

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Taumarunui Cosmopolitan Club Incorporated pursuant to s.137 of the Act for an On-Site special licence in respect of premises situated at corner of Miriama and Katarina Streets, Taumarunui, known as "the Taumarunui Cosmopolitan Club".

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Commissioner: Ross Murphy

DECISION

This is an application for an On-site Special Licence with the applicant, location and premises detailed above. The application was received at least 20 working days before the event.

The application is sought for a dance and band night with Marilyn Kingi and Friends. This is to allow an existing licensed premises to sell or supply alcohol at a time when the sale of alcohol on the premises would otherwise be unlawful.

The day and hours sought for the licence is Saturday 9 March 2024, 7.00 pm to 12.00 midnight.

The application was not required to be notified in accordance with s.139(b) of the Act. Reports from the Police, Medical Officer of Health and an Inspector do not raise any matters in opposition to the application. Accordingly, the application is determined on the papers.

In deciding whether to issue the licence the District Licensing Committee must have regard to the criteria in s.142 of the Act and this committee must consider this within the framework of the purposes and object of the Act:

- (a) The object of the Act:
- (b) The nature of the particular event for which the licence is sought:
- (c) The suitability of the applicant
- (d) Any relevant local alcohol policy
- (e) Whether 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 the Act in relation to the sale and supply of alcohol to prohibited persons are observed:
- (k) The applicant's proposals relating to the sale and supply of non-alcoholic drinks, low-alcohol drinks and food and to 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.

This is a free public performance to be held at the club by local performers 'Marilyn Kingi and Friends'. There is no entry fee or cover charge, which is unusual to gauge the numbers, but the agencies have all reported without concern. A similar event was held at the club three months ago. It is expected there will be less than 100 people attending. There has been similar events held at the club and no concerns have been raised. The club holds regular events without issue.

Section 213 of the Act requires the appointment of at least 1 manager in accordance with the Act unless exempted by the committee from the requirement to do so. The application identifies that a certificated manager will be appointed.

Having inquired into this application the Inspector is satisfied that the application is in keeping with the object and the requirements of the Act and I am satisfied as to the matters to which I must have regard as set out in s.142 of the Act and I grant the application with the following conditions;

- a) A copy of this licence with all the conditions must be displayed in a prominent place so all persons can read it (and all staff must be familiar with the conditions).
- b) Alcohol may be sold only on the following days and during the following hours: Saturday 9 March 2024, 7.00 pm to 12.00 midnight.
- c) The entire premises is undesignated.
- d) The holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold and a sign shall be prominently displayed inside the premises, which identifies by name the person responsible under the licence.
- e) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be displayed at every point of sale appropriate signs detailing these restrictions.
- f) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the District Licensing Committee on 5 February 2024 and no alcohol is to be taken out of this area.
- g) Drinking water must be freely available on the tables while the premises is open for the sale and supply of alcohol.
- h) Food must be available for consumption on the premises at all times when open for the sale of alcohol along the following lines: The clubs full menu for the main meal times. At other times a snack menu with a minimum food choice of four. The choices do not include nuts and crisps and the like. The availability should be clear to customers and food should be actively promoted.
- i) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises are open for the sale of alcohol.
- j) A telephone must be freely available for customers to call for transport and staff must assist if required. A courtesy vehicle is also to be available.

DATED this 22nd day of February 2024.

A handwritten signature in black ink, appearing to read 'Ross Murphy', with a circular flourish underneath.

Ross Murphy
Commissioner
Ruapehu District Licensing Committee