

Matamata-Piako District Licensing Committee

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Morrinsville Association Football Club Incorporated** for a **club licence** pursuant to section 99 of the Sale and Supply of Alcohol Act 2012.



Licence Number: **13/CL/004/2023**
File Number: **162.2023.1825.1**

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Sue Whiting

DECISION ON THE PAPERS

This is an application by the Morrinsville Association Football Club Incorporated for a club licence in respect of a premises situated at 42 Cureton Street, Morrinsville known as the Morrinsville AFC.

The general nature of the premises is that of a Football (Soccer) club. The premises previously held a club licence, which operated for 22 years without incident. The applicant is the same entity, however they have changed names.

The days and hours which the applicant proposes to sell alcohol are:

Saturday and Sunday from 12 noon until 12 midnight

These days and hours are consistent with the previously held licence and the requirements of the Council's provisional local alcohol policy.

The application form stated the above days and hours and to include other days to service functions such as prize giving and jubilees.

The applicant advertised the days and hours as Saturday and Sunday 12 noon to 12 midnight only. The applicant was spoken to about this matter, he was advised to re-advertise if they wanted to change the days and hours to include the other days for functions, but he did not want to do so.

The application was notified in the Piako Post on the 2nd of August 2023. No objections were received.

Section 37 (2)(b) of the Sale and Supply of Alcohol Regulations 2013 relates to the manner of publication of public notice of applications of licenses for premises or conveyance in very low-risk or low-risk fees category if published in a newspaper, one publication is sufficient.

This application falls within that category.

The application was referred to the Police, Medical Officer of Health and Inspector for comment as required by s.103. None of the reporting agencies have raised any matters in opposition to the application. The certificates required by s.100(d) and (f) have been received.

The criteria that must be considered in determining a club licence are set out in s.105 of the Sale and Supply of Alcohol Act 2012. These are:

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*
- (c) *any relevant local alcohol policy:*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol:*
- (e) *the design and layout of any proposed premises:*
- (f) *whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:*
- (g) *whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:*
- (h) *whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:*
- (i) *whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—*
 - (i) *they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but*
 - (ii) *it is nevertheless desirable not to issue any further licences:*
- (j) *whether the applicant has appropriate systems, staff, and training to comply with the law:*
- (k) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*



The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly and the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The Licensing Inspector reporting on the application has stated in his report that the applicant has the necessary experience and is suitable to operate a licensed premises. He has also noted that in his opinion the amenity and good order of the locality would not be likely to reduce by more than a minor extent if the licence is issued. His recommendation is for the application to be granted subject to conditions.

I am satisfied as to those matters to which I must have regard and grant the applicant a club licence for a period of 1 year pursuant to s104.

Sections 110 and 111 of the Act detail the compulsory and discretionary conditions that may be imposed on the licence. The hours for alcohol to be sold, sought by the Club, extends out to 10.00pm on most days and up to midnight on Saturdays. It is therefore appropriate that the sale of alcohol at these later times is undertaken in a

safe and responsible manner. A condition has been imposed requiring an experienced manager to be on duty after 7.00pm on certain days.

The applicant's attention is drawn to s.259 of the Act which makes it an offence to not comply with certain requirements and restrictions imposed by or under this Act, specifically sections 46 to 63 as they may apply to this licence and s.231(1). A copy of these sections is attached for the applicant's information.

The applicant must also comply with all of the conditions specified on the licence.



Conditions

This licence is subject to the following conditions:

- (a) The club must have a secretary at all times
- (b) Within 10 working days of the appointment of a new secretary, the club must inform the Secretary of the District Licensing Committee of the name of the new secretary
- (c) All proceeds from the sale of alcohol belong to the club
- (d) Alcohol may be sold only on the following days and during the following hours:

Saturday and Sunday from 12 noon until 12 midnight

- (e) At all times when the premises are authorised to be open for the sale of alcohol, a range of snack foods no less substantial than snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, must be conveniently available for all members and their guests and the availability of those foodstuffs must be notified to them by appropriate notices throughout the premises
- (f) The club shall have a reasonable range of low alcohol and non-alcoholic refreshments available on the premises at all times when alcohol may be sold under the licence
- (g) The licensee must ensure that drinking water will be made readily available to all attendees free of charge
- (h) The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises
- (i) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol
- (j) The Club Committee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed
- (k) The premises is undesignated
- (l) The licensee must ensure that no person consumes on the premises alcohol not sold or supplied on the premises by the licensee.

- (m) A certified duty manager shall be on duty at all times alcohol is sold or supplied.

The Licensed Premises

The sale or supply or consumption of alcohol is authorised in the premises generally. The premises, situated at 42 Cureton Street, Morrinsville are more precisely identified as outlined in a plan date stamped as received by the Matamata-Piako District Licensing Committee on 24th of July 2023.

Display of Licence

A copy of this licence must be displayed in the interior of the premises so as to be easily read by people entering each principal entrance.

Dated 14 Sep, 2023



Sue Whiting
Chairperson
Matamata-Piako District Licensing Committee

