

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 in respect of premises situated at 42 Hamilton Street, Hokitika and known as Hokitika Club Inc by Hokitika Club Inc.

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

The applicant seeks a special licence for two occasions; the Rugby World Cup final and a fundraising event. Both events are on the same day (Saturday 2 November 2019) and over similar hours which are intended to be from 5.00pm for each event and concluding at midnight for the fundraising event and at 1.30am the next day for the Rugby World Cup televised event. The application is clear as to the two events but not at all clear as to why the licence is sought. I am however led to the reasonable conclusion that the purpose of the licence is to allow attendance on the Club premises of members of the public who are not members of the Club.

A report from the Inspector concludes that the applicant is suitable to operate the event under a special licence but the report is silent as to why the licence is required.

A report from the Medical officer of Health does not oppose the grant of a licence.

A report from the Police has no objection to the grant of a 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.

I have concluded that the application is to allow Non-members on to the premises to purchase and consume alcohol which is a privilege restricted to members only; it would be good if the Club and the reporting agencies could be switched on to this concept.

I continue to hold the view that the Westland District licensing Committee can have confidence in the Chartered Club's application as it is a licence holder of considerable experience with Special licenses and is no stranger to having non-members on the premises without incident.

Although the application and the Inspector's report considers management, given that the special licence hours are within the usual hours of operation for Hokitika Club Inc, it is my expectation that usual management procedures will be in place, that is to say; there shall be a Manager on duty at all times.

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 142-2019 and I direct that a licence be issued pursuant to s.64 of the Act.

The terms and conditions will be:

The Licence may be exercised for the sale and supply of alcohol to any person attending the premises on Saturday 2 November, 2019 from 5.00PM until 12 midnight for a fundraising event and on the same day from 5.00pm to 1.30am the following day for the screening of the Rugby World Cup final

Pursuant to section 147 (3)(b) of the Act drinking water shall be freely available to all customers from the bar and from the water chiller at all times that the licence is being exercised.

There shall be a manager on duty at all times.

Dated at Hokitika this 30th day of October, 2019



Chairman, Westland District Licensing Committee