

APPLICATION No. **036/SOL/003/2020**

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

AND

IN THE MATTER of an application by **Orange Cafe** for a
special-licence pursuant to section 138 of
the Act on the occasion of the 'Whanganui
Vintage Weekend Riverside Festival'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Chairperson
Mr Stuart Hylton

DECISION

1. Introduction

This is an application by **Orange cafe** for a special licence in regard to an event to be held at 51 Victoria Avenue, Whanganui. The nature of the event for which the licence is sought is for the annual Whanganui Vintage Weekend Caboodle.

The date and hours sought is 18th January 2020, 8.00am to 7.00pm.

2. Application

The application was received on 14th January 2020 and included a site/floor plan, copy of manager's certificates and application/decision for late application waiver.

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 15th January 2020.

Medical Officer of Health – No opposition within report received on 15th January 2020.

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 complete file including inspectors report noted the following pertinent points—

- The applicant is a company who runs a café from the proposed site normally. The applicant is applying for a full licence in the future but for this event it's the café plus public area immediately outside the premise.
- Suitability is not challenged.
- The area to be licensed is the café plus a portion of the public place that will extend out along the footpath. The public place area to be licenced will be suitably demarcated for the event.
- The hours appear reasonable for the event being undertaken.
- Two certified managers are nominated for the event.
- The applicant has asked that the area be 'undesigned' for the event and this is supported. The area is shown on the marked up plan and should be clearly delineated on the day.
- 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 16th day of January, 2020.



Secretary

Whanganui District Licensing Committee

