

Matamata-Piako District Licensing Committee

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Matamata Association Football Club Incorporated** for the renewal of a **club licence** pursuant to section 127 of the Sale and Supply of Alcohol Act 2012.



Licence Number: **13/CLUB/001/2024**
Original Licence Number: 13/CLUB/004/2021
File Number: 162.2009.15.9

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Sue Whiting

DECISION ON THE PAPERS

This is an application by Matamata Association Football Club Incorporated for renewal of their club licence in respect of a premises situated at 10 Meura Street, Matamata known as the Matamata Association Football Club. The premises has been previously registered. The general nature of the premises is that of a Sports Club.

The application was filed on the 16th of August 2023 therefore the criteria under s.131 of the Sale and Supply of Alcohol Act 2012 will apply.

The application is made under Section 127 of the Sale and Supply of Alcohol Act 2012. The application was advertised in accordance with the Act, in the Scene on 21 November 2023. No objections were received.

Section 37 (2)(b) of the Sale and Supply of Alcohol Regulations 2013 relates to the manner of publication of public notice of applications for renewals of licences for premises or conveyance in very low-risk or low-risk fees category if published in a newspaper, one publication is sufficient.
This application falls within that category.

The public notice was supposed to be made on the 13th of September 2023 and was not done. The applicant forgot to do so.

The reason for the non-compliance falls within Section 208 of the Act which states Where any person has neglected or omitted to do any act or thing in the precise manner or within the precise time pre-scribed by this Act, the licensing authority or (as the case may require) the licensing committee or the chairperson, if satisfied that the neglect or omission was not wilful, may waive the same on such terms as they think equitable.



The days and hours of operation set out in the application are:

Monday to Friday from 5.00 pm until 11.00 pm
Saturday and Sunday from 11.00 am until 11.00 pm

These hours comply with the requirements of the Council's provisional Local Alcohol Policy as it applies to this type of premises.

The application was referred to the Police, Medical Officer of Health and Inspector for comment. No matters in opposition have been raised in respect of the application. As of 10 October 2023 a report has not been received from the Police. The District Licensing Committee can assume the Police did not have any objections to the application. The Police had until the 7th of September 2023 to respond. Accordingly the application is determined on the papers.

The applicant, in accordance with s.212 of the Act, has named a manager with a current certificate to manage the sale of alcohol from the premises.

In deciding whether to renew a licence the committee must have regard to the matters set out in s.105 and 131 of the Act. These are:

Section 105

- (a) *the object of this Act*
- (b) *the suitability of the applicant*
- (c) *any relevant local alcohol policy*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol*
- (e) *the design and layout of any proposed premises*
- (f) *whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods*
- (g) *whether the applicant is engaged in, or proposes on the premises 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*
- (h) *whether the applicant has appropriate systems, staff, and training to comply with the law*
- (i) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

Section 131

- (a) *whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:*
- (b) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*
- (c) *the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.*

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol should be minimised.

The Inspector has noted that he considers Matamata Association Football Club Incorporated to be a suitable body to hold a club licence. He has also noted that in his opinion the amenity and good order of the locality would be unlikely to be increased by more than a minor extent by the effects of a refusal to renew the licence.

I am satisfied as to those matters to which I must have regard and grant the renewal of the club licence for a further three years.

The renewal certificate can be issued immediately.



Conditions

This licence is subject to the following conditions:

- (a) The club must have a secretary at all times
- (b) Within 10 working days of the appointment of a new secretary, the club must inform the Secretary of the District Licensing Committee of the name of the new secretary
- (c) All proceeds from the sale of alcohol belong to the club
- (d) Liquor may be sold only on the following days and during the following hours:

Monday to Friday from 5.00 pm until 11.00 pm

Saturday and Sunday from 11.00 am until 11.00 pm

- (e) At all times when the premises are authorised to be open for the sale of alcohol, a range of snack foods no less substantial than snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, must be conveniently available for all members and their guests and the availability of those foodstuffs must be notified to them by appropriate notices throughout the premises
- (f) The club shall have a reasonable range of low alcohol and non-alcoholic refreshments available on the premises at all times when alcohol may be sold under the licence.
- (g) The licensee must ensure that drinking water will be made readily available to all attendees free of charge
- (h) The licensee must ensure that signs are prominently displayed within the licensed premises detailing information regarding alternative forms of transport from the premises
- (i) The licensee must implement and maintain the steps proposed in the application for the licence aimed at promoting the responsible consumption of alcohol
- (j) The Club Committee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed.

- (k) The holder of a Manger's Certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.
- (l) Manager's register (as required by s.232 of the Act) is to be maintained and available onsite
- (m) The licensee must ensure the following are displayed:
 - (i) A sign to be seen from outside the principle entrance stating the ordinary hours of business during which the premise will be open for the sale of alcohol
 - (ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
 - (iii) A sign in a prominent place identifying the duty manager.
- (n) The premises is undesignated.

Dated 26 Jan, 2024



Sue Whiting
Chairperson
Matamata-Piako District Licensing Committee

