

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

AND

IN THE MATTER of an application for a special licence
pursuant to s. 137 by Westland
Community Center Incorporated in
respect of premises known as The
Regent Theatre at 23 Weld Street,
Hokitika on three occasions:
Wednesday 1 May, Wednesday 22
May and Wednesday 5 June, 2019 for
the purposes of Fundraising for the
Regent Theatre.

DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED APPLICATION

Authority:

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

Conflict of Interest:

For the record, I am a member of the Westland Community Centre Management Committee. The granting, or otherwise, of this application gives no pecuniary advantage to me and I believe that the only conflict is one of perception in that I am, at least partly, the applicant and I am the decision maker. The nature of the conflict is such that there is no need for mitigation measures.

Summary of Evidence

A special licence is sought for the purposes of providing an Alcohol service at The Regent Theatre at 23 Weld Street, Hokitika on three occasions for fund raising events which are to be held on Wednesday 1 May 2019, Wednesday 22 May 2019 and on Wednesday 5 June 2019 between the hours of 6.30PM and 10.30PM the same day. The events are associated with themed film nights relating to mountains, bikes and oceans.

A report from the Inspector concludes that the applicant is suitable to operate the event under a special licence.

A report from the Police has no objection to the grant of the licence.

A report from the Medical Officer of Health has no opposition to the grant of a licence.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received and the complete file which has been made available to me. The application was not publicly notified. The matter can, therefore, be dealt with on the papers.

The Westland Community Center's Regent Theatre has played host to many occasions and events for which special licenses have been granted. To the best of my knowledge, all those events have been without incident or drama not associated with the screen or stage.

I note that the event is intended to be managed by Janet Beverley Gawn who is the holder of a manager's certificate and has considerable experience at managing similar events.

I am confident that there are no amenity and good order issues to be addressed.

No designations are proposed or required.

The application is, as is usual for the Westland Community Centre, well made and properly covers those matters required to be considered by an applicant for a special licence.

Decision and Reasons

I am satisfied as to those matters provided for in s.142 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number ⁰⁶⁴~~23~~-2019 and I direct that a licence be issued pursuant to s.64 of the Act.

Pursuant to s. 213(1) of the Sale and Supply of Alcohol Act 2012, Janet Beverley Gawn is appointed to be the manager for the occasion to which the application refers.

The terms and conditions will be:

The Licence may be exercised for the sale and supply of alcohol to any person lawfully attending the premises on Wednesday 1 May 2019, Wednesday 22 May 2019 and Wednesday 5 June 2019 between the hours of 6.30PM and 10.30PM the same day.

Pursuant to section 147(3)(b) of the Act drinking water shall be freely available at the bar to all customers at all times that the licence is being exercised.

Dated at Hokitika this 30th day of April 2019.



Chairperson, Westland District Licensing Committee

