

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
Garry Alan Calteaux.

**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.

I am satisfied that the applicant is suitable, he does not have any relevant convictions recorded against him, he has some experience within the industry and he holds a recognised qualification.

The applicant failed to complete the application in its entirety by omitting to include a prior conviction. The inspector did discuss this aspect with the applicant and it appears that the conviction for common assault was not recorded because the applicant did not understand that his "conviction and discharge" was, in fact a conviction even though no penalty was imposed. The Inspector advises that Mr. Calteaux now understands the difference and that there was no attempt at withholding the information from his application. For the record, Mr. Calteaux amended his application to include reference to the 2013 conviction. In any event, I do not come to the view that the conviction holds any weight nearly six years after the incident.

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 **159-2019** and I direct that a certificate be issued to Garry Alan Calteaux pursuant to s.64 of the Act for a period of 12 months.

Dated at Hokitika this 29th day of October, 2019



Chairman, Westland District Licensing Committee

