

Application number: 036/SOL/079/2016

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

AND

IN THE MATTER of an application by Fordell Pre-School Fundraising Committee for a special-licence pursuant to section 138 of the Act on the occasion of a 'fundraising hypnotist show'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Chairperson
Mr Stuart Hylton

DECISION

1. Introduction

This is an application by Fordell Pre-School Fundraising Committee for a special licence in regard to an event to be held at the Community Hall, Station Road, Fordell, Whanganui. The nature of the event for which the licence is sought is a 'fundraising hypnotist show'. The date and hours sought is 14th October 2016, between 7.00pm and 12.30am, the following day.

2. Application

The application was received on 17th August 2016 and included a site plan, flyer, letter from the owner of the Hall and a letter from the organising committee detailing the event. The letter from the event organisers was most helpful and shows me something about their suitability to run a 'tight' event.

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 – The Police have not reported within the statutory timeframe therefore according to the Act its presumed the police have no objection to the application.

Medical Officer of Health – No objection within report received on 31st August 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 Committee formed to raise funds at the pre-school.
- The applicant has been granted similar licences before with no known issues raised.
- Suitability is not challenged.
- The premise is a community hall outside of school hours. The granting of the special licence should not reduce the amenity and good order of the locality.
- The premise and area is suitable for the type of event and layout has been suitable in the past. The marked floor plan shows the area to be licensed.
- The hours appear relevant for the event being undertaken.
- A certified manager is nominated for the event to ensure compliance.
- A 'supervised' designation for the event has been requested and is supported.
- Both the Police and MOH have no objections to the application.

4. Decision

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

DATED at Whanganui this 13th day of September, 2016.



Secretary

Whanganui District Licensing Committee

