

Application number: 036/SOL/082/2017

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

AND

IN THE MATTER of an application by Wanganui Repertory Theatre Incorporated for a special-licence pursuant to section 138 of the Act on the occasion of 'Improv Nights'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Commissioner
Mr S G Hylton

DECISION

1. Introduction

This is an application by Wanganui Repertory Theatre Incorporated for a special licence in regard to two events to be held at the Theatre, 4 Ridgway Street, Whanganui. The nature of the events for which the licence is sought are theatre performances (Improv Nights).

The dates and hours sought are –

- Saturday 21st October 2017, between 6.45pm and 10.00pm,
- Saturday 18th November 2017, between 6.45pm and 10.00pm.

2. Application

The application was received on 4th September 2017 and included a site plan and correspondence around the menu provisions.

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 12th September 2017.

Medical Officer of Health – No objection within report received on 25th September 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.

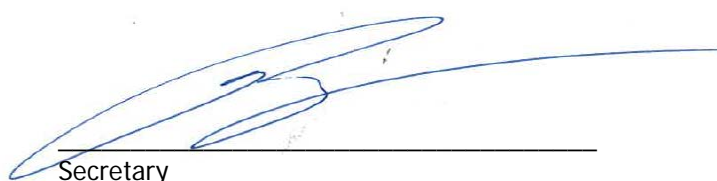
The file including inspectors report also noted the following pertinent points –

- The applicant has been in existence for at least 80 years and is an incorporated society. Alcohol consumption associated with the performances will be minimal.
- Suitability is not challenged by any of the reporting agencies.
- The event should not reduce amenity and good order of the locality. There are two other licenced premises in close proximity.
- The premise is suitable for the event and layout has been suitable in the past.
- The hours appear appropriate for the event/s
- Beverley Pearce and Liz Hudson are nominated as managers for the licence. The inspector has no concerns about thier suitability and recommends a s. 213(2) waiver as they not a certified managers.
- The inspector has enquired with the applicant and confirmed that no 'designation' is needed.
- 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 including a s. 213(2) waiver for the nominated persons.

DATED at Whanganui this 27th day of September, 2017.



Secretary

Whanganui District Licensing Committee