

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Whanganui
Literary Festival Trust** for a special-
licence pursuant to section 138 of the Act
on the occasion of an 'Opening Ceremony
for Whanganui Literary Festival'.

BEFORE THE WANGANUI DISTRICT LICENSING COMMITTEE

Commissioner
Mr S G Hylton



DECISION

1. Introduction

This is an application by Whanganui Literary Festival Trust for a special licence in regard to an event to be held at the Wanganui War Memorial Hall, Watt Street, Whanganui. The nature of the event for which the licence is sought is an 'Opening Ceremony for Whanganui Literary Festival'.

The date and hours sought is:

- **4th October 2019, between 6.00pm and 7.00pm.**

2. Application

The application was received on 8th August 2019. The application included a site plan, certificate of incorporation, menu and email correspondence.

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 20 August 2019.

Medical Officer of Health – No opposition within report received on 27 August 2019.

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 noted the following issues –

- The applicant is a local Trust incorporated in 2014. They run a similar event each year or so.
- Suitability is not challenged.
- The premise has been in existence for many years and is within the CBD. The event should not reduce amenity and good order of the locality.
- The premise is suitable for the event and layout has been suitable in the past. People will be seated at tables for most of the event and within the Pioneer Room.
- The hours appear reasonable for the event.
- Richard Jones, a non-certified manager, is nominated as manager for the licence. Security guards will also be employed for control of the event. A s. 213(2) waiver is sought for the non-certified manager.
- No 'designation' for the event is supported.
- Both the Police and MOH have no opposition to the application.

4. Decision

Accordingly 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 Wanganui this 4 day of September, 2019.



Secretary

Wanganui District Licensing Committee

