

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 the occasion of The Nadia
Lim Book Launch.

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 the occasion of the Launch of a new book by Nadia Lim which is to be held on Tuesday 19 November 2019 between the hours of 6.00PM and 9.00PM the same day.

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.

Any Special Licence is required to be managed by an appropriate person. In this case there is a request that s. 213(2) of the Sale and Supply of Alcohol Act 2012, apply and that the licensee be exempt from the duty to appoint a manager on the basis that the licensee or the person nominated by the licensee is demonstrably capable of managing the premises. The applicant has asked that Robert Brent Nicoll be appointed the Manager for the book launch event. Mr. Nicholl is the Regent Theatre Manager and he has experience within the Hospitality Industry. He is personally known to me and I have experienced his management style when he was employed at the Southland Hotel when that institution played a part in providing hospitality to the Hokitika public. I am very comfortable in granting a waiver pursuant to section 213(2) of the Act to allow Brent Nicholl to fulfill the management function.

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 **189-2019** and I direct that a licence be issued pursuant to s.64 of the Act.

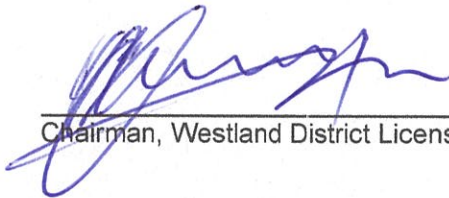
The terms and conditions will be:

Pursuant to s. 213(2) of the Sale and Supply of Alcohol Act 2012, Robert Brent Nicholl is appointed to be the manager for the event to which the application refers.

The Licence may be exercised for the sale and supply of alcohol to any person lawfully attending the premises on day 19 November 2019 between the hours of 6.00PM and 9.00PM 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 14th day of November 2019.



Chairman, Westland District Licensing Committee

