

APPLICATION NUMBER: 032/SL/4487/2024

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Theatre Royal (Waimarino) Charitable Trust** for a special-licence pursuant to section 138 of the Act on the occasion of a 'screening of the classic 1965 film 'Dr Zhivago'.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Chairperson: Mr Stuart Hylton

DECISION

1. Introduction

This is an application by **Theatre Royal (Waimarino) Charitable Trust** for a special licence in regard to an event to be held at the Theatre Royal, 23 Seddon Street, Raetihi. The nature of the event for which the licence is sought is a 'screening of the classic 1965 film 'Dr Zhivago''.

The application is to allow the sale of alcohol at a particular occasion or event where there is no existing licence in force for people to attend the event.

The date and hours sought are –

Saturday 29 June 2024 from 5.15pm until 11.00pm

2. Application

The application was received on the 28 May 2024 and included a site plan, event flyer, emails, manager's certificate and food list.

The application was not advertised and no objection or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (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](#).

3. Reporting Agencies

The following reports were received under section 141 of the Act.

Police Report – No opposition within report received 6 June 2024.

Medical Officer of Health – No opposition within report received on 11 June 2024.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. The Inspector has no opposition to the issuing of the licence subject to the recommended conditions.

The inspectors report/file noted the following key matters –

- The applicant is a registered charitable trust on 21 December 1995. This is the sixth special licence application that the Trust has made with no issues noted previously. It is the intention of the trust to eventually apply for a new On Licence to allow them to host events with more regularity. The current application, as well as previous ones, have been prepared by Mr Griffin-Chappel, who is an experienced Duty Manager.
- Approximately 150 people are expected to attend by ticket only, with alcohol sold before, at the interval and at the end of the screening. The event is open to the public with tickets available to pre-purchase and with availability on the door.
- Suitability is not challenged.
- The premises is to be located on the site at 23 Seddon Street, Raetihi. The premises is a historic building. The licensed area is unchanged from the last special licence issued for the premises and is shown in the site plan stamped 22 August 2023.
- The hours appear relevant for the event being undertaken.
- An experienced certified manager is nominated to be the responsible person to oversee the licence. This is supported.
- Both the Police and MOH have no opposition to the application

4. Decision

The application for Special Licence is **Approved** for issue subject to the following conditions.

5. Conditions

- a) Alcohol may only be sold under the licence to persons attending **the screening of the classic 1965 film 'Dr Zhivago'** on the following days and during the following hours:

Saturday 29 June 2024 from 5.15pm until 11.00pm

- b) Alcohol must only be sold, supplied and consumed within the area marked on the plan submitted with the application date stamped as received by the District Licensing Committee on 22 August 2023.
- c) A copy of this licence with all the conditions, must be clearly displayed in a prominent place so all persons can read it.
- d) Drinking water shall be freely available on the premises as specified in the application.
- e) The licence holder must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
- f) Food must be available for consumption on the premises as specified in the application.
- g) Low-alcohol beverages must be available for sale and supply on the premises as specified in the application.
- h) Non-alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- i) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- j) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed:

That at least one nominated manager must be present at all times during the event to oversee the licence, and

The duty manager's name must be prominently displayed inside the premises.

DATED at Taumarunui this 16th day of June, 2024.



Stuart Hylton
Commissioner
Ruapehu District Licensing Committee