

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Central Brown
Associated Football Club Incorporated**
for a special licence pursuant to s.137 of
the Act in respect of premises situated at
**Central Brown Associated Football
Club, 296 Otaika Road Whangarei, for
Game Day Functions**

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson

DECISION (ON THE PAPERS)

This is an application by **Central Brown Associated Football Club Incorporated** for an on-site special licence in respect of the premises situated at **Central Brown Associated Football Club, 296 Otaika Road Whangarei**, for a series of **Game Day Function events**.

The day and hours sought for the events are as follows:

<u>Date</u>	<u>Time (hours)</u>
14/06/2014	1230-2000
21/06/2014	1230-2000
28/06/2014	1230-2000
04/07/2014	1700-2000
05/07/2014	1230-2000
12/07/2014	1230-2000
19/07/2014	1230-2000
26/07/2014	1230-2000
01/08/2014	1700-2000
02/08/2014	1230-2000
09/08/2014	1230-2000
16/08/2014	1230-2000
23/08/2014	1230-2000
30/08/2014	1230-2000
05/09/2014	1700-2000
06/09/2014	1230-2000
13/09/2014	1230-2000
20/09/2014	1230-2000
27/09/2014	1230-2000
11/10/14	1200-2100

Central Brown Associated Football Club Incorporated was incorporated under the Incorporated Societies Act 1908 on 12 April 1989.

There are no questions as to the suitability of the applicant to hold a special licence by the Police or other enforcement partners.

Two committee members of Central Brown Associated Football Club will be working behind the bar at all events.

Michelle Newman is the nominated duty manager for these events and is the Club Secretary. She was the holder of a manager's certificate (002/GM/59/2006) that she did not renew.

She will be assisted behind the bar by Grant Murray Lennon. He is the Club President and like Michelle held a manager's certificate (GM/1023/92) that he did not renew.

Both are well experienced and there are no concerns expressed by the Police or other enforcement partners regarding their suitability.

Under section 213 (2) the committee may grant an exemption from having a certified manager. The Committee however would expect that should the Central Brown Football Club make application for any further special licenses in the future then the Club would have certificated managers to attend to the sale of alcohol at these events rather than nominated people.

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. Further more the application did not require public notice. Accordingly the committee deals with the matters on the papers.

Section 142 of the Sale and Supply of Alcohol Act 2012 provides that in deciding whether or not to issue a special licence, the licensing committee 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.

DECISION

The committee is satisfied as to the matters to which it must have regard as set out in s.142 of the Act, and under section 213 (2) the committee grants an exemption from having a certified manager, along with an on-site special licence subject to the following conditions.

1. Alcohol may be sold under the licence only on the following dates and proposed times:

<u>Date</u>	<u>Time (hours)</u>
14/06/2014	1230-2000
21/06/2014	1230-2000
28/06/2014	1230-2000
04/07/2014	1700-2000
05/07/2014	1230-2000
12/07/2014	1230-2000
19/07/2014	1230-2000
26/07/2014	1230-2000
01/08/2014	1700-2000
02/08/2014	1230-2000
09/08/2014	1230-2000
16/08/2014	1230-2000
23/08/2014	1230-2000
30/08/2014	1230-2000
05/09/2014	1700-2000
06/09/2014	1230-2000
13/09/2014	1230-2000
20/09/2014	1230-2000
27/09/2014	1230-2000
11/10/14	1200-2100

2. Alcohol may be sold or supplied to the following types of people: **Persons attending the event.**
3. The fees payable for the licence concerned are: **\$63.25 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 documents to be requested when deemed necessary.**
5. The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed: **Duty manager to be on site at all times and responsible for compliance, name of duty manager to be displayed.**
6. Free drinking water must be readily available at the following places while the premises are open for business: **At the bar in the club room.**
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: **RTD's and beer.**
8. Food must be available for consumption on the premises as follows: **Bar Food menu displayed.**
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: **Soft drinks and water.**
11. The licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises: **Taxi and pro-drive numbers displayed.**
12. Members of the public must be excluded from the premises in the following circumstances: **NA**
13. Alcohol may be sold in the following types of container only: **Standard glasses, cans and bottles.**
14. **The series of events will be monitored by enforcement agencies and where non compliance with licence conditions is found the committee will expect to receive an application from the Licensing Inspector or the Police for the suspension or cancellation of the licence under section 283 of the Act**
15. **The licensee is exempt from the requirements of section 213 (1) of the Act and nominated persons, namely Michelle Newman and Grant Murray Lennon will manage the conduct of the sale of alcohol pursuant to the licence.**

The licence however will not issue until the Secretary of the District Licensing Committee is satisfied that the premises complies with building code requirements.

DATED at Whangarei this 17th day of June 2014

Chairman
Whangarei District Licensing Committee

14/50361