

Application number:

036/SOL/031/2024

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Fergus Pritchard** for a special-licence pursuant to section 138 of the Act on the occasion of a fundraising event for a 'dance and social'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Fergus Pritchard** for a special licence in regard to an event to be hosted in the Kai Iwi Community Hall, State Highway 3, Kai Iwi, 4578. The nature of the event for which the licence is sought is a 'dance and social'.

The dates and hours sought are:

- **Saturday, 8 June 2024, between 6.00pm and 11.00pm,**

2. Application

The application was received on 30th April 2024, and included a site plan, menu, aerial plan and owners consent letter.

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.

Medical Officer of Health – No opposition within report received on 7 May 2024.

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 their s. 141(2) report –

- The applicant is an individual who helps organise this fundraising event on behalf of the School. The applicant has run and been granted special licences before for this type of event. The school is fundraising for a playground.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The event takes place in a rural farm community hall without issue previously and another special licence should not reduce amenity and good order of the locality. The school supports this use of this building.
- The building is suitable for the type of event and layout has been suitable in the past. In this regard, and as per previous events, the licenced area will be the entire internal space including the attached food tent.
- The hours appear satisfactory for the events being undertaken.
- No certified manager is nominated to manage the event although three experienced club members have been named. A section 213(2) waiver is recommended.
- A 'restricted' designation is requested and supported.
- 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 and a s. 213 (2) waiver for non-certified manager/s.

DATED at Whanganui this 31 day of May, 2024.



Secretary
Whanganui District Licensing Committee

