

Alcohol Licensing – Special Licence

What is a Special Licence?

A special licence allows for the sale of alcohol at special occasions or events. This is normally used to licence one-off events where no licence is currently held, or to extend the hours or area of a licensed premises.

Which events require a Special Licence?

If you are holding an event where alcohol will be for sale then a Special Licence is required. Alcohol is deemed to be for sale if you are selling over the bar, charging a fee such as an entry fee, ticket price or other payment for an alcohol-inclusive matter, if the cost of alcohol is included in pre-sold tickets, or if you ask for koha or donation in relation to an alcohol-inclusive matter.

A Special Licence is intended for an event or activity which is outside the usual or regular activities of the applicant i.e. has some 'Specialty' and is not just normal business.

Can a Special Licence cover several events?

A Special Licence can cover a series of events. This means a series of related events or activities outside the usual/regular activities of the applicant, which have specified beginning and end points.

An on-going Special Licence will not be issued where, in the opinion of the District Licensing Committee, the extent of the activity is such that an On Licence or Club Licence is required under the Sale and Supply of Alcohol Act 2012.

Types of Special Licence

There are two types of special licence:

- On-site special licence - allows the licensee to sell or supply alcohol for consumption on the site, to people attending an event.
- Off-site special licence - allows the licensee to sell the licensee's alcohol for consumption somewhere else, and supply free samples.

When should a Special Licence be applied for?

Applications must be lodged **at least 20 working days before the date of the function**. This is to allow the Police and Public Health to comment on your application. It is important to note that a 'working day' does not include weekends, statutory holidays or any day between 20 December and 15 January (inclusive). The earlier the application is received, the better.

Exceptions can be made for unforeseen events, such as funerals.

How much does a Special Licence cost?

The fee for a special licence varies from \$63.25 to \$575.00 depending on the size of your event and the number of events on the application.

The following table shows Special Licence fees:

Class 1	1 large event; or more than 3 medium events; or more than 12 small events	\$575.00
Class 2	3 to 12 small events; or 1 to 3 medium events	\$207.00
Class 3	1 or 2 small events	\$63.25

Large event means	An event that the territorial authority believes on reasonable grounds will have patronage of more than 400 people
Medium event means	An event that the territorial authority believes on reasonable grounds will have patronage of between 100 and 400 people
Small event means	An event that the territorial authority believes on reasonable grounds will have patronage of fewer than 100 people

Procedure

Application forms for a Special Licence can be found at www.selwyn.govt.nz or obtained from Food & Health Standards on 03 365 1667.

The organisation or individual selling the alcohol and receiving the profit must apply for the Special Licence.

The application form must be completed fully with all the required information. The more information you provide the easier the process will be.

Your application will be sent to the Police and Public Health who have 15 working days to report on it.

The Licensing Inspector will also enquire into your application.

You may be contacted by the Licensing Inspector, the Police or Public Health to discuss your application in detail, especially for larger events.

If there is no opposition your application can be determined by the District Licensing Committee Chairperson. If there is any opposition from the Inspector, Police or Public Health, your application will have to be determined by a hearing. This will take longer so you must apply in plenty of time. Allow 8 weeks.

Criteria

When considering a Special Licence application the Committee will take the following criteria into account:

- The object of the Act
- The nature of the event
- The suitability of the applicant
- The proposed days and hours
- Whether the amenity and good order of the locality will be negatively affected
- The design and layout of the premises or site
- The management of the event in terms of systems, staff and training to comply with the law
- Any Restricted or Supervised designations proposed
- Any relevant Local Alcohol Policy
- Provision of food, low-alcohol drinks, non-alcoholic drinks, free water
- Alternative transport arrangements
- Steps proposed to be taken to prevent the sale and supply of alcohol to prohibited people
- Any other steps the applicant proposes to promote the responsible consumption of alcohol.
- Any matters raised in reports from Police, Public Health or the Licensing Inspector
- Compliance of the premises with relevant legislation, e.g. Building Act, Food Hygiene standards, Resource Management Act

Designation of Areas

The Licensing Inspector or Police may require the entire premises, or a particular area of it, to be designated a supervised or restricted area.

Supervised means that persons under 18 years of age may only be present if accompanied by a parent or legal guardian.

Restricted means that no person under 18 years of age may be present.

Provision of Food and Water

Food, non-alcoholic drinks, low-alcoholic drinks and free water **must** be available at all functions for which a Special Licence is issued. In keeping with Host Responsibility and accepted practice, the food, or a range of it, must be available continuously.

Public Health may contact you about the source of your drinking water and what treatment it has undergone to ensure it is safe to drink.

Certified Manager in Attendance

The Committee **may** require, as a condition of a Special Licence, that the holder of a Manager's Certificate be present and responsible for the sale of alcohol at the event.

The Object of the Act

The Committee will take into account whether your application meets the object of the Act, which is that:

- a) The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
- b) The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Local Alcohol Policy

Selwyn District Council has a Local Alcohol Policy that will affect special licences. The policy can be found at www.selwyn.govt.nz

Events on School Property

Under the Local Alcohol Policy there is a discretionary condition that "no school fete, gala or similar event held on school grounds at which the participation of children can be reasonably expected shall allow for the consumption of alcohol on the premises." The Committee may refuse any application that is contrary to this condition. You may also receive opposition from Public Health about the appropriateness of alcohol at the event, so it is advisable that you contact the Medical Officer of Health on 03 364 1777.

Large Scale Events

Where a Special Licence is sought for a large scale event for over 400 people, you should also submit an Alcohol Management Plan.

The plan should describe how you propose to deal with matters such as security, monitoring, interacting with local residents, and public health concerns.

An Alcohol Management Plan template and resources can be downloaded from www.alcohol.org.nz

The Committee may also require that you liaise with the Police and the Council on planning the event. You may be required to obtain a Local Authority Certificate to show that the proposed event will comply with the Resource Management Act 1991 and the Building Code.