

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by Gary Griffin-Chappel pursuant to s.137 of the Act for an On-Site special licence in respect of premises situated at 444 Mangaeturoa South Road, Raetihi.

**BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE**

Commissioner: Ross Murphy

**DECISION**

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

The application is sought for the following event: The inaugural 'Blazing Hills' trail run and walk Ruapehu event and 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 day and hours sought for the licence are Saturday 9 March 2024, 10.00 am to 4.00 pm.

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.

The license is sought for an inaugural athletics event for runners and walkers to be held with four different distances from 3 km to 20.5 km. Entry is via the website and fees range from \$20 to \$85 and about 100 people are expected. Results are recorded via a reputable third party.

The events start at 8.00 am with cut-off times and the prizegiving is expected around 2.00 pm. The whole event is very similar to many off-road running and walking events held throughout the country.

The bar licensed area is contained to an area of 16m by 8m and there will be clear delineations of the area. The alcohol to be sold is restricted to beer and wine and there is also a good range of non-alcoholic beverages and food options.

The entire event has been designed as a generic fundraiser for Raetihi, with funds raised to be used on various projects which will benefit and advance the town. The specific recipients will be determined at a later date, once the final numbers are known.

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. Given the nature of the event we do not consider an exemption to be appropriate. The application identifies that two certificated managers will be appointed.

Section 143 of the Act details further criteria that must be given regard in respect of a large scale event. The event this time is not considered a large scale event to which s.143 of the Act applies.

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 the Committee is satisfied as to the matters to which we must have regard as set out in s.142 of the Act and 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 day and during the following hours: Saturday 9 March 2024, 10.00 am to 4.00 pm.
- c) The entire licensed area is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian).
- d) The holder of a manager's certificate shall be on duty and on the premises at all times alcohol is sold.
- 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 26 February 2024 and no alcohol is to be taken out of this area.
- g) Drinking water must be freely available from the bar area and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
- h) Food must be available for consumption at all times when open for the sale of alcohol along the following lines: A range of food outlets must be open the whole time alcohol is available for sale. 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.

DATED this 27<sup>th</sup> day of February 2024

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

Ross Murphy  
Commissioner  
Ruapehu District Licensing Committee