

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

AND

IN THE MATTER of an application for a manager's
certificate pursuant to s. 219 by Lisa
Jane Glubb.

**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.

Summary of Evidence

The complete file has been made available to me.

A report from the Inspector concludes that the applicant is suitable to hold a manager's certificate.

A report from the Police has no objection to the application.

Evaluation of Evidence

I have considered the application on the basis of the uncontested reports received. The matter can, therefore, be dealt with on the papers.

Regrettably, the applicant does have a conviction recorded against her. An excess breath alcohol conviction in 2016 is not the sort of conviction that the Westland District Licensing Committee would regard as of no great moment. It is a conviction that indicates that a very poor decision involving little in the way of appropriate judgement was made with the inevitable consequences. The Police have raised this conviction as a matter of reference and it was anticipated that the inspector would have raised the conviction issue with the applicant during her interview. The inspector does not record that this was a matter of discussion so I think it is wise that I raise the matter so that the applicant should be under no misapprehension that the consequences of a further similar conviction will be an application from the Police to cancel her Manager's Certificate with the associated inconvenience that may bring her.

I note that the application does record that the applicant will be driving the Hard Antler Bar courtesy coach. It is simply not tenable that a further moment of poor decision making will be able to be sustained. Managers are required to be able to exercise firm and sound judgement in difficult circumstances and it is anticipated that there will be no room to maneuver in the future if a similar incident that which occurred in 2016 should happen again.

I have put very little weight on the contents of the two references that accompanied the application. Those documents use words like "thoughtfulness", "sensible reactions", "excellent candidate", "responsible" and "organized". These assessments, in light of the Excess Breath Alcohol incident, are either plain wrong or misdirected. My expectation is exceedingly high that there will not be a recurrence.

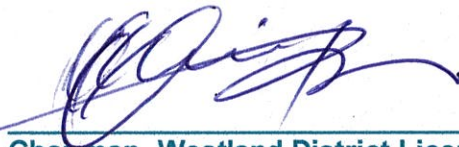
I am satisfied that the applicant is suitable, notwithstanding the conviction recorded against her. I am hopeful that she has learned her lesson well, she has significant experience within the industry and she holds a recognised qualification.

Decision and Reasons

I am satisfied as to those matters provided for in s.222 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **128-2020** and I direct that a certificate be issued to Lisa Jane Glubb pursuant to s.64 of the Act for a period of 12 months.

Dated at Hokitika this 2nd day of November 2020



Chairman, Westland District Licensing Committee

