

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application for a special licence
pursuant to s. 137 by West Coast
touring Motorcycle Club in respect of
premises known as the Woodstock
Domain at Back Creek Road,
Woodstock.

DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED APPLICATION

Authority:

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

Summary of Evidence

A special licence is sought for the purposes of providing a bar service at the Woodstock Domain for the 20th annual rally of the West Coast Touring Motorcycle Club.

The days and hours that the licence will operate are Friday 27 January 2023 from 12 Noon through to 2.00AM the next day and Saturday 28 January 2023 from 11.00AM through to midnight the same day.

A report from the Inspector concludes that the applicant is suitable to hold a special licence.

The applicant is a body corporate which has been associated with the annual rally at Woodstock for 20 years..

The Licence will be controlled through managers.

The Police have no objection to the application.

The Medical Officer of Health has no opposition to the application.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received and the complete file which has been made available to me. The application was not publicly notified. The matter can, therefore, be dealt with on the papers.

I am confident that the 20th annual rally of the West Coast Touring Motorcycle Club will be a success as the application is comprehensive and mostly clear as to the intention of the organisers. The layout is mostly clear with the exception of the designation of the bar area which is shown on the plan as a supervised area and deleted. The entire area of the Domain is shown as "18+ designated area" but this, too appears to have been deleted. The Inspector boldly asserts that "the entire area will have a supervised designation"; I am accepting this as the reality as the Inspector has the privilege of knowing the application well and being able to speak with the organisers to gain clarification.

The management of the Licence will be in the hands of Kimble Justin Upfold, Nigel Grant Irvine and William Robert Brown. Neither Mr. Irvine nor Mr. Brown hold a Manager's Certificate. Mr. Upfold is qualified and holds a Manager's Certificate and he will be responsible for the effective operation of the licence. Messrs. Irvine and Brown will support Mr. Upfold "including instructing bar staff on licensing rules and will maintain licensing requirements". Between the three named individuals there is 31 years of experience

attending to the demands of the Annual Woodstock Rally and in the case of Messrs. Irvine and Brown their hands-on experience is invaluable. As the Manager Mr. Upfold will need to be on site for the duration of the licence days and hours. I don't see this as unreasonably onerous but in case Mr. Upfold needs to take a break it would be prudent for me to give Messrs. Irvine and Brown the authority to act by granting an exemption pursuant to section 213(2) of the Act on the basis that Messrs. Irvine and Brown are satisfactorily experienced to undertake the control of the licence if circumstances should require. The application is clear that the applicant intends that Messrs. Irvine and Brown will act as managers.

Decision and Reasons

I am satisfied as to those matters provided for in s.142 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **006-2023** and I direct that a licence be issued to the West Coast touring motorcycle Club pursuant to s.64 of the Act.

In addition an exemption is granted pursuant to Section 213 (2) which does not require the appointment of all managers to be qualified on the basis that there is sufficient certainty that Messrs. Irvine and Brown will appropriately administer the licence.

The terms and conditions will be:

The Licence may be exercised for the sale and supply of alcohol to any person lawfully attending the premises on Friday 27 January 2023 from 12 Noon through to 2.00AM the next day and Saturday 28 January, 2023 from 11.00AM through to midnight the same day.

Pursuant to section 147 (3)(b) of the Act drinking water shall be freely available to all customers at all times that the licence is being exercised.

The area of the Woodstock Domain to be occupied for the purposes of the Rally shall be designated a Supervised area.

Dated at Hokitika this 26th day of January 2023



Richard Simpson
Chairman, Westland District Licensing Committee

