

**Application number: 036/SOL/115/2023**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Phillip Wills** for a special-licence pursuant to section 138 of the Act on the occasion of an 'Annual Equine Sports Event'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**

Chairperson  
Mr Stuart Hylton



**DECISION**

**1. Introduction**

This is an application by **Phillip Wills (on behalf of the Mangamahu Picnic Sports Club)** for a special licence in regard to an event to be held at the Mangamahu Domain, Kowhai Road, Whanganui. The nature of the event for which the licence is sought is the annual 'Horse Sports Event'.

The date and hours sought are –

- **Saturday, 27th January 2024, between 12.00 noon and 12.00 midnight.**

**2. Application**

The application was received on 16<sup>th</sup> November 2023 and included a site plan, owner's permission, s.137 (2) waiver and floor 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 received on 6 December 2023.

**Medical Officer of Health** – No opposition within report received on 8 January 2024.

**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 an individual on behalf of a sports club who have run this event before without incident. Importantly though the Club is not a legal entity therefore it's been confirmed in discussions between the Inspector and the applicant that Philip Wills would be issued the licence as an individual person.
- This is an annual event that has operated without any known incidents previously.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise is a public domain in the rural area which has Council support for the licence and event. A special licence should not reduce amenity and good order of the locality.
- The area is suitable for the type of event and layout has been suitable in the past. The marked area plan shows the licensed area which is a fenced off building.
- The hours appear reasonable for the event being undertaken.
- No certified managers nominated for the event however a s. 213(2) waiver was sought and supported for **Philip Wills** to manage the event. Other members will be assisting.
- A request for the licensed area to be '**supervised**' 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 and a s.213 (2) waiver.

**DATED** at Whanganui this 8 day of January 2024.



Secretary  
Whanganui District Licensing Committee

