

APPLICATION NUMBER: 32/SL/4460/2024

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by **Raetihi Cosmopolitan Club Incorporated** for a special-licence pursuant to section 137 of the Act on the occasion of a 'music gig'.

BEFORE THE RUAPEHU DISTRICT LICENSING COMMITTEE

Chairperson: Mr Stuart Hylton

DECISION

1. Introduction

This is an application by **Raetihi Cosmopolitan Club Incorporated** for a special licence in regard to an event to be held at **Raetihi Cosmopolitan Club** situated at 32 Seddon Street, Raetihi. The licence is necessary to allow non club members to attend the event to consume alcohol on the Club's premises during the music gig.

The Special Licence is sought for a music gig by Brutha Rodz and Common Unity. These musicians are originally from Raetihi. Up to 200 people, mainly over 18 years of age, are expected to attend. Entry is by ticket only.

The date and hours sought are:

Saturday 25 May 2024 7.00pm until 1.00am the following day

2. Application

The application was received on 2 May 2024 and included an event flyer, evacuation plan, site plan, certificate of incorporation, associated emails 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 10 May 2024.

Medical Officer of Health – No opposition within report received 6 May 2024.

Licensing Inspector Report – Full report dated 13 May 2024, 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 recommended conditions.

The inspectors report/file noted the following key matters –

- The event will take place in the whole premises area generally of the Club. It's expected to attract approximately 200 people with access by ticket only.
- The applicant is a licensed club who require a special licence to allow non club members attending the event to consume alcohol at the Club. The Club has held similar events before with no known issues noted. The band organiser and the duty manger will be monitoring noise levels to ensure they remain within appropriate levels. Staff will monitor and manage patrons as they leave the premises the premises to minimise neighbour disturbance.
- Suitability is not challenged.
- The licensed area for the event is the whole club area and is shown on the floor plan dated 16 May 2023 of the application file.
- The hours appear relevant for the event being undertaken.
- Five certified managers are named to control the licence with two nominated to be on at any one time.
- 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 conditions below.

5. Conditions

- a) Alcohol may only be sold under the licence on the following days and during the following hours to persons attending the music gig:

Saturday 25 May 2024 7.00pm until 1.00am the following day

- 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 16 May 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) No BYO alcohol allowed on the site.
- k) The licensee must take the following steps to ensure that the provisions of this Act relating to the management of premises are observed:

That a certified duty manager be present at all times the license is in operation, and
The duty manager's name must be prominently displayed inside the premises.

DATED at Taumarunui this 14th day of May, 2024.



Stuart Hylton
Chairperson
Ruapehu District Licensing Committee