

Application number: 036/SOL/025/2019

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

AND

IN THE MATTER of an application by **Wanganui
Amateur Musical and
Dramatic Society
Incorporated** of Wanganui for
a special-licence pursuant to
section 138 of the Act on the
occasion of 'Musical Show –
Yours Truly'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Commissioner
Mr S G Hylton



DECISION

1. Introduction

This is an application by the **Wanganui Amateur Musical and Dramatic Society Incorporated** for a special licence in respect of a series of shows and club nights to be held in the applicants premises located at 171 Guyton Street, Whanganui. The nature of the events for which the licence is sought are musical productions. The dates and hours sought are –

"Yours Truly"

- Wednesday 3 April 2019 between 6:30pm-11:30pm
- Thursday 4 April 2019 between 6:30pm – 11:30pm
- Friday 5 April 2019 between 6:30pm – 11:30pm
- Saturday 6 April 2019 between 6:30pm – 11:30pm
- Wednesday 10 April 2019 between 6:30pm – 11:30pm
- Thursday 11 April 2019 between 6:30pm – 11:30pm
- Friday 12 April 2019 between 6:30pm- 11:30pm
- Saturday 13 April 2019 between 6:30pm – 11:30pm

2. Application

The application was received on 11th March 2019. The application included a Floor Plan, waiver application and decision.

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 report within statutory timeframe therefore we must assume the Police have no opposition.

Medical Officer of Health – No opposition within report received on 13th March 2019.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application meets both the object and criteria of the Act. Draft conditions are also offered by the inspector.

The inspector also noted the following pertinent points in her report –

- The applicant is an incorporated society with the main purpose of undertaking shows of public interest. The applicant was incorporated in 1921.
- The applicant has held similar events before with no issues.
- The request is for a series of events based on a show at the club.
- The granting of this application will not have any negative effect on the amenity and order of the area.
- The Hall is suitable for this type of event and a plan was provided. The main hall is to be licensed.
- The certified manager named is experienced.
- The applicant has sought an 'undesigned' classification for the event and this is supported.
- Both the Police and MOH have no opposition to the application.

I concur with the inspector's assessment and draft conditions for the proposed event.

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 1st day of April, 2019.



Secretary

Whanganui District Licensing Committee

