

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

AND

IN THE MATTER of an application by the
HEATHCOTE VALLEY
SCHOOL for an On-Site
Special Licence pursuant to
s22 of the Act in respect of
premises known as the
Heathcote Valley School
situated at 61 Bridle Path
Road, Christchurch.

DECISION OF THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson Mr R J Wilson JP
Members Mr G Buchanan
Mr P Rogers

INTRODUCTION

[1] This is an application by the Heathcote Valley School for an On-Site Special Licence for premises known as the Heathcote Valley School situated at 61 Bridle Path Road, Christchurch. The occasion is a Gala Fundraising Event to be held on Friday 3rd November 2017 between the hours of 5 pm and 8 pm. The applicant has appointed an experienced and certificated Duty Manager to take charge of the licensed area which will be contained within a small marquee. This is an annual event and there have been no problems whatsoever with similar events in the past.

[2] There has been no objection or wish to be heard expressed by members of the public and neither has the application been opposed by the Licensing Inspector or the NZ Police. The Medical Officer of Health has however reported in opposition.

Such opposition does not necessarily require a public hearing, s202 of the Act providing that only public objections require this. The Committee may choose to decide the matter on the papers although s191(2) requires a full quorum of three not just the Chairperson sitting alone. The Committee has given careful consideration to the matter and has decided that a public hearing is not necessary. We therefore proceed to determine the matter on the papers.

THE OPPOSITION OF THE MEDICAL OFFICER OF HEALTH

[3] The Medical Officer of Health has opposed this and similar applications in the past on the basis that a Special Licence should not be granted to events where children are likely to be present as is particularly the case with school galas. On this occasion the Committee is reminded that other Districts have opted to refuse such applications. We are also told that the number of like applications has declined since the opposition of the Medical Officer of Health became widely known. The Christchurch District Licensing Committee while respecting the views of the Medical Officer of Health, has not been convinced that these override the right of responsible citizens and parents to decide for themselves whether they wish to have alcohol at their function. We also note that the area to be licensed is somewhat removed from the area where children are likely to congregate. On balance we are prepared to grant the application.

[9] The licence will be subject to the following conditions:

Compulsory Conditions

The following conditions are compulsory:

- (a) Alcohol may only be sold under the licence on the following day and during the following hours:
Friday 3rd November 2017 between the hours of 5 pm and 8 pm
- (b) Drinking water will be freely available on the premises as specified in the application.

Discretionary Conditions

The following discretionary conditions will apply:

- (a) The licence holder must display appropriate signs adjacent to every point of sale detailing the statutory requirements on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.

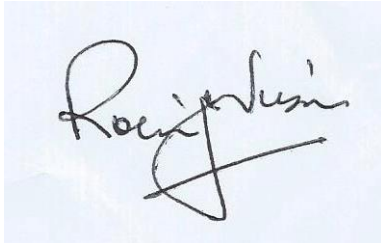
- (b) Food must be available for consumption on the premises as specified in the application.
- (c) Low alcohol beverages must be available for sale and supply on the premises as specified in the application.
- (d) Non alcoholic beverages must be available for sale and supply on the premises as specified in the application.
- (e) The licensee must provide assistance with or information about alternative forms of transport from the premises as specified in the application.
- (f) A copy of this licence together with signs showing the age restriction must be clearly displayed.
- (g) Alcohol may only be sold, supplied and consumed within the area marked on the plan submitted with the application.

The licence is also subject to the following conditions which in the Committee's opinion are not inconsistent with the Act

- (a) Noise should be controlled so as not to disturb neighbouring residents.

The premises are not designated.

Dated at Christchurch this 8th day of September 2017

A handwritten signature in black ink on a light blue background. The signature is cursive and appears to read 'R. J. Wilson'.

R.J.Wilson
Chairperson,
Christchurch District Licensing Committee