

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Taihape Workingmens Club Incorporated** for a renewal of Club Licence pursuant to section 127 of the Supply of Alcohol Act 2012.

**BEFORE THE RANGITIKEI DISTRICT LICENSING COMMITTEE**

The application for renewal of Club Licence (037/CL/0006/2014) was publically advertised on Council's website from the 3<sup>rd</sup> to the 24<sup>th</sup> November 2017. A notice was also placed on the premise door as required. No objections were received.

No matters of opposition were raised under section 128 and 129 reports; therefore the matter is considered by the Rangitikei District Licensing Commissioner on the papers contained in the full file provided by the secretary.

**Commissioner:        Stuart Hylton**

**RESERVED DECISION OF THE RANGITIKEI DISTRICT LICENSING COMMITTEE**

**1. Application**

Taihape Workingman's Club Incorporated made the application on the prescribed form received on 22nd November 2017. The application for renewal of Club Licence is in relation to the clubs premises situated at 34 Kuku Street, Taihape.

The general nature of the business is that of a workingman's club. The Taihape Workingman's Club has been incorporated and operating as a Club since 2004.

The renewal seeks to keep the same conditions as the current licence (apart from one less hour at time of closing) and the premise has not come to the notice of officials during the renewal period. Two monitoring inspections conducted in 2016 and 2017 found compliance with licence conditions.

- The complete file included –
- The application
- Floor plan
- Reports from Police, Medical Officer of Health and Inspector
- Host Responsibility Policy
- Fire Evacuation Scheme statement of compliance
- Food menu
- Supporting letter from landlord
- Copy of current licence
- Notice of renewal
- Copy of public advertisement

**2. Decision Making**

In considering this application for Club-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act.

**Section 105/131 assessments:**

**(a) the object of this Act:**

The file contains and the inspector notes the applicant has a Host Responsibility Policy stating the measures to be undertaken to ensure the responsible sale and supply of alcohol. There have been no issues raised concerning previous operations so if the policy is followed then compliance with the object of the Act should be able to be achieved.

**(b) the suitability of the applicant:**

The applicant is an incorporated society since 2004 and located on the current site since then. The applicant has supplied the name of two certified managers for the licence. This is considered to be a bare minimum to manage the licence.

The inspector notes that the current licence has been monitored by authorities with no issues noted. The suitability of the applicant is not challenged.

**(c) any relevant local alcohol policy:**

No local policy currently in place.

**(d) the days on which and the hours during which the applicant proposes to sell alcohol:**

The applicant has applied for the following days and hours. (Previously the licence went to 2.00am the following day)

**Monday to Sunday, 9.00am to 1.00am (the following day),**

These hours are seen as adequate and has operated in the past without incident.

**(e) the design and layout of any proposed premises:**

An inspection of the premises by the inspector identified no concerns with with CPTED principles or design and layout of the premises. The floor plan indicates that there are no changes to layout have been made since the previous renewal. The layout appears to function satisfactorily.

**(g) whether the applicant is engaged in, or proposes on the premises 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:**

Normal club ancillary services.

**(j) whether the applicant has appropriate systems, staff, and training to comply with the law:**

Previous operations have been satisfactory and therefore systems seem appropriate. There is documentation of staff training and systems.

**(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#). (see 3 below)**

**(s.131(1)(b))whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:**

The Club premises is located within a Commercial Zone, with a mix of retail and residential uses close by. The premises has a number of sensitive uses within a 500m radius.

No issues raised within the file and in the Committee's opinion the amenity and good order of the locality should not be compromised by the issue of the renewal licence.

**(s.131(1)(d)the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.**

No issues raised within file.

### **3. Reporting Agencies**

The following reports were received under section 103 and 129 of the Act and taken into account during the decision.

**3.1 Police** – Report received on 28th November 2017 of no opposition.

**3.2 Medical Officer of Health** - Report received on 1st December 2017 of no opposition.

**3.2 Licensing Inspector** – Full report dated 20th February 2018. The inspector was satisfied the application met the relevant criteria and therefore supported the renewal of a club licence to Taihape Workingmen's Club.

### **4. Conclusion**

Based on the evidence provided to me within the complete file, my assessment above of section 105/131 matters and the past operation of the premise/licensee, I conclude that the application meets the statutory criteria to be granted a renewal of Club-Licence under the Act for a period of three (3) years.

### **5. Decision**

The licence can be issued subject to the following conditions –

The holder of a club licence must ensure that no alcohol is sold or supplied to any person for consumption on the premises unless the person is an authorised customer.

**An authorised customer**, in relation to premises a club licence is held for, means a person who—

- is a member of the club concerned; or
- is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or
- is an authorised visitor

(a) The holder of a club licence must take all practicable steps to ensure that—

- there is at all times a secretary of the club; and
- within 10 working days of the appointment of a new secretary, the secretary of the appropriate licensing committee is told the name of the new secretary; and
- all proceeds from the sale of alcohol belong to the club

(b) The club must have for consumption on the premises, at all times when the club is open for the sale of alcohol, a reasonable range of non-alcoholic refreshments and low-alcohol beverages.

(c) Liquor may only be sold on the following days and during the following hours:

- **Monday to Sunday, 9.00am to 1.00am (the following day),**

(d) At all times when the premises are authorised to be open for the sale of alcohol, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, must be conveniently available to all members and their guests and the availability of those foodstuffs must be notified to them by appropriate notices throughout the premises.

(e) The licensee must ensure that signs are predominantly displayed within the licensed premises detailing information regarding alternative forms of transport from the premises.

(f) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol.

(g) The licensee and managers on duty must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.

(h) The licensee must ensure that there is water freely available at all bars whilst open.

The application is **Approved** for issue immediately.

**Dated at Rangitikei District this 23rd day of February 2018.**

**Signed**



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**Stuart Hylton**  
**Rangitikei District Licensing Commissioner**