

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Wanganui District
Council for a special-licence pursuant to
section 138 of the Act on the occasion of
a 'Pre-Season Rugby Game vs Manawatu
Evergreens'.

BEFORE THE WHANGANUI DISTRICT LICENSING COMMITTEE



Chairperson
Mr Stuart Hylton

DECISION

1. Introduction

This is an application by Wanganui District Council for a special licence in regard to an event to be held at the Cooks Gardens Events Centre, 99 St Hill Street, Whanganui. The nature of the event for which the licence is sought is a 'Pre-Season Rugby Game vs Manawatu Evergreens'.

The date and hours sought are Wednesday 14th June 2017, between 5.00pm and 11.00pm.

2. Application

The application was received on the 8th June 2017 and included a supporting letter, menu, drinks list and floor plan. The supporting letter requested dispensation for the late application due to a third party operator reneging at late notice.

The Committee believes the omission to apply in the precise timeframe is not wilful nor obstructs natural justice provisions so therefore a waiver in accordance with s. 208 is granted on this occasion.

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 June 2017.

Medical Officer of Health – No opposition within report received on 12th June 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 noted the following pertinent points in his report –

- The applicant is a Local Body constituted under the Local Government Act.
- The premise has an existing On Licence but is under the name of an entity which is no longer involved in operating the licence on site. This special licence will enable the owner of the property and caretaker of the premise – Whanganui District Council, to responsibly manage this particular event until a substantive On-licence can be applied for.
- The applicant has held other special licences in the past and has not come to the notice of enforcement agencies previously.
- Suitability is not challenged.
- The premise and On-licence has been in existence for a few years now and an extra special licence should not reduce amenity and good order of the locality. The locality is a specifically designed sporting facility
- The premise is suitable for the type of event and layout has been suitable in the past. The marked site plan was included. The whole of the Stadium is requested to be the licensed premises. Alcohol sales will be at the Function Centre and Corporate Box's.
- The hours appear relevant for the event being undertaken.
- A certified manager is nominated for the event including other staff. This is seen as sufficient to cover the function.
- It's requested corporate boxes are designated 'supervised' and the rest of the premise undesignated. This is supported.
- 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.

DATED at Whanganui this 13th day of June, 2017.


Secretary
Whanganui District Licensing Committee

