply of alcohol at the events. None of the individuals are qualified Managers but the Inspector has suggested that the three individuals are suitable and that a waiver pursuant to s. 213(2) can be granted.

The application has been generally well made and makes a case for granting the licence as sought.

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

The Police have no objection 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 application is made to give the Wests Rugby Club authority to sell and supply alcohol at the Clubrooms at 50 Brittan Street, Hokitika. On one level, this is an application that should be granted; period. It is a very New Zealand thing to do after the Rugby on a Saturday. The Clubroom is a place of Club identity, it is the place where players are recognized for their talents and endeavors, it is the place where players are forgiven errors on the field and the Club room is the source of *esprit de corps*. On the other hand, the application deserves particular attention because of the number of young people who will be likely to be in attendance; the Clubroom needs to be a safe place where alcohol can be sold and supplied with the welfare of patrons and others in mind. It seems to me that the application is made with

some conviction and that those things that are important in providing a safe drinking environment have been addressed by the application. I can readily come to the view that the Club intends undertaking the sale and supply of alcohol sensibly and responsibly.

The Management of the sale and supply of alcohol is presumed by the Act to be in the domain of suitably and particularly qualified people. It is not the Club's intention to use qualified managers but has instead. Selected three people to manage the procedures and ensure that the events are operated as the application envisages. I am satisfied that the people nominated will manage the events with responsibility and I have decided that it is appropriate to grant a waiver to the requirement to appoint qualified managers.

The applicant has suggested that the licensed area should be designated as a supervised area. The inspector has not identified such a need. I think that the designation sought should be put in place on the basis that there are likely to be younger people in the company of their parents at the various occasions and that they too should be able to partake as club members and actively participate in an important Club function

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 **043-2019** and I direct that a licence be issued pursuant to s.64 of the Act.

Pursuant to s. 213(2) of the Sale and Supply of Alcohol Act 2012, the licensee is exempt from the duty to appoint a certificated manager on the basis that Gordon Davidson, Jud Dwyer and Jackie Monk 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 13 April 2019, Saturday 27 April 2019, Saturday 11 May 2019, Saturday 18 May 2019, Saturday 8 June 2019, Saturday 15 June 2019, Saturday 6 July 2019, Saturday 13 July 2019, Saturday 20 July 2019, Saturday 27 July 2019, Saturday 3 August 2019 and Saturday 10 August 2019 between the hours of 4.00pm and 7.00pm on each day.
2. The areas to be licensed are those shown on a plan titled "Wests Clubrooms" accompanying the application dated 13 March 2019.
3. Pursuant to section 147 (3)(b) of the Act drinking water shall be freely available on request at the bar and the kitchen.
4. Each of the following parts of the premises are designated as:
 - (i) Supervised Area: Main Hall Area.

Dated at Hokitika this 12th day of April, 2019


Chairperson, Westland District Licensing Committee

