

Application number: 036/SOL/121/2018

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

AND

IN THE MATTER of an application by **Hatrick Raceway 2012 Limited** for a special-licence pursuant to section 138 of the Act on the occasion of 'Christmas at the Races'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Hatrick Raceway 2012 Limited** for a special licence in regard to an event to be held at the Club's premises, 216 Guyton Street, Whanganui. The nature of the events for which the licence is sought is 'a series four events themed Christmas at the Races'. The reason for the special licence is the applicant holds an on licence but some of the area being used for the special events, is outside the current licensed premise held by the applicant.

The dates and hours sought are –

- **Friday 23 November 2018 between 2:00pm and 1:00am the following day.**
- **Friday 7 December 2018 between 2.00pm and 1:00am the following day.**
- **Friday 14 December 2018 between 2:00pm and 1:00am the following day**
- **Friday 21 December 2018 between 2:00pm and 100am the following day**

2. Application

The application was received on 29th October 2018 and included a site plan, menu, design specifications, photo's correspondence with Fire Service and copies of emails between applicant and Wanganui Rugby (site owner).

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 20th November 2018.

Medical Officer of Health – No opposition within report received on 14th November 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 full file including inspectors report noted the following pertinent points:

- The applicant is a body corporate incorporated in 1959.
- The applicant holds an On Licence but needs a special licence to cover the grandstand wanting to be used for the four occasions.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise and on licence has been in existence for a number years and an extra special licence should not reduce amenity and good order of the locality. Noise issues have been discussed between the applicant and inspector.
- The premise is suitable for the type of event and layout/building compliance issues have been sorted out by the relevant authorities to their credit and the credit of the applicant. The marked floor plan was included.
- The hours appear relevant for the events being undertaken.
- Two certified managers are nominated for the events including security staff. This is seen as sufficient to cover the function.
- A 'restricted' designation for the event is seen as appropriate.
- 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.

DATED at Whanganui this 21st November 2018.



Secretary

Whanganui District Licensing Committee

