

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Gagan & Vikaus Enterprises Limited** for a renewal of On-licence pursuant to section 127 of the Supply of Alcohol Act 2012.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

The application for renewal of On Licence (036/ON/003/2023.1) was publically advertised in the Rivercity Press on the 14 and 21 March 2024 along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As no matters of opposition were raised under section 102 and 103 reports; therefore the matter was considered by the Whanganui District Licensing Commissioner on the papers contained in the full file provided by the secretary.

Commissioner: Stuart Hylton

RESERVED DECISION OF THE WHANGANUI DISTRICT LICENSING COMMITTEE

1. Application

On the 29 February 2024, **Gagan & Vikaus Enterprises Limited** on the prescribed form made application for renewal of an On-licence.

The application for renewal of On-licence is in relation to the premises known as '*The Grand Hotel*' situated at 99a Guyton Street, Whanganui.

The general nature of the business is that of a 'Hotel'. The renewal application seeks to renew with the same existing conditions. This is an old established hotel. This is the current licensees first renewal application.

The complete file included –

- The application
- Fire evacuation compliance statement
- Fire Evacuation Plan
- Host Responsibility House Policy
- Food list
- Floor plan
- Photo of public display
- Copy of draft public notice and public display
- Existing Licence
- Reports from Police, Medical Officer of Health and Inspector

2. Decision Making

In considering this application for On-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act. Section 105 assessments were made using the inspector's full report and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in complete file including the inspector's reports were –

- The applicant is a private company incorporated in 2022 which runs a historical hotel establishment with accommodation, restaurant and bars.
- The premises has not come to the notice of authorities in an adverse manner during the renewal period.
- The applicant provided a host responsibility policy that if followed should ensure the object of the act is met. To the inspectors knowledge the applicant has never failed a controlled purchase operation.
- Two certified managers were put forward for the licence which is considered to be the bare minimum. The applicant appears to have appropriate systems, staff and training to comply with the law and is an experienced operator.
- Suitability is not challenged.
- The current hours wanting to be renewed have operated without incident i.e.
Monday to Sunday 8.00am to 2.00am the following day.

- Floor plan provided works well for the wide ranging functions held on the premises however managers must be vigilant to keep tabs of all licensed areas at busy times.
- Current 'supervised' designation for the Irish bar, 'restricted' for gaming area and undesignated rest of premises, to remain.
- No CPTED or amenity or good order issues raised with renewal. There is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.
- The applicant has appropriate systems for staff training and performance.

3 Reporting Agencies

The following reports were received under section 103 of the Act and taken into account during the decision.

3.1 Police – No opposition.

3.2 Medical Officer of Health – Report received on 21 March 2024, of no opposition.

3.3 Licensing Inspector – Full report dated 29 February 2024. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised. The inspector concludes that the application is complete and appears to meet the criteria for renewal of the licence with existing conditions.

4 Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters and the past operation of the premise/licensee, I conclude that the application meets the statutory criteria to be granted a renewal of On-Licence under the Act for a period of three (3) years.

The licence will be subject to the current conditions.

5 Decision

Accordingly the renewal is **Approved** for issue immediately.

Dated at Whanganui District this 23 day of April 2024.

Signed



Stuart Hylton
Whanganui District Licensing Commissioner

