

**Application number: 036/SOL/063/2016**

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

**AND**

**IN THE MATTER** of an application by Bite Holdings Limited for a special-licence pursuant to section 138 of the Act on the occasion of the 'Wanganui Chronicle Home and Lifestyle Show'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**



Chairperson  
Mr Stuart Hylton

**DECISION**

**1. Introduction**

This is an application by Bite Holdings Limited for a special licence in regard to an event to be held at the Jubilee Stadium, Whanganui. The nature of the event for which the licence is sought is for the 'Wanganui Chronicle Home and Lifestyle Show'. The dates and hours sought are the 20<sup>th</sup> and 21<sup>st</sup> August 2016, between 9.00am and 5.00pm, each day.

**2. Application**

The application was received on 1<sup>st</sup> July 2016 and included a site plan, letter from event organiser and applicant's managers certificate.

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 7th July 2016.

**Medical Officer of Health** – No objection within report received on 18<sup>th</sup> July 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 noted the following pertinent points in his report –

- The applicant is a company of which Ingrid Chew is a shareholder.
- The applicant has held similar events to this in the past here in Wanganui and other centres around NZ.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise is suitable for the type of event and layout has been suitable in the past. The licensed area is basically one of the stalls – Stall 64
- The hours appear reasonable for the event being undertaken.
- A certified manager is nominated for the event including other staff. This is seen as sufficient to cover the function.
- No designation for the event is supported.
- Both the Police and MOH have no objections to the application

### 4. Decision

The application for Special Licence is **Approved** for issue. This special licence is slightly different in nature than others in that the licensed area is basically a stall at a show and the licence will allow for consumption (sampling) at the stall and sale of alcohol to be taken off the premises to be consumed elsewhere. Therefore the licence is issued but with some variations to the conditions recommended in the inspectors report. Those variations are:

- The licence shall authorise the holder to 1. Sell alcohol in sealed containers for consumption off the premise, and 2. Supply alcohol on the premise for tasting purposes in tasting cups of 12ml only.
- The premises for the licence is that area contained within Stall 64 at the Lifestyle venue.
- The licensee shall only sell and supply 'Lemoncello's' alcoholic products.
- The licence shall be conspicuously displayed at the stall
- The last condition relating to forms of transport information is not needed.

**DATED** at Whanganui this 22nd day of July, 2016.



Secretary

**Whanganui District Licensing Committee**

