

Application number: 036/SOL/078/2023

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Whanganui Distilling Company Limited** for a special-licence pursuant to section 138 of the Act on the occasion of a series of events called '6 Mixology Classes'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE

Commissioner
Mr S G Hylton



DECISION

1. Introduction

This is an application by **Whanganui Distilling Company Limited** for a special licence in regard to events to be held at the applicant's premises at 454 State Highway 4 Whanganui. . The nature of the events for which the licence is sought are the "6 Mixology Classes".

The dates and hours sought are –

- | | |
|------------------------------------|-------------------------|
| ○ MONDAY 4 DECEMBER 2023 | 5.30pm to 7.30pm |
| ○ THURSDAY 7 DECEMBER 2023 | 5.30pm to 7.30pm |
| ○ MONDAY 11 DECEMBER 2023 | 5.30pm to 7.30pm |
| ○ THURSDAY 14 DECEMBER 2023 | 5.30pm to 7.30pm |
| ○ MONDAY 18 DECEMBER 2023 | 5.30pm to 7.30pm |
| ○ THURSDAY 21 DECEMBER 2023 | 5.30pm to 7.30pm |

2. Application

The application was received on 25 October 2023.

The application included a site plan, menu, and supporting letters.

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.

Medical Officer of Health – No opposition within report received on 10 October 2023.

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 application file and inspectors report raised the following pertinent points –

- The applicant is a company who sells alcohol from their premises licensed as an Off-licence. This application is for events where patrons will consume alcohol on their premises. The events are 6 Mixology Classes where 6 attendees through tickets attend. Consumption will be on the low scale.
- The applicant has held an off licence for over a year now and should be well versed in alcohol laws and requirements.
- Suitability is not challenged.
- The premise for the special events is the same as the off licence. The issuing of a special licence should not reduce the amenity and good order of the locality. Sale and consumption of alcohol should be minor.
- The hours appear relevant for the event being undertaken.
- A certified manager has been nominated for the licence.
- A 'supervised' designation for the licensed area is supported for these type of events.
- Both the Police and MOH have no opposition to the application.

I concur with the inspector's assessment and conditions for the proposed events.

4. Decision

Accordingly the application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report.

DATED at Whanganui this 25 October 2023.



Secretary
Whanganui District Licensing Committee

