

DECISION NUMBER

4317/2021

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **Fernando
Portella** for a Managers Certificate
pursuant to section 219 of the Act.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

The managers' certificate application (MC4317) 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

Fernando Portella made the application on the prescribed form received on 16 July 2021. The applicant intends to use the certificate at 'Market Street' (Tavern Style On-licence).

The applicant has experience working at these premises for over 10 months.

The application included the applicant's qualifications and evidence attesting to the applicant's suitability to hold a certificate. In a managers certificate interview with the inspector they displayed suitable knowledge and understanding of the Act and host responsibility.

The applicant has attained the relevant License Controller Qualification and has not incurred any 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 noted within report received 30 July 2021.

3.2 Licensing Inspector – Full report assessing **Fernando Portella's** credentials against the Acts criteria. The inspector has interviewed the applicant and is satisfied that the applicant has the necessary knowledge to hold the certificate. The Inspector noted the applicant had signed an undertaking limiting the certificate to a valid work visa.

The inspector concludes that the grant of the certificate is supported.

4 Conclusion

Based on the evidence provided to me within the application and statutory reports I conclude that **Fernando Portella** meets the criteria to be granted a Managers Certificate in accordance with the Act.

5 Decision

Accordingly the application for manager's certificate is **Approved** for issue for a period of one year and an annotation on the certificate reflecting the undertaking.

Dated at Napier this day the 27 August 2021.

Signed



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Stuart Hylton
Napier District Licensing Commissioner