

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

AND

IN THE MATTER of an application for the renewal of a
manager's certificate pursuant to s.
224 by Stacy Richard Carson.

**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 continue to hold a manager's certificate.

The Police advise that there is no objection to the application.

Evaluation of Evidence

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

I note that the applicant has two historic convictions which are alcohol related. The Inspector has observed "that they both fall outside the five years free of conviction status and are not relevant to this application."

I mostly agree with the Inspector's analysis which is based on case law. I would observe, however, that they would very quickly become relevant if another transgression occurs. Indeed, the passing of a five year period is worthy of note in relation to the current application; but that is all. Neither the applicant nor the inspector should anticipate that the passing of a five-year period is sufficient for such convictions to carry no weight at all, ever.

Decision and Reasons

I am satisfied as to those matters provided for in s.227 of the Act, I am satisfied that the applicant is suitable, he has experience within the industry, and he holds a recognised qualification.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **150-2019** and I direct that renewed manager's certificate 56/CERT/088/2018 be issued to Stacy Richard Carson pursuant to s.64 of the Act.

The renewal is on the existing terms and conditions for a period of three years from the date of expiry.

Dated at Hokitika this 26th day of September 2019



Chairperson, Westland District Licensing Committee

