

Application number: 036/SOL/005/2017

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

AND

IN THE MATTER of an application by Wanganui RSA
Incorporated of Wanganui for a special-
licence pursuant to section 138 of the
Act on the occasion of a 'Wanganui Jazz
Club Evenings'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE


Commissioner
Mr S G Hylton

DECISION

1. Introduction

This is an application by Wanganui RSA Incorporated for a special licence in regard to an event to be held in their premises located at 170 St Hill Street, Wanganui. The nature of the events for which the licence is sought relates to Wanganui Jazz Club Evenings over six evenings.

The date and hours sought are the –

- 5th March 2017, 6.00pm to 10.00pm.
- 2 April 2017, 6.00pm to 10.00pm.
- 7 May 2017, 6.00pm to 10.00pm.
- 4 June 2017, 6.00pm to 10.00pm.
- 2 July 2017, 6.00pm to 10.00pm.
- 6 August 2017, 6.00pm to 10.00pm.

2. Application

The application was received on 9th January 2017. The application included a floor plan and menu.

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 objection within report received on 3 February 2017.

Medical Officer of Health – No objection within report received on 12th January 2017.

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 inspector also noted the following pertinent points in his report –

- The special relates to a series of events that will result in non-members attending the Club.
- The applicant is both the holder of a club licence and off licence.
- The Club licence does not authorise sale of alcohol to the public therefore a special is required.
- The applicant has not come to the notice of the authorities in the past.
- No concerns with suitability.
- The premise is purpose built, located in the central commercial area, historically located and therefore should not reduce amenity and good order of the locality.
- The requested hours are relevant to the activity being undertaken.
- Kyle Dalton, a certified manager, will be on duty for the event.
- No designation is supported.
- 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 with one amendment. i.e. change error in inspectors report of dates applied for to read 2 July 2017 instead of 2 June 2017.

DATED at Whanganui this 17th day of February, 2017.



Secretary

Whanganui District Licensing Committee

