

**Application number: 36/SOL/076/2018**

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

**AND**

**IN THE MATTER** of an application by Sweet as  
Marketing Limited for a special-  
licence pursuant to section 138  
of the Act on the occasion of a  
'Whanganui Home Show Stall'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**



Commissioner  
Mr S G Hylton

**DECISION**

**1. Introduction**

This is an application by Sweet as Marketing Limited for a special licence in regard to a stall to be held at this years Whanganui Home Show Stall at Jubilee Stadium, 228 London Street, Whanganui. The nature of the event for which the licence is sought is a 'Whanganui Home Show Stall' where the applicant will sell alcohol to persons to consume off the premises. There will be a small amount of tasting on the premises.

The dates and hours sought are –

- **Saturday 18<sup>th</sup> August 2018, between 10.00am and 5.00pm.**
- **Sunday 19<sup>th</sup> August 2018, between 10.00am and 4.00pm.**

**2. Application**

The application was received on 27th July 2018. The application included a site plan, letter from event owner, letter of explanation and drinks list.

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 13th August 2018.

**Medical Officer of Health** – No opposition within report received on 8th August 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 complete file including inspector's report noted the following pertinent points –

- The applicant is an incorporated company who operates licensed stalls at these types of events.
- Previous similar special licences have not raised any concerns.
- Suitability is not challenged.
- The premise has been in existence for many years and the extra special licence should not reduce the amenity and good order of the locality.
- The premise is suitable for the event and the area for sale and consumption will be an allocated stall site at the show. Stall T14.
- The hours appear relevant for the event being undertaken.
- A non-certified manager has been nominated for the licence. As. 213(2) waiver is recommended.
- A 'non designation' is supported for the event.
- Both the Police and MOH have no objections to the application

### 4. Decision

Accordingly 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 14th day of August, 2018.



Secretary

**Whanganui District Licensing Committee**