

Decision for Special Licence

Licence Number: SP15083

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

And

IN THE MATTER of an application by the Alexandra Musical Society for a special licence pursuant to section 138 of the Act in respect of premises situated at Skird Street, Alexandra known as the Alexandra Memorial Theatre for the **Musical production of Evita**.

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BEFORE THE CENTRAL OTAGO DISTRICT LICENSING COMMITTEE

Robert B McNeil (Chairman)
Cr Neil Gillespie
Dr Michael MacAvoy

DECISION

This is an application by the **Alexandra Musical Society** for a special licence in respect of premises situated at Skird Street Alexandra known as the Alexandra Memorial Theatre for the Musical production of Evita.

Discussion

Reports have been received from the Licensing Inspector, Medical Officer of Health and Police. Due to a lack of substantial food the Medical Officer of Health and Police initially opposed the application. The oppositions were withdrawn as a result of the applicant agreeing to provide a range of food which satisfied the requests of the Medical Officer of Health and the Police.

The committee notes that section 147(1) of the Act refers to the provision of food at special licence events as a discretionary condition and recognises that there will be occasions where because of the limited period for which alcohol is available for sale at some events, the range of food options can be significantly reduced. The committee acknowledges the link between the provision of food and reduced alcohol consumption, but believe the type and quantity of food should be appropriate to a particular event or occasion.

This particular event has several aspects to it which would indicate that the provisions of section 4 of the Act would be met. In particular;

- The availability of alcohol is for 30 minutes before the event and 20 minutes at intermission. The opportunity for excessive consumption is minimal.
- Of the up to 350 people attending the event each night, only a minority of those are likely to purchase alcohol.
- As the event commences at 7.30pm it is likely those attending would have eaten a substantial meal prior to the event.
- This type of cultural event is unlikely to attract attendance from the high risk age group in the community.

Reason for decision

As the Musical Society has voluntarily amended their application to provide food to the satisfaction of the Medical Officer of Health and Police, the committee has incorporated that provision as a condition of the licence.

The committee considered the matters of concern initially raised by the Medical Officer of Health and the Police and accepted the withdrawal of their opposition prior to the application going to a hearing.

The committee therefore dealt with the application on the papers.

Decision and conditions

The committee is satisfied as to the matters to which we must have regard as set out in Section 147 of the Act and approve the issue of a special licence.

Pursuant to section 213 (2) of the Act we hereby grant a waiver for Hugh McIntyre (who is not a holder of a current manager's certificate) to manage this special licence for these events.

This licence is subject to the following conditions:

- (a) The licensee must have available for consumption on the premises at all times when alcohol may be sold under the licence a reasonable range of non-alcoholic refreshments and low-alcohol beverages.
- (b) Free drinking water must be visibly available and promoted with signage.
- (c) Alcohol may only be sold or supplied to persons attending the events.
- (d) Alcohol may be sold under the licence only on the following days and during the following hours:
 - 27th September from 7.30pm to 10.00pm**
 - 28th September from 1.30pm to 4.00pm**
 - 29th September from 7.30pm to 10.00pm**
 - 30th September from 7.30pm to 10.00pm**
 - 1st October from 7.30pm to 10.00pm**
 - 2nd October from 7.30pm to 10.00pm**
- (e) Food shall be available as identified in the amendment to the application.
- (f) Alternative transport must be provided by the committee if requested.
- (g) The duty manager (Hugh McIntyre) shall instruct or otherwise provide information to bar assistants and servers to ensure that the object of the Act is upheld and must ensure that there are no alcohol sales to prohibited persons.
- (h) A copy of the licence shall be prominently displayed within the licensed premises as well as the name of the manager on duty in accordance with the Act.

Dated at Alexandra this 23rd day of September 2015



Robert B McNeil
Chairman
Central Otago District Licensing Committee