

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Entrance Holdings Limited** for a special licence pursuant to s.137 of the Act in respect of premises situated at **50 Port Road, Whangarei** for an event known as the Rescue Helicopter Fundraising Event

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson
Member: Lee Andrewes
Member: Mervyn Williams

DECISION (ON THE PAPERS)

This is an application by Entrance Holdings Limited for an on-site special licence in respect of premises situated at the IC Motor Group, 50 Port Road, Whangarei for an event known as the Rescue Helicopter Fundraising Event which will include a guest speaker, tyre and oil change demonstration and a fashion show.

The day and hours sought for the event is 3 July 2014 from 6.00pm to 9.00pm.

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 we deal with the matters on the papers.

The application relates to a fundraising event and will be attended by invited guests with the expected number of up to 100 guests.

Entrance Holdings Limited, trading as IC Motor Group, is a motor vehicle dealership that has been trading in Northland for 22 years. The Group has been supporting local sporting clubs (e.g. Maugatapere bowling club) and community projects, such as Whangarei TriKids, Family Time Project and Spirit of Adventure.

The nominated duty manager is Tracey Illerbrun, who is the Customer Service Manager for IC Motor Group. She does not hold a manager's certificate. The Licensing Inspector advised that he had interviewed Ms Illerbrun by phone and found her knowledgeable about Host Responsibility and provisions of the Act. In addition, she has answered the Public Health Questionnaire attached to the application.

Police have not questioned the applicant's suitability to hold a special licence.

The applicant has requested that the District Licensing Committee exempts them from having a certificated manager as provided in s.213 (2). The committee is satisfied that Ms Illerbrun will manage the conduct of the sale of alcohol pursuant to the licence. The committee however would expect that should Entrance Holdings Limited make application for any further special licenses in the future then they would have certificated managers to attend to the sale of alcohol at these events rather than nominated people.

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

We are satisfied as to the matters to which we must have regard as set out in s.142 of the Act and we grant the applicant an on-site special licence subject to the following conditions.

1. Alcohol may be sold under the licence only on the following days and during the following hours: **Thursday, 3 July 2014, 6.00pm to 9.00 pm.**
2. Alcohol may be sold or supplied to the following types of people: **Persons attending the events.**
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: **Manager to be on duty at all times and responsible for compliance. Name of duty manager to be displayed.**
6. **The premises is designated as a restricted area.**
7. Free drinking water must be readily available at the following places while the premises are open for business: **At the bar.**
8. 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 and wine.**

9. Food must be available for consumption on the premises as follows: **Finger food (e.g. spring rolls, cheese and cracker boards, chicken nibbles).**
10. Low-alcohol beverages must be available for sale and supply on the premises as follows: **Low alcohol beer.**
11. Non-alcohol beverages must be available for sale and supply on the premises as follows: **Soft drinks, orange juice, tea, coffee and water.**
12. The licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises: **Taxi telephone numbers displayed.**
13. Members of the public must be excluded from the premises in the following circumstances: **Ticket entry only.**
14. Alcohol may be sold in the following types of container only: **Standard glasses and bottles.**
15. **The licensee is exempt from the requirements of section 213 (1) of the Act and a nominated person namely Tracey Illerbrun will manage the conduct of the sale of alcohol pursuant to the licence.**

DATED at Whangarei this 24th day of June 2014

Chairman
Whangarei District Licensing Committee
14/51645