

Decision Number 4889/2021

Application number: SP4889

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

AND

IN THE MATTER of an application by **Air Napier Limited** for a special licence pursuant to section 137 of the Act on the occasion of an 'Art Deco Event' to be held at 50 Watchman Road, Napier.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

Chairperson
Mr Stuart Hylton _____

DECISION

1. Introduction

This is an application by **Air Napier Limited** for a special licence in regard to an event to be held at 50 Watchman Road, Napier and known as 'Air Napier'. The nature of the event for which the licence is sought is an 'Art Deco Event'.

The dates and hours sought is –

- Saturday 20 February 2021, 3:00pm to 1:00am, the following day

2. Application

The application included a site plan showing the areas to be licensed.

The application was not advertised and no opposition or notice of desire to be heard has been received under section 141 of the Act. Accordingly we deal with the matter on the papers in accordance with section 202(1).

In considering the application for special licence the committee had regard to the following criteria under section 142 of the Act:

- (a) the object of this Act;
 - (b) the nature of the particular event for which the licence is sought and, in particular,—
 - (i) whether the applicant is engaged in, or proposes at the event to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods; and
 - (ii) whether the applicant is engaged in, or proposes at the event to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services;
 - (c) the suitability of the applicant;

- (d) any relevant local alcohol policy;
- (e) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, by more than a minor extent, by the effects of the issue of the licence;
- (f) the days on which and the hours during which the applicant proposes to sell alcohol;
- (g) the design and layout of the premises concerned;
- (h) whether the applicant has appropriate systems, staff and training to comply with the law;
- (i) any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas;
- (j) any steps the applicant proposes to take to ensure that the requirements of this Act in relation to the sale and supply of alcohol to prohibited persons are observed;
- (k) the applicant's proposals relating to—
 - (i) the sale and supply of non-alcoholic drinks and food; and
 - (ii) the sale and supply of low-alcohol drinks; and
 - (iii) the provision of help with or information about alternative forms of transport from the premises;
- (l) any matters dealt with in any report from the Police, the Medical Officer of Health, or an inspector made under [section 141](#).

3. Reporting Agencies

The following reports were received under section 141 of the Act.

Police Report – No opposition within report received on 15 January 2021.

Medical Officer of Health – No opposition within report received on 14 January 2021.

Licensing Inspector Report – Full report provided by the inspector including assessment of application against section 142 criteria. The Inspector concludes that the application is complete and will likely meet the criteria of the Act. Draft conditions are also offered by the inspector.

The file, including inspectors report, included the following key matters –

- The applicant is a Company who are suitable to hold a special licence to sell to persons attending the Art Deco Event.
- Suitability is not challenged.
- The premise is a premises that has been in existence for a number of years and an extra special licence should not reduce amenity and good order of the locality.
- The premise is suitable for the type of event. The marked floor plan was included which is the whole hanger and area around the hanger as shown on the site plan.
- The hours appear relevant for the event being undertaken and the various licensed areas.
- A certified manager is nominated for the event.
- Both the Police and MOH have no opposition to the application.
- The Inspector gave a comprehensive account of lease arrangements for the property in question and concludes that there appears to be a suitable lease to occupy the site by the applicant. The Inspector notes some issues between the Landlord and tenant that lead to the DLC

publically notifying the application in the interests of fairness and transparency. The notification was displayed on the site premises for a period of time and the landlord was notified of this notification and his right to object. The objection period has expired and no objections received.

4. Decision

The Committee is satisfied as to the matters under the Act to allow the application to be granted. The application for Special Licence is **Approved** for issue subject to the conditions outlined in the inspectors report.

DATED at Napier this 2 February 2021.

A handwritten signature in blue ink, appearing to read "M. H. D." or a similar initials-based name.

Chairperson
Napier District Licensing Committee