

4. HEATHCOTE CRICKET CLUB – LIQUOR LICENCE APPLICATION

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The purpose of this report is to gain approval from the Council (lessor) regarding the intention of the Heathcote Cricket Club to apply for a liquor licence at their Club rooms on the Heathcote Domain.

BACKGROUND

This report is not to seek approval for an application for a liquor licence, but rather to gain the approval from the Council, as Lessor, for the Club to apply for a liquor licence subject to any conditions the Council wishes to impose, such as hours of operation and host responsibility programme. If the approval of the Council is obtained, the Club will then apply to the District Licensing Authority as the appropriate body to deal with such issues.

The Heathcote Cricket Club is situated on Heathcote Domain (RS 41625), occupying part of the Council building on Bridle Path Road. Other parts of the building are used by the Scout Association and the Heathcote Valley Playcentre. The Playcentre occupies the community hall in the building which is, at times, hired out to various community groups and for private functions. A Club Liquor Licence does not allow the Cricket Club to serve members of the general public, only to provide for members and reciprocal visitors to the Club. Heathcote Domain is gazetted as Recreation Reserve and is zoned Open Space 2 in the Proposed City Plan and Public Reserve in the Transitional City Plan (Heathcote) Section. The Club does not have a current lease on the premises and this issue will be addressed as a separate report.

CLUB USE OF THE FACILITIES

The Club has operated on the domain since 1929, occupying their present building since the early 1970's, extending the premises in the late 1980's.

They have 85 playing members and 30 social members (partners, ex players, etc). They operate from the third week in September to the first week in April. Practices are held on Thursdays, some Fridays and the main games are on Saturday. Some friendly games are played on Sunday along with family BBQ's and working bees.

Their premises are hired out infrequently to members and to local organisations such as Rotary.

LIQUOR LICENCE HOURS OF OPERATION

It is the Council's policy that clubs applying for licences should have the approved hours specified in their leases to provide control by Council if their operation creates a nuisance to neighbours. Irrespective of the hours sought, closing times in a residential area as determined by the City Plan may be no later than 11.00pm.

The Club originally applied for the following hours of operation:-

Monday to Sunday 7am to 11.00pm.

The club at present does not have a liquor licence and originally advised that it is not intending to operate a bar throughout those times, but these hours give the flexibility to open at such times as the service is required.

When the application was received, it seemed unusual that the club would apply for such long hours of operation, so the club was approached regarding this. Their explanation was that, being inexperienced in such matters, they followed advice that it was easier to apply for the maximum hours. When it was pointed out that these hours could create some alarm in the community, especially a small community such as the Heathcote Valley, they have come back to the Council with altered hours:

The club subsequently makes application for the following hours:

Thursdays to Sundays 10am to 11.00pm.

- from the third week in September to the first week in April.

They give the commitment that their bar will not be open during the opening hours of the Playcentre next door viz: Fridays to 1pm.

The club sometimes organises a mid-winter Christmas party but this would be subject to a separate licence, as would any sales in regards to special or general meetings etc.

LICENSING MATTERS

There are many benefits to the club, the Council and to local residents by the club obtaining a liquor licence. The Council can have a great deal more control over the activity by holding the club to a standard of conduct.

The Liquor Licensing Act requires that a certified bar manager must be on duty at all times when liquor is sold, to ensure there is control over behaviour and that minors and intoxicated people are not served with liquor. The terms of a club Licence do not allow the sale of liquor to the public, but to members and guests only. Any operation outside the requested hours would contravene the conditions of the lease which would enable the Council to take necessary measures to control the Club's activities.

A condition of the lease should be that the Club has a Host Responsibility Programme (Council Policy 29 October 1991). The District Licensing Agency has a programme of random visits to licensed premises, which has resulted in licences being revoked or suspended in the past when conditions have not been adhered to.

This host responsibility programme also requires the club to train their managers and staff, have sufficient signage to control unlawful drinking, the availability of food, low and non-alcoholic drinks and the availability of safe transport options. The supply and availability of food is a key part of this programme.

CAR PARKING

There are approximately 30 car parks on site, with many other parks on both sides of Bridle Path Road. There are no houses in this part of Bridle Path Road, the nearest house being 100m away across the park in Port Hills Road.

PUBLIC CONSULTATION

A public information leaflet was distributed to approximately 320 households in the Valley, with a further 14 leaflets posted to specific clubs, organisation, schools, churches etc.

86 response forms were returned, 27 against and 59 in favour of the proposal.

Comments in favour of the proposal include:

- *The Heathcote Cricket Club has for some time involved many local people and organised the selling of liquor in its club rooms responsibly and without disturbing nearby residents. Although I am not a club member, I support its application because it will give greater flexibility to the club's activities, and as a nearby resident, I am confident the licence will be used responsibly.*
- *The Cricket Club at Heathcote is a very keen part of our valley life and the licence will bring a lot of interest and pleasure to the members, their families and friends.*
- *No problem with this as long as some sort of supervision is carried out and it does not affect the local hotel too much.*
- *Approval should be on trial basis for three months and continued only under noise control provisions.*
- *Whilst I support the proposal in principle, the only thing I wouldn't like to see is alcohol beverages being consumed within the park itself. Therefore as a condition of their application any selling or partaking thereof be confined either to the inside of the building or its immediate surrounds: eg the concrete terrace or the grass embankment in front of the building.*

- *I support this proposal. I feel that a control on the supply via a licensed premises is better than on uncontrolled area. The hours of the licence to be strictly enforced. No late hours or loud music.*
- *No under-age drinking by junior members needs to be strictly enforced. This Cricket Club has served the Valley for many years and hope the Club continues to prosper.*
- *As long as it is strictly policed where under age persons are concerned and the club is aware of their responsibilities re drink driving.*
- *The cricket club are an asset to the Valley. They keep the domain in pristine condition all at no cost to the ratepayers, unite the community and are a thoroughly good group of people. There is never any trouble at the clubrooms.*

The Heathcote Valley Community Association initially opposed this application but would be prepared to support it if a number of matters were resolved. Their questions are:

1. Does this only apply to the Cricket Club or can any other sporting club ie soccer, use their licence?
2. Will this allow them to hire it out to other organisations?
3. We have concern that drinking in the day time Monday-Friday (the Playcentre hours 9-12 weekday mornings) may be a problem.

The cricket club has since answered questions 1 and 3 and advise that the committee have no intention to hire the premises out more frequently as it is now.

Councillors should be aware that the licence only applies when a manager is on duty. The club does not foresee that their members holding managers certificates would attend private functions when the hirers can obtain their own (one-off) licence. The licence applied for here is for the cricket club only.

Comments against the proposal include:

• Abuse of liquor (drinking to excess)	3
• A detrimental effect on the Valley Inn nearby	5
• The range of hours applied for	6
• Already enough liquor outlets in the valley	4
• Traffic danger after 11pm (drink driving)	3
• That the City Council is seen as promoting the consumption of liquor.	1
• Sales to minors	1
• Doesn't send a good message to children	1
• Sales during playcentre hours	1
• Potential for glass to be broken outside	2
• Too noisy as it is – loud ringing etc goes on well after 1pm now	3
• No details supplied on the conditions of sale, conduct etc	2
• Drinking on the domain	1
• Family oriented valley	1
• Park should be alcohol free	1
• Should use temporary licences	1
• Damage to cars	1
• Closeness of the playcentre	1

and

I thought they always have drink there anyway. I feel they would have too many others taking part and visiting because of drink. In the past we have put up with late nights and loud music.

Councillors can see that residents took the opportunity to make multiple comments on their forms.

A number of the objections have since been allayed by the club choosing to define their hours. Other objections may be answered by the fact that a licence gives the club more control over their members and the sale of liquor generally. It is considered by the authorities that granting a licence reduces such anti-social behaviour. The nearby bowling club has a licence as well, and there is no evidence that their operation has involved or increased some of the concerns mentioned above. Temporary licences involve more expense to the club and do not have the same control measures in place. The damage to the car was done by a cricket ball during a game.

The playcentre, the community association and the objectors will be written to prior to the meeting outlining such matters as

- the change in hours applied for
- what a liquor licence means as far as control goes
- how the club intends to conduct itself as far as alcohol in the park, noise, litter etc goes.

CONCLUSION

As the club is a long standing tenant of the domain and alcohol has been part of their past operation, the granting of a liquor licence will be of benefit to the club and the community as it gives the Council more control over the activity.

Recommendation: That the Heathcote Cricket Club be granted permission to apply to the District Licensing Authority for a liquor licence to supply liquor to members and invitees during the following hours:

2pm to 11pm Thursday and Friday;

10am to 11pm Saturday and Sunday

from the 3rd week in September to the first week in April
subject to the following conditions:

1. That a Host Responsibility Programme be instituted, the principles of which are to be met at all times.
2. That this permission be reviewed annually if objections are received at the time of the licence renewal.