

Application number: 036/SOL/072/2022

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Leon Carter** for a
special-licence pursuant to section 138 of
the Act on the occasion of a 'Weekly
Social Hour'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton



DECISION

1. Introduction

This is an application by **Leon Carter** for a special licence in regard to weekly events to be held at Summerset Village Rest Home situated at 35 Burton Avenue, Whanganui, and known as 'Summerset Village'. The nature of the events for which the licence is sought are weekly social hours, where the sale and consumption of alcohol is likely to be minimal.

The date and hours sought are –

- **FRIDAY 6TH JANUARY 2023 AND EVERY FOLLOWING FRIDAY UP TO, AND INCLUDING, FRIDAY 29TH DECEMBER 2023; 4.00 to 5.00pm.**

2. Application

The application was received on 12 July 2022 and included a site plan.

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 dated 15 November 2022.

Medical Officer of Health – No opposition within report received on 3 November 2022.

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 file, including inspectors report, included the following key matters –

- The applicant is an individual involved in organising the weekly events. They are small social hour events with up to 50 attendees.
- These are small events where alcohol will be minimal. Suitability is not challenged.
- The premise has been in existence for a number of years, is zoned for such events and an extra special licence should not reduce amenity and good order of the locality.
- The premise is a leisure centre and as such suitable for the type of event and layout is relatively simple. The marked floor plan was included.
- The hours appear relevant for the event being undertaken.
- Alcohol consumption will be minimal for the event.
- No certified manager is nominated for the event.
- A 'supervised' designation for the event is requested and endorsed.
- 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 19th day of November 2022.



Secretary
Whanganui District Licensing Committee

