

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Whangarei Theatre Company Incorporated** for a special licence pursuant to s.137 of the Act in respect of **The Riverbank Centre** situated at **71 Reyburn House Lane** for **Chicago Musical Performances**

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson

DECISION (ON THE PAPERS)

This is an application by **Whangarei Theatre Company Incorporated** for an on-site special licence in respect of the **The Riverbank Centre** premises situated at **71 Reyburn House Lane** for a series of **Chicago Musical Performances**.

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

1. 6.00 pm –11.30pm: 30 July 2014, 31 July 2014, 1 August 2014, 2 August 2014, 7 August 2014, 8 August 2014, 9 August 2014, 13 August 2014, 14 August 2014, 15 August 2014, 16 August 2014

The Whangarei Theatre Company was incorporated on 18th May 1951. The Company is run by an executive committee and it produces three shows a year.

Special licences have previously been issued to the applicant for similar events and there are no questions from the police as to the suitability of the applicant to hold a special licence.

Two executive committee members will be duty managers during the shows. Both are certificated managers and are well experienced having run special licensed events in the past without any concerns coming to the attention of enforcement partners.

Ian John Page is the current President of the Whangarei Theatre Company and has held a manager's certificate (002/GM/93/2012) since 2012. Nola Sooner is an executive committee member of the Whangarei Theatre Company and has held a manager's certificate (002/GM/103/2011) since 2011.

There will be sufficient numbers of bar staff (all being suitably trained and experienced) assisting behind the bar during these 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. 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 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:
30 July, 31 July, 1 August, 2 August, 7 August, 8 August, 9 August, 13 August, 14 August, 15 August and 16 August 2014 between 6.00pm to 11.30pm.
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 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 whole of the premises is designated as a supervised area.**
7. Free drinking water must be readily available at the following places while the premises are open for business: **At the bar and kitchen service counter.**
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, wine and RTD's.**
9. Food must be available for consumption on the premises as follows: **Pies, sausage rolls and wedges.**
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: **N/A**
14. Alcohol may be sold in the following types of container only: **Standard glasses and bottles.**
15. 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 Police for the suspension or cancellation of the licence under section 283 of the Act.

DATED at Whangarei this 17th day of June 2014

Chairman
Whangarei District Licensing Committee

14/50030