

Notice of Decision



Decision No. 57/CL/161/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Cheviot Rugby Football Club Incorporated pursuant to s.127 of the Act for renewal of an Club Licence in respect of premises situated at Ward Road, Cheviot known as "Cheviot Rugby Football Club"

BEFORE THE Hurunui District Licensing Committee

Chairperson: Councillor M Black

DECISION (ON THE PAPERS)

This is an application by Cheviot Rugby Football Club Incorporated for renewal of an Club Licence in respect of premises situated at Ward Road, Cheviot, known as "Cheviot Rugby Football Club".

The applicant also seeks a variation of hours.

The current hours licensed are: Saturdays from 12.00 midday to 12.00 midnight.

The applicant originally sought licensed hours of: Friday from 12.00 midday to 12.00 midnight, Saturday from 12.00 midday to 12.00 midnight and Sunday from 12.00 midday to 12.00 midnight.

The application stated the interior of the clubrooms were to be supervised, but this is not deemed suitable for the type of premises, namely a rugby club with many members being under the age of 18.

All licensed areas shall be undesignated.

On 17 April 2018, the Medical Officer of Health lodged a report opposing the application:

'The applicant seeks renewal of their Club licence with an extension of trading hours from the current 12 midday to 12 midnight on Saturdays to Friday, Saturday and Sunday 12 midday to midnight. Club membership is shown as "100+" with 90 being under 18 years of age.'

After receiving a reponse from the applicant regarding the reason for additional hours, the application was opposed stating:

'The response is concerning in that it appears the Club intends to trade the increased hours as a community function centre rather than a licence ancillary to the activities of the Club. A copy is attached.

For this reason, the application is opposed.'

On 16 April 2018, the Police lodged a report opposing the application:

'(d) The days and hours that the applicant intends to sell alcohol

The applicant is wanting to extend the licensed hours on Friday, Saturday and Sunday to be 12pm to 12am.

(j) Staff, systems and training

Police are aware that there have been several late special licence applications for various events. There have also been some events that have been inadequately staffed or staff have not been adequately briefed on their duties.

(k) Any other matter

Police would like to have a meeting with the club and discuss the issues and get more information on the request to extend the hours. Police oppose the renewal with extension of hours.'

The Medical officer of Health contacted the applicant by email enquiring into the reason for the extension of hours. The response email was that they have weddings and functions at the club.

Police oppose this extension to hours as the activities are not related to the club activities being rugby. If the club wishes to have weddings and functions then special licences should be sought for those functions and extension in hours.

The Inspector met with club committee members on 20 June 2018 and discussed the hours requested, the reasons why they were sought and explained the reasons why special licences were required for the majority of the events envisaged to be included under the extended club licence hours.

An email was received on 25 June 2018 seeking amended hours and providing the reasons for the hours sought:

'The hours have changed to Saturdays from 12pm - 12am and Sundays from 12pm – 7pm. The reason for these changes are that we have home games and also prize givings for the Cheviot Glenmark Rugby Teams. Also we will be holding Rep games on some Sundays.'

The applicants sought amended hours:

Saturday 12.00noon – 12.00 midnight

Sunday 12.00noon – 7.00pm

The Inspector considers these hours for the activities proposed are appropriate for the club licence.

On 15 March 2019, the Medical Officer of Health withdrew the opposition to the application stating:

'Following significant input from the Licensing Inspector, changes have been made to the application which address the grounds in opposition.'

On 18 March 2019, a further report was received from Police in which the opposition was withdrawn:

'The applicant has changed the hours sought and the Licensing Inspector has spoken with the club committee members and explained the club-licence restrictions and when special licences are required.'

The club now has an experienced duty manager working at the club and the special licences this year have been submitted in the required timeframe.


Police feel the matters in opposition have been addressed and wish to withdraw the opposition to the application.'

The application was duly advertised and no objection or notice of desire to be heard has been received.

We are satisfied as to the matters to which we must have regard as set out in s.131 of the Act. We renew the licence until 04 May 2021, that being the anniversary date of the licence and three years from the most recent date of expiry.

Due to a practice direction from the Alcohol Regulatory and Licensing Authority we authorise the issue of a replacement licence with a new number and notice of renewal.

DATED at Amberley this 25 March 2019

A handwritten signature in black ink, appearing to read 'A. Marshant', written over a horizontal line.

Secretary

Hurunui District Licensing Committee