

Decision No. **315/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Northland
Badminton Association Incorporated**
for a special licence pursuant to s.137 of
the Act in respect of premises situated at
41 Porowini Avenue, Whangarei for an
event known as the **Badminton
Tournament and Dinner**

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 **Northland Badminton Association Incorporated** for an on-site special licence in respect to **Northland Badminton Centre** situated at **41 Porowini Ave, Whangarei** for an event known as the **Badminton Tournament and Dinner**.

The day and hours sought for the event are: 27 September 2014, 2pm to Midnight.

The application relates to a dinner and social event after a badminton tournament. Point of sale will be from bar in the club room. An estimated 50-100 people are expected to attend the after tournament function.

The applicant is an Incorporated Society incorporated on 7 April 1965. Special licences have previously been issued to the applicant for similar events. No questions have been raised by the Police as to the suitability of the applicant to hold a special licence.

Delwyn Clements is the club secretary who has managed a large number of special licensed events in the past for Northland Badminton Association. It is proposed that Trevor Hollings and Lesley Johnston manage the sale of alcohol at the function. The bar has appropriate signage such as "No ID, No Service" and "No Alcohol to Intoxicated Persons" for display when alcohol is served.

Mr Hollings and Ms Johnston do not hold manager's certificates, however, the two nominees have managed similar events in the past years and the conditions of the special licence were fully complied with.

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 Trevor Hollings and Lesley Johnston will manage the conduct of the sale of alcohol pursuant to the licence. The committee, however, notes that should Northland Badminton Association Incorporated make application for any further special licenses in the future then they should 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: **Between 2.00pm to 12.00 midnight on 27 September 2014.**
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 must 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: **Nominees to be on duty at all times and responsible for compliance.**
6. Free drinking water must be readily available at the following places while the premises are open for business: **From a water cooler beside the 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: **Beer, wine and RTDs.**

8. Food must be available for consumption on the premises as follows: **A catered dinner and bread based snack food.**
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: **Orange juice, 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 are displayed at the bar, phone is available.**
12. Members of the public must be excluded from the premises in the following circumstances: **Private event, members of public are excluded.**
13. Alcohol may be sold in the following types of container only: **Standard glasses/bottles.**
14. The licensee is exempt from the requirements of section 213 (1) of the Act and nominated persons namely Trevor Hollings and Lesley Johnston will manage the conduct of the sale of alcohol pursuant to the licence.

DATED at Whangarei this 26th day of August 2014

Chairman
Whangarei District Licensing Committee
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