

## 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 **Kereone Rugby & Sports Club Incorporated** for a **club licence** pursuant to s.99 of the Sale and Supply of Alcohol Act 2012.



Licence Number: **13/CL/001/2015**  
File number: 162.2014.964.1

### BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Teena Comes

### DECISION ON THE PAPERS

This is an application by the Kereone Rugby & Sports Club for a club licence in respect of a premises situated on Campbell Park at 355 Thames Street, Morrinsville.

The general nature of the premises is that of a sports club. This premises has held a club licence for a number of years but had inadvertently allowed it to lapse, therefore this application for a new licence is required.

This application was lodged on 8<sup>th</sup> September 2014 and notified in the Piako Post on 10<sup>th</sup> and 17<sup>th</sup> September 2014. No objections were received.

The days and hours of operation set out in the application are:

Monday, Tuesday and Thursday	from 6.00pm until 10.00pm
Wednesday and Friday	from 5.00pm until 12.00 midnight
Saturday	from 11.00am until 1.00am the following day.
Sunday	from 12.00 noon until 7.00pm.

These are the hours held by the Club under their previous licence and these hours comply with the requirements of the Council's provisional Local Alcohol Policy as it applies to this type of premises.

The application was referred to the Police, Medical Officer of Health and Inspector for comment. No matters in opposition have been raised by them in respect of the application.

The certificates required by s.100(d) and (f) have now been received. The Fire Service initially refused to provide the required certificate under s100(d) as the Club did not have an evacuation scheme. This has now been rectified and accordingly the application is determined on the papers.

The applicant, in accordance with s.212 of the Act, has named a manager with a current certificate to manage the sale of alcohol from the premises. At the time of lodgement the named manager's licence had expired, however a new licence has since been obtained.

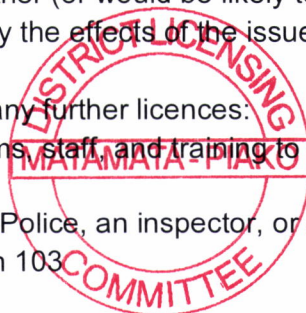
The criteria that must be considered in determining a club licence are set out in s.105 of the Sale and Supply of Alcohol Act 2012. These are:

### Section 105

- (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 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



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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 beyond 10.00pm on most days and up to 1.00am 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 during home games and at any time the Club is open after 7.00pm.

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.

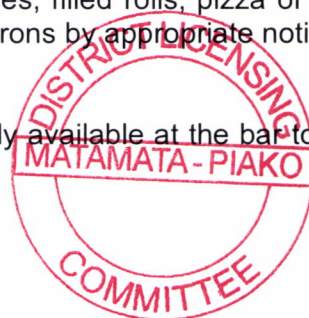
The applicant must also comply with all of the conditions specified on the licence.

The licence is subject to the following conditions:

- a) Alcohol may only be sold under the licence on the following days and during the following hours:

<b>Monday, Tuesday and Thursday</b>	<b>from 6.00pm until 10.00pm</b>
<b>Wednesday and Friday</b>	<b>from 5.00pm until 12.00 midnight</b>
<b>Saturday</b>	<b>from 11.00am until 1.00am the following day.</b>
<b>Sunday</b>	<b>from 12.00 noon until 7.00pm.</b>

- b) The Club must take the following steps to ensure that the provisions of the Act relating to the management of the premises are observed:
  - i) The holder of a manager's certificate must be on duty at the following times when alcohol is being sold or supplied under the licence: - On any home game day and at any time the club is opened after 7.00pm.
  - ii) All staff will be trained in their responsibilities under the Act.
  - iii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
  - iv) A sign shall be prominently displayed inside the premises which identifies the name of the manager on duty or the person responsible for the management of the sale and supply of alcohol under the licence.
- c) The Club shall have a reasonable range of food available for consumption on the premises at all times when alcohol may be sold under the licence. The food shall be of the range and types of food submitted with the application but must be no less substantial than snack foods in the nature of pies, sandwiches, filled rolls, pizza or the like. The availability of these foodstuffs shall be notified to patrons by appropriate notices throughout the premises.
- d) The Club must ensure that drinking water will be made readily available at the bar to all attendees, free of charge.



- e) The following steps shall be taken by the Club to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:
- i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale of alcohol to minors and the complete prohibition of sales to intoxicated persons, and
  - ii) Photo identification is required to be produced by the customer when staff are in doubt of their age.

**Dated** at Te Aroha this 30<sup>th</sup> day of January 2015.



Teena Cornes  
Chairperson  
Matamata-Piako District Licensing Committee

