

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Absolute Caterers Limited** for an on special licence pursuant to s.137 of the Act in respect of premises situated at **Okara Drive, Whangarei** for an event described as the **Rugby Club Finals**

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson
Member: Mark Vincent
Member: Mervyn Williams

DECISION (ON THE PAPERS)

This is an application by Absolute Caterers Limited dated 24 June 2014, for an on-site special licence in respect of **Toll Stadium** situated at **Okara Drive, Whangarei** for an event described as the **Rugby Club Finals**.

The applicant wishes to sell and supply alcohol during rugby games, to be held at the Northland Event Centre – Toll Stadium on Saturday 26th July 2014.

This application is deemed to be a large scale event, as defined under the Act. The number of spectators expected to attend is 3000.

Absolute Caterers Limited are the official caterers for the Northland Event Centre – Toll Stadium and hold an on-licence (002/ON/8/2013) for the stadium building, which enables the licensee to sell and supply alcohol at the venue, during the hours Monday to Sunday between 8.00am and 12.00 midnight. This on-licence excludes the embankments surrounding the field and the seating area, directly below the media centre. However, this application, for an on site special licence covers the whole of the site which includes that area of the stadium subject to the on licence and the balance of the outdoor area.

Absolute Caterers Limited is a private company incorporated on 28 April 2010 and holds an on-licence and a Caterers Off-licence for the Northland Event Centre - Toll Stadium. Dwight Shepherd and Richard David Taylor are the directors of the company.

Dwight Shepherd is the proposed “food & beverage manager” for the event. Dwight Shepherd is also the holder of a general manager’s certificate (002/GM/48/2010) and one of two principal duty managers for the event, Deborah Langford (002/GM/102009) being the second.

Special licences have been issued to the applicant for similar events during previous years, as well as for other large scale events, at the venue.

The applicant has assumed the overall responsibility for the management of alcohol consumption and crowd behaviour. This will be undertaken through 17 certificated duty managers, as well as 8 additional Licence Controller Qualification (LQC) trained staff members.

These staff members will be divided between the internal and external bars. Dwight Shepherd will be the overall manager of the internal outlets and Deborah Langford is responsible for the external bars.

Kia Tupato Security (Wayne Stokes) will provide full security services on the event date. A traffic management plan has been approved by the Council.

The day and hours sought for the event is 26 July 2014 from 11.30am to 7.30pm.

The event management plan specifies that all three external bars will close 15 minutes prior to the final whistle of the game. Following this, it is expected that most spectators will exit the venue. Levels 2 & 3 are to be vacated at 7.00pm, with the venue closing at 7.30pm.

The committee has received reports on the application from the Police, the Medical Officer of Health and the Licensing Inspector and none have raised matters in opposition. Furthermore the application did not require public notice. Accordingly the committee deals with the matters on the papers.

In deciding whether to issue a special licence, the District Licensing Committee must have regard to the criteria set down in section 142 of the Sale and Supply of Alcohol Act 2012. Section 143 further requires the committee to have regard to the additional requirements for large-scale events. Read together these matters are as follows:

Section 142 Criteria for issue of special licences

(1) In deciding whether to issue a special licence, the licensing committee concerned must have regard to the following matters:

- (a) the object of this Act:*
- (b) the nature of the particular event for which the licence is sought and, in particular,—*
 - (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and*
 - (ii) whether the applicant is engaged in, or proposes at the event 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:*
- (c) the suitability of the applicant:*
- (d) any relevant local alcohol policy:*
- (e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:*
- (f) the days on which and the hours during which the applicant proposes to sell alcohol:*
- (g) the design and layout of the premises concerned:*
- (h) whether the applicant has appropriate systems, staff and training to comply with the law:*
- (i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:*
- (j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:*
- (k) the applicant's proposals relating to—*
 - (i) the sale and supply of non-alcoholic drinks and food; and*
 - (ii) the sale and supply of low-alcohol drinks; and*
 - (iii) the provision of help with or information about alternative forms of transport from the premises:*
- (l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).*

Section 143 Additional requirements for large-scale events

(1) If, in the opinion of the licensing committee concerned, an application for a special licence relates to a large-scale event, the committee may do any or all of the following:

- (a) require the applicant to provide the committee with a management plan describing how the applicant proposes to deal with matters such as security, monitoring, interaction with local residents, and public health concerns:*

(b) require the applicant to provide the committee with a certificate by the territorial authority that the proposed use of the premises meets the requirements of the [Resource Management Act 1991](#) and of the building code:

(c) require the applicant to liaise with the Police and the territorial authority on planning for the event.

(2) In deciding whether to issue a special licence, the licensing committee concerned may have regard to the following matters (in addition to the matters stated in [section 142\(1\)](#)):

(a) whether, and how well, the applicant has complied with any requirement under subsection (1)(a):

(b) whether, and how well, the applicant has complied with any requirement under subsection (1)(c), and whether the Police and the territorial authority are satisfied with any liaison that has taken place.

The committee is satisfied as to the matters to which it must have regard as set out in s.142 of the Act and also those matters requiring the committee's consideration under section 143 of the Act.

The applicant has provided a detailed event management plan, as required under s.143(a) of the Act for the event.

The committee is satisfied with the liaison between the applicant and the licensing inspector with input from the Police that has taken place in the planning for this event.

Finally the committee comes to the matter of compliance with the Resource Management Act 1991 and the building code. The facility holds an existing resource consent for its purpose and a valid code compliance certificate for the building and therefore satisfies this requirement.

The committee is satisfied with the matters to which it must have regard and grants an on site special licence to the applicant subject to the following conditions:

1. Alcohol may be sold under the licence only on the following day and during the following hours: **Saturday 26 July 2014 between 11.30am and 7.30pm**
2. Alcohol may be sold or supplied to the following types of people: **Persons attending the event generally.**
3. The fees paid for the licence concerned are: **\$575.00 GST inclusive.**
4. The licensee must take the following steps to ensure that the provisions of this Act relating to the sale or supply of alcohol to prohibited persons are observed: **No sales to minors or intoxicated persons, appropriate signage displayed, evidence of age document will be requested when deemed necessary, certificated security personnel to monitor entry and behaviour at all times.**
5. The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed: **Manager to be on duty at each bar, at all times and responsible for compliance, names of duty managers to be displayed at each bar.**
6. Drinking water must be freely available at the following places while the premises are open for business: **At each bar.**
7. Where the principal business carried out on the premises is not the manufacture or sale of alcohol, the kinds of alcohol that may be sold or delivered on or from the premises are: **Beer, wine and RTD's.**
8. Food must be available for consumption on the premises as follows: **From each of the food stalls at the venue, as per the menus provided with the application, such as hot chips; hot dogs; pork belly roll; American hot dog; hamburgers; chicken wings; butter chicken & rice etc. and catered platters within the corporate areas.**
9. Low-alcohol beverages must be available for sale and supply on the premises as follows: **Low alcohol beer.**
10. Non-alcohol beverages must be available for sale and supply on the premises as follows: **Coke & Schweppes products, pump water and orange juice, coffee and tea.**
11. The licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises: **Taxi service number displayed at all bars; courtesy phones available.**
12. Members of the public must be excluded from the premises in the following circumstances: **Ticketed public event.**
13. Alcohol may be sold in the following types of container only: **Cans and plastic glasses.**

14. The licence is also subject to the following conditions, which in the committee's opinion are not inconsistent with the Act:

- **All aspects of the event must be managed in accordance with the steps prescribed in the event management plan supplied in support of the application.**

DATED at Whangarei this **15th** day of **July 2014**

Chairman
Whangarei District Licensing Committee
14/60750