

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Sophia Haugh for the Kaitieke Collie Club pursuant to s.137 of the Act for an On-Site special licence in respect of premises situated at 42 Upper Retaruke Road, Kaitieke.

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 the Annual Kaitieke Dog Trials 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 days and hours sought for the licence are: Friday 15 March and Saturday 16 March 2024. 11.00 am to 12.00 Midnight each day.

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 event has been held on a regular basis without issue and entry is to participants and interested parties. The applicant extended the hours two years ago to allow for a more relaxed social evening and this went without concerns. The agencies have no opposition as there have been no past problems with this event. This event is on the national calendar for the Sheep Dog Association and about 80 people are expected. This will be the 103rd running of the event.

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 I consider an exemption may be granted. In this case the licensee must nominate some other person to manage the conduct of the sale of alcohol pursuant to the licence. Sophia Haugh who is the secretary of the club and the named applicant Licensee, Hamish Parkinson and Graham Malcom have been nominated to manage the conduct of the sale of alcohol pursuant to the licence.

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: Friday 15 March and Saturday 16 March 2024. 11.00 am to 12.00 midnight both days.
- 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 persons nominated to manage the conduct of the sale and supply of alcohol at all times the premises are open for the sale and supply of alcohol are Sophia Haugh, Hamish Parkinson and Graham Malcom and a sign shall be prominently displayed inside the premises, which identifies by name the persons responsible under the licence.
 - (i) All staff will be trained in their responsibilities under the Act;
 - (ii) Evidence of age documents will be requested from any person appearing to be under the age of 25.
 - (iii) There must be no consumption of alcohol by staff or managers immediately before or during their shifts.
- 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 22 February 2019 and no alcohol is to be taken out of this area.
- g) Drinking water must be freely available 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 on the premises at all times when open for the sale of alcohol along the following lines: Cooked meals (BBQ) at 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.

- 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) Sober drivers should be made available.
- k) No BYO alcohol on the premises while alcohol is available for sale.

DATED this 27th day of February 2024

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

Ross Murphy
Commissioner
Ruapehu District Licensing Committee