

Application number: 036/SOL/017/2018

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

AND

IN THE MATTER of an application by Deborah Jane MacPherson for a special-licence pursuant to section 138 of the Act on the occasion of a 'Conference'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE


Commissioner
Mr S G Hylton

DECISION

1. Introduction

This is an application by Deborah Jane MacPherson for a special licence in regard to an event to be held at the Peter Snell Room, Cooks Gardens Events Centre, 99 St Hill Street, Whanganui. The nature of the event for which the licence is sought is a 'conference'.

The date and hours sought is Monday 19th February 2018, between 6.30pm and 9.00pm.

2. Application

The application was received on 7th February 2018 which was outside the 20 working day statutory requirement. There was no explanation given for the omission nor was there reference given in the inspectors report. However the omission, we believe, was neither wilful or results in any disadvantage therefore a waiver under s. 208 of the Act is made for the omission.

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 15th February 2018.

Medical Officer of Health – No opposition within report received on 12th February 2018.

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 application file and inspectors report raised the following pertinent points –

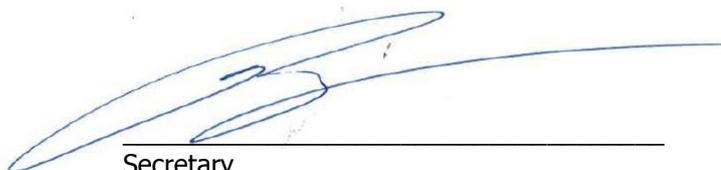
- The applicant is a natural person who runs the event and have taken responsibility for the licence.
- Suitability is not challenged
- The premises is a premier sporting facility in the middle of the town and CBD. The issuing of a special licence should not reduce the amenity and good order of the locality.
- The area to be licensed is the Snell Room part of the complex. This is purpose built and works functionally.
- The hours appear relevant for the event being undertaken.
- One non-certified manager has been nominated for the licence. A s. 213 (2) waiver is applied for to allow Deborah MacPherson to manage the event.
- A 'Supervised' designation for the Snell Room is supported for the event.
- Both the Police and MOH have no opposition to the application.

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

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 15th day of February, 2018.



Secretary

Whanganui District Licensing Committee