

Decision No. 377/2014

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Michael Couchman**
for a special licence pursuant to s.137 of
the Act in respect of premises situated at
89a One Tree Point Road, Ruakaka for
an event known as the **Far North
Ulysses Club Annual Rally**

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson
Member: Paul Dimery
Member: Mark Vincent

DECISION (ON THE PAPERS)

This is an application by **Michael Couchman** for an on-site special licence in respect to **Marsden Bay Christian Camp** situated at **89a One Tree Point Road, Ruakaka** for an event known as the **Far North Ulysses Club Annual Rally**

The days and hours sought for the event are:

1. 5.00pm to 11.00pm, 10 October 2014
2. 4.00pm to 12.00 midnight, 11 October 2014

Fifty to seventy members are expected to attend the first event, and ninety to a hundred members are expected to attend the final event.

The applicant is the branch coordinator for Far North Ulysses Club. Special licences have previously been issued to the applicant for similar events, and these were all managed according to the licensing conditions and provisions of the Act.

The applicant is the nominated duty manager. He has managed special licensed event (Far North Ulysses Club Annual Rally) for 5 years. Club members will be assigned to monitor the premises.

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.

Under section 213(2) the committee may grant an exemption from having a certified manager. The committee is satisfied that Michael Couchman will manage the conduct of the sale of alcohol pursuant to the licence. The committee however would expect that should the applicant make application for any further special licenses in the future then he 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

The committee is satisfied as to the matters to which it must have regard as set out in s.142 of the Act and it grants 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: **Friday, 10 October 2014 from 5.00 pm to 11.00 pm; Saturday, 11 October 2014 from 4.00 pm to 12.00 midnight.**
2. alcohol may be sold or supplied to the following types of people: **Persons attending the event.**
3. the fees paid 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 and kitchen counter.**
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 RTDs.**
8. food must be available for consumption on the premises as follows: **Bread based foods (rolls, sandwiches), savouries and roast dinner.**
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: **Fruit juice, soft drinks, tea, and coffee.**
11. the licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises: **Most members will stay on-site, taxi phone numbers will be displayed.**
12. members of the public must be excluded from the premises in the following circumstances: **Private club event.**
13. alcohol may be sold in the following types of container only: **Standard bottles, cans and glasses.**
14. The licensee is exempt from the requirements of section 213 (1) of the Act and a nominated person namely **Michael Couchman** will manage the conduct of the sale of alcohol pursuant to the licence.

DATED at Whangarei this 30th day of **September 2014**

Chairman
Whangarei District Licensing Committee
14/89492