

Application number: 036/SOL/013/2016

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

AND

IN THE MATTER of an application by Addicted to Mischief Limited for a special-licence pursuant to section 138 of the Act on the occasion of 'Private Functions'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Commissioner
Mr S G Hylton

DECISION

1. Introduction

This is an application by Addicted to Mischief for a special licence in regard to two private functions to be held at the applicants Cafe, 96 Guyton Street, Whanganui. The nature of the event for which the licence is sought are 'Private Functions'. The dates and hours sought are the –

- 26th of February 2016, between 4.00pm and 11.00pm.
- 12th March 2016, between 4.00pm and 11.00pm.

2. Application

The application was received on 21st January 2016. The application included a floor plan, dinner menu and letter of permission from owner.

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 objection within report received on 27th January 2016.

Medical Officer of Health – No objection within report received on 2nd February 2016.

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 inspector also noted the following pertinent points in his report –

- The applicant is a private company incorporated on 29 April 2013.
- The applicant is a sole director/shareholder who has gained an excellent reputation and has caused no problems from previous similar types of licences issued.
- Suitability is not challenged
- The premise has been in existence for many years within the CBD and like-minded business's and should not reduce amenity and good order of the locality.
- The premise is suitable for the event and layout has been suitable in the past. Includes rear courtyard area that will require frequent monitoring.
- The hours appear relevant for the events being undertaken.
- A certified manager is nominated for the event including other staff.
- No designations are supported.
- Both the Police and MOH have no objections to the application

4. Decision

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

DATED at Whanganui this 4th day of February, 2016.



Secretary

Whanganui District Licensing Committee

