

**Application number: 036/SOL/075/2017**

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

**AND**

**IN THE MATTER** of an application by the Guyton Group Trust for a special-licence pursuant to section 138 of the Act on the occasion of a 'Poetry Evening for National Poetry Day'.

**BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE**



Chairperson  
Mr Stuart Hylton

**DECISION**

**1. Introduction**

This is an application by Guyton Group Trust for a special licence in regard to an event to be held at the 'Sarjeant on the Quay', 38 Taupo Quay, Whanganui. The nature of the event for which the licence is sought is a 'Poetry Evening for National Poetry Day'.

The date and hours sought are –

- **Friday, 25th August 2017, between 5.30pm to 7.30pm.**

**2. Application**

The application was received on 21st August 2017 and included a site plan and certificate of incorporation.

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 22nd August 2017.

**Medical Officer of Health** – No objection within report received on 22<sup>nd</sup> August 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 full file including inspectors report noted the following pertinent points:

- The applicant is a registered trust registered in 2012.
- The applicant has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The event involves one glass of wine as part of a ticket fundraising arrangement.
- The premise is in a commerce zone next to other licenced premises and an extra special licence should not reduce amenity and good order of the locality.
- The premise to be licensed is the main gallery area which is suitable for the type of event. Layout has been suitable in the past. The marked floor plan was included.
- The hours appear relevant for the event being undertaken.
- A non-certified manager is nominated for the event. A s. 213(2) waiver is requested and supported by the inspector.
- A designation for the event is not requested.
- 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 22nd day of August, 2017.

  
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Secretary  
Whanganui District Licensing Committee