

**APPLICATION No.**                   **036/SOL/053/2020**

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

**AND**

**IN THE MATTER**                   of an application by **Lost Art Limited** for  
a special-licence pursuant to section 138  
of the Act on the occasions of 'Food and  
Beverage Expo'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**



Chairperson  
Mr Stuart Hylton

**DECISION**

**1. Introduction**

This is an application by **Lost Art Limited** for a special licence in regard to events to be held at the War Memorial Hall forecourt (Inside Hall if wet), Whanganui. The nature of the event for which the licence is sought is a 'Food and Beverage Expo'.

**The date and hours sought are –**

- **24th October 2020, 12.00 midday to 7.00pm**

**2. Application**

The application was received on 7<sup>th</sup> February 2020 and included a site plan, letters from owner/organiser, AMP and a menu etc.

The application was not advertised and no objection or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (a) the object of this Act:
- (b) the nature of the particular event for which the licence is sought and, in particular,—
  - (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and
  - (ii) whether the applicant is engaged in, or proposes at the event to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:
- (c) the suitability of the applicant:
- (d) any relevant local alcohol policy:

- (e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence:
- (f) the days on which and the hours during which the applicant proposes to sell alcohol:
- (g) the design and layout of the premises concerned:
- (h) whether the applicant has appropriate systems, staff and training to comply with the law:
- (i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas:
- (j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed:
- (k) the applicant's proposals relating to—
  - (i) the sale and supply of non-alcoholic drinks and food; and
  - (ii) the sale and supply of low-alcohol drinks; and
  - (iii) the provision of help with or information about alternative forms of transport from the premises:
- (l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).

### 3. Reporting Agencies

The following reports were received under section 141 of the Act.

**Police Report** – No opposition within report received on 12th February 2020.

**Medical Officer of Health** – No opposition within report received on 18<sup>th</sup> February 2020.

**Licensing Inspector Report** – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. Draft conditions are also offered by the inspector.

The complete file including inspectors report noted the following key points–

- The applicant is an incorporated body involving persons relatively new to the event industry. This event has changed in venue and structure since first promulgated and has been heavily discussed with the Police and Inspector in particular. There is an AMP provided.
- Suitability is not challenged.
- The area to be licensed is the War Memorial Hall forecourt which will be fenced off. Issuing a special licence should not reduce amenity and good order of the locality.
- The hours appear reasonable for the events being undertaken.
- Certified manager's and security is nominated for the event.
- The applicant has asked that the licensed area be designated as 'restricted' for the event and this is supported. The area is shown on the marked up plan and should be clearly delineated on the day.
- Both the Police and MOH have no opposition to the application.

#### 4. Decision

The application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report.

**DATED** at Whanganui this 6th day of October, 2020.

  
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Secretary  
**Whanganui District Licensing Committee**

