

Application Number: MC4021

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

AND

IN THE MATTER of an application by **Mark Henry Herbert** for a Managers Certificate pursuant to section 219 of the Act.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

The manager's certificate application had no objections filed and no matters of opposition raised under section 220 reports, therefore the matter was considered by the Napier District Licensing Commissioner in accordance with sections 221, 222 and 223 of the Act.

Commissioner: Stuart Hylton

RESERVED DECISION OF THE NAPIER DISTRICT LICENSING COMMITTEE

1. Application

Mark Herbert made the application on the prescribed form received on 13 December 2019. The applicant intends using the certificate at the East Pier (Hotel type On Licence), which the applicant has part owned and worked in for nearly 30 years. The applicant has had a manager's certificate previously but let it lapse in 2016.

The application included evidence of obtaining the necessary License Controller Qualification and attesting to their experience and skills. The applicant declared they have no convictions.

2. Decision Making

In considering this application for a manager's certificate the licensing committee had regard to the following criteria under section 222 of the Act.

- *(a) the applicant's suitability to be a manager:*
- *(b) any convictions recorded against the applicant:*
- *(c) any experience, in particular recent experience, that the applicant has had in controlling any premises for which a licence was in force:*

- (d) any relevant training, in particular recent training, that the applicant has undertaken and evidence that the applicant holds the prescribed qualification required under [section 218](#);
- (e) any matters dealt with in any report made under [section 220](#).

3 Reporting Agencies

The following reports were received under section 220 of the Act and taken into account during the decision.

3.1 Police – No opposition within report dated 9 January 2020.

3.2 Licensing Inspector – Full report assessing **Mark Herbert's** credentials against the Acts criteria. The inspector has interviewed the applicant and concludes that the application is complete, in all aspects appears to meet the criteria of section 222 of the Act to hold a manager's certificate and recommends that the Certificate be approved.

4 Conclusion

Based on the evidence provided to me within the application and statutory reports I conclude that **Mark Herbert** meets the criteria to hold a Manager's Certificate under the Act.

5 Decision

Accordingly the application is **Approved** for issue for a period of one year.

Dated at Napier City this day of 11 March 2020.

Signed



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Stuart Hylton
Napier District Licensing Commissioner