

Decision No. 60D [2017] 754

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by Tigga Design
Limited for an onsite special
licence pursuant to s.138 of the
Act in respect of premises situated
at Unit D 4/10 Garlands Road
CHRISTCHURCH and trading as
Tigga Design Theatre.

BEFORE THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE:

Chairman: G B Buchanan
Members : P Rogers
 R Wilson

ON THE PAPERS DECISION

- [1] This application relates to the hosting of an event on 8th April 2 2017.
- [2] The event is a Deep Frequency – DJ Event and it is expected to be attended by approximately 150 people.
- [3] Food will be available for at this event.
- [4] The applicant has sought to be exempt from section 213(1) of the Act to appoint at least one manager for the event. This exemption is not granted. These types of events at this location have sufficient risk that a Manager will need to be appointed.
- [5] The Inspector has reported favourably in regard to the application.
- [6] Matters have been raised in opposition by both the Police and the Medical Officer of Health. We acknowledge the points of objection and make the comment that the number of events being held at this venue may be more appropriately conducted under an On-licence. We draw the attention of the applicant to Section 41 of the Act. There is a limit to the number of Special Licences that may be granted for these premises, to this applicant under these or similar circumstances. That limit may have been reached.
- [7] 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 applicant a special licence pursuant to s.104 (1).

[8] The licence will not issue until all relevant clearances have been obtained. The applicant is not entitled to sell alcohol until the licence issues. Unlicensed sales can result in imprisonment for up to three months or a fine of \$40,000 (sec 233 (a) and (b) of the Act).

[9] The applicant's attention is drawn to s.259 of the Act which makes it an offence to not comply with certain requirements and restrictions imposed by or under this Act, specifically sections 46 to 63.

[10]The applicant must comply with all conditions specified on a licence.

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

Compulsory conditions- section 147(3)

(a) Alcohol will only be sold on the following day and times.

Saturday 8 April 2017 from 6.00pm to 1.00am the following day.

(b) Signage must be displayed stating (directly or by description) a place or places on the premises at which drinking water is freely available to customers while the event described is taking place.

Discretionary conditions – section 147(1)

(a) 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.

(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-alcohol 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) Entry is restricted to ticket holders only.

(g) A copy of this licence together with signs showing the age restrictions must be clearly displayed.

The following area is designated as a restricted area : The entire premises

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

A Duty Manager will be appointed at all events

Noise should be controlled so as not to disturb neighbouring residents.

THE LICENSED PREMISES

The premises are identified on the plan provided with the application for a licence.

DATED at CHRISTCHURCH this 29th day of March 2017

A handwritten signature in black ink, appearing to read 'G B Buchanan', written in a cursive style.

G B Buchanan

Chairman
Christchurch District Licensing Committee