

Decision No. **267/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Whangarei Racing Club Incorporated** for a special licence pursuant to s.137 of the Act in respect of premises situated at **Peter Snell Road, Ruakaka** for **Racing Meetings**

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 **Whangarei Racing Club** for an on-site special licence in respect to the **Whangarei Racing Club** situated at **Peter Snell Road, Ruakaka** for a series of **Racing Meetings**.

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

Between 10.00am and 6.00pm on 2 August 2014, 13 August, 30 August 2014, 1 October 2014, 7 October 2014, 15 October 2014, 20 May 2015, 13 June 2015, 27 June 2015, 11 July 2015 and 25 July 2015.

The Whangarei Racing Club Incorporated is an incorporated society formed in 1920. It is a non-profit organisation with an interest in supporting the horse racing industry in Northland as well as aiding other sporting, benevolent and charitable organisations in the community. Visitors to the races are members of public (spectators), horse trainers, horse owners, racing officials and business people.

The points of sale will be from the bars within the grandstand building. Up to 400 people are expected to attend the meetings.

Mavis Agnes Wynyard (002/GM/10/2006) will be the overall manager for the race meetings. The other certificated managers are Peter Leo Woods (002/GM/79/2011), Kathryn Anne Mase (002/GM/107/2012) and Jodie Francis Neill (002/GM/107/2012).

An extra 10 bar staff who are trained in host responsibility will assist in managing the sale of alcohol. Volunteers will work as security staff to monitor the entry and behaviour at all times. A well documented Alcohol Management Plan which details the risk management, provision of food, low and non-alcoholic beverages, certificated managers and bar staff requirements, transport options and accidents/incidents management was supplied in support of the application. The Club has also adopted a host responsibility house policy which is displayed at all bars and the race day office. The bar staff (volunteers) are required to read and sign the acknowledgement of host responsibility form prior to first commencing work at the race course.

Special licences have previously been issued to the applicant for similar events.

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.

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: **Between the hours of 10.00am and 6.00pm on 2 August 2014, 13 August, 30 August 2014, 1 October 2014, 7 October 2014, 15 October 2014, 20 May 2015, 13 June 2015, 27 June 2015, 11 July 2015 and 25 July 2015.**
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: **\$207.00 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 documents must be requested when deemed necessary. Security staff (volunteers) monitor entry to 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 all times and responsible for compliance. Name of duty manager to be displayed.**
6. Drinking water must be freely available at the following places while the premises are open for business: **From three water dispensers on the premises and from the bar counter in 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: **RTD's, spirits, wine and beer.**
8. Food must be available for consumption on the premises as follows: **A wide range of food items catered by A'fare are available at all time when the premises are open for sale of alcohol. Food menu is displayed and actively promoted on the premises.**
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, tea, coffee and water.**
11. The licensee must take the following steps to provide assistance with or information about alternative forms of transport from the premises: **Free buses, pro-drive and taxi number displayed.**
12. Members of the public must be excluded from the premises in the following circumstances: **N/A.**
13. Alcohol may be sold in the following types of container only: **200ml plastic cups and standard 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.**

DATED at Whangarei this 22nd day of July 2014

Chairman
Whangarei District Licensing Committee

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