

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

AND

IN THE MATTER of an application by **John Wiremu O'Halloran** pursuant to Section 219 of the Act for a Manager's Certificate

BEFORE THE DISTRICT LICENSING COMMITTEE AT NAPIER

Chairman: Mr DE Fellows
Members: Councillor F White
Mr RH Pinkham

FINAL DECISION ON THE PAPERS

1. In decision NDLC 0482/2014 following a public hearing on 22nd January 2015, we adjourned an application by John Wiremu O'Halloran for a Managers Certificate for six months.
2. The Police had opposed the application on the basis of Mr. O'Halloran's failure to disclose a conviction when completing his application. The conviction was alcohol related when he was sentenced to pay reparation for willful damage for kicking in a door when refused entry to a bar in 2012. There were also other previous altercations with the police involving willful damage to a police cell leading to diversion, allegations of drug misuse and trespass notices issued by several premise owners, these were all pre-conviction incidents.
3. Mr. O'Halloran stated that all these events occurred during a period in his life that was undergoing social pressures and his immature outlook. Whilst no references had been produced from his employers his cause was enhanced by his endeavour's to gain qualification for his Managers Certificate, and the Licensing Inspectors report that during an interview Mr. O'Halloran had displayed a satisfactory knowledge and understanding of the Act and of host responsibility.
4. In these circumstances and in line with the past decisions of the Licensing Authorities in relation to a three year stand-down period following alcohol related convictions, the Committee elected to adjourn the matter for six months, and, providing there were no other issues and a reference from his employer was obtained, we would determine the application on the papers.
5. The Chief Liquor Licensing Inspector has advised that a reference has been provided by his employer, and the police confirm that no other issues have arisen to warrant further investigation during the period of adjournment.
6. We are satisfied as to the matters to which we must have regard in s.222 of the Act and we grant the application. The certificate may issue immediately.

DATED at NAPIER this 27th day of September 2015



DE Fellows
Chairman
Napier District Licensing Committee