

4 January 2019

**NEW– SPECIAL LICENCE
INSPECTORS REPORT**

Section 141 of the Sale and Supply of Alcohol Act 2012

| | |
|------------------------------------|--|
| <u>Application Type:</u> | Special Licence |
| <u>Section of Act:</u> | Section 138 Sale and Supply of Alcohol Act 2012 |
| <u>Date of Application:</u> | 21 November 2018 |
| <u>Applicant:</u> | Partnership of John Albert Douglas and Katherine Nicola Gouldstone |
| <u>Venue of Event:</u> | 226 Te Muna Road, Martinborough |
| <u>Event:</u> | Meandering Lunch |
| <u>Date of Event:</u> | Saturday 19 th January 2018, 10:30 am to 5:30 pm |

EXECUTIVE SUMMARY

An application for a special licence pursuant to s 137 of the Sale and Supply of Alcohol Act 2012 was received by the South Wairarapa District Licensing Committee on 21 November 2018. The criteria found in section 142 of the Act will apply to this application.

The Meandering Lunch is a long lunch that occurs between 4 participating vineyards. The event is in its 13th year of operation. This year the four participating vineyards are Grava Wines, Coney Wines, Te Hera Estate and Alexander Vineyard. The number of tickets available at the event is 216, consisting of four buses with a total of 54 guests on each bus.

No opposition or concerns have been raised by the reporting agencies.

After reviewing the application, the Inspector considers that the described sale and supply of alcohol under these conditions is consistent with the object of the Act and criteria of section 142 of the Sale and Supply of Alcohol Act 2012.

STATUTORY CRITERIA

Application requirements

As noted above, the application was accepted as complete on 21 November 2018 which has allowed for 20 working days to pass before the event is set to occur.

The object of the Act

The object of the Act is to ensure that the sale and supply of alcohol is conducted in a safe and responsible manner and that alcohol related harm is minimised. It is the inspector’s opinion that the applicant is able to meet the object of the Act.

The nature of the particular event

- The event is an annual wine event that is in its thirteenth year of operation.
- The event caters for small numbers of total guests as well as guests at any one time.
- Guests for the event meet in Memorial Square in Martinborough before they taken by a separate bus to one of the four different vineyards. Guests will have an entrée and wine at each site before being escorted to the next vineyard by bus. At the fourth and final vineyard site, hot beverages are served alongside petit fours. Guests are transported back to Memorial Square by bus at the conclusion of the event.
- Each site will only ever be dealing with a bus load of guests at any particular time.
- At each site, guests are entitled to taste several wines prior to selecting one which they will consume as a full serve alongside their meal.
- The inspector has no opposition to the nature of the event.

Suitability of the applicant

- The applicant is a partnership involving John Albert Douglas and Katherine Nicola Gouldstone.
- The applicant has held several special licences previously with no problems recorded on the licence following these events.
- The applicant has nominated John Douglas as the certified manager for the event.

| Manager’s Name | Certificate No. | Expiry Date |
|---------------------|------------------|-------------|
| John Albert Douglas | 44/CERT/084/2016 | 29/08/2019 |

Local Alcohol Policy

The Wairarapa Local Alcohol Policy came into force on 1 November 2018. There are no matters in the policy that the applicant is not complying with.

The amenity and the good order of the locality would be reduced to no more than a minor extent by the issue of the licence

The inspector considers the event to have a low chance for reducing the good order/amenity of the locality by more than a minor extent. Guests at the event are essentially “contained” throughout the entirety of the event. That is, they are either on a bus or at one of the vineyard sites. The only exception is that guests are picked up and dropped off by the buses at Memorial Square in Martinborough.

The days and hours during which the applicant sells alcohol

The applicant seeks the following days and hours of operation:

Saturday 19th January 2019, 10:00 am to 6:00 pm

The inspector does not support these hours for two reasons. Firstly, the other vineyard that has applied for a special licence (Alexander Vineyard) has applied for the hours of 10:30 am to 5:30 pm. It would not be prudent to have two different vineyards for the same event to have different licensing hours. Secondly, the reason the inspector does not support these hours (as to those sought from Alexander Vineyard) is due to the event being advertised as ceasing at 5:30 pm when all guests

are returned by bus to Memorial Square. Likewise, guests are able to start gathering at Memorial Square from 10:00 am for the start of the event. As such, the licensed hours sought by the applicant are for times when guests will not be on the premises.

The inspector recommends that the licensed hours should be:

Saturday 19th January 2019, 10:30 am to 5:30 pm.

The design and layout of the premises

The premises consists of three main open areas that are situation to form a rough backwards facing “L” shape. The top of the “L” is the barrel room, followed by the fermentation space below the barrel hall. The base of the “L” shape is essentially a storage/office space/entry way. Tables and seating are located in the fermentation space with a wine service point located in a corner. This will allow for good visibility over the guests. Water is placed on each table and tea/coffee are offered from a second table located distantly to the wine service point.

A band is to be located in the storage area.

The inspector has no opposition to this design or layout but does note that the layout only caters for 3 tables of 16 guests, equating to 48 total guests. This means that there will potentially be 6 guests who don't have seating available if the maximum number of tickets is purchased.

Whether the applicant has appropriate systems, staff and training

The applicant has provided details for a person holding a manager's certificate, which is for one of the partners in the business. The inspector considers this as appropriate training but would prefer to see details of staffing numbers for future applications. This was a comment that was made on last year's inspector's report for the 2018 event and which has not been rectified in the current application.

The systems that are put in place for how the Meandering Lunch operates drastically reduce the potential for alcohol related harm. That is, alcohol service is limited to essentially two full glasses of wine at each site. The small numbers of patrons that are at each site at any particular time are also limited, which should help the applicant in managing service to prohibited persons.

Designation of premises

The applicant has not requested any designation and the inspector considers this appropriate.

Steps to ensure requirements of the Act relating to sale and supply of alcohol to prohibited persons are observed

The applicant employs the typical processes to ensure minors and prohibited persons are not served alcohol. In addition, it is not expected that there will be minors at the event so the use of the usual systems should be adequate for this.

There is a short period over which guests are consuming alcohol and it is always accompanied by the service of food. There is also a limited supply of alcohol available to each guest.

Provision of food, non-alcoholic and low-alcoholic drinks & transport assistance

Food for the premises is provided by The Village Café and the inspector is satisfied that this is a suitable entrée meal.

Non-alcoholic beverages are available and include water and tea/coffee. The inspector would like to see additional non-alcoholic options available. The applicant should ideally be making non-alcoholic beverage options just as attractive to guests as the wine. Currently, the applicant is only proposing to offer the bare minimum of non-alcoholic options. The applicant is an alcohol manufacturer and does not produce a low-alcohol beverage. As such, they are not required to provide a low-alcohol option.

Transport assistance is offered as an inclusive part of the event. All guests are picked up by coaches from Martinborough Square and taken to each vineyard throughout the day. At the completion of the event all patrons are returned to Martinborough Square.

Any matters in reports

- Police, on 21 November 2018, offered no opposition to the grant of this special licence.
- On 22 November 2018, Regional Public Health on behalf of the Medical Officer of Health raised no objections to the grant of this special licence.
- The Inspector offers no opposition to the issue of this special licence.

RECOMMENDED CONDITIONS OF LICENCE

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:
Saturday 19th January 2018, 10:30 am to 5:30 pm
2. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
3. A certificated manager must be on duty at all times when the premises are open for the sale, supply and consumption of alcohol.
4. Food must be available for consumption on the premises at all times the premises are open for the sale, supply and consumption of alcohol, in accordance with the sample menu supplied with the application for this licence, or menu variations of a similar range and standard.
5. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale, supply and consumption of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages.
6. The Licensee must display signage as follows:
 - a. At every point of sale detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons; and
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises; and
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
7. Alcohol may be sold or supplied only to the following types of people: ticket holders
8. The licensee must ensure compliance with the provisions of the Act regarding sale to prohibited persons.
 - (i) Intoxicated persons and minors are not to be served or supplied alcohol
 - (ii) If a person's age is in doubt one of the approved forms of "evidence of age" documents must be requested.

CONCLUSION

The inspector is satisfied that the applicant is able to comply with the requirements of the Sale and Supply of Alcohol Act 2012 and recommends that a special licence be granted to authorise the sale of alcohol for consumption at the Meandering Lunch.

Prepared for your consideration,



Shane Sykes
Chief Licensing Inspector
South Wairarapa District Council