

**Decision Number:**

**4346/2021**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

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

**BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE**

The managers' certificate application (MC4346) 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**

**Michelle Fernandes** made the application on the prescribed form received on the 15 September 2021. The applicant intends using the certificate with 'Cone and Flower' (Restaurant Style On-licence - Hastings). The applicant previously held a certificate but let it lapse.

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 27 September 2021.

**3.2 Licensing Inspector** – Full report assessing **Michelle Fernandes**'s credentials against the Acts criteria.

The inspector notes the applicant previously had an undertaking annotated to the certificate limiting its use to a current working visa. It's recommended this remains.

The inspector concludes that the application is complete, in all aspects appears to meet the criteria of section 222 of the Act to hold a managers certificate.

### 4 Conclusion

Based on the evidence provided to me within the application and statutory reports I conclude that **Michelle Fernandes** meets the criteria to hold a Managers Certificate under the Act.

### 5 Decision

Accordingly the application is **Approved** for issue for a period of one year with an undertaking attached.

**Dated at Napier City this day of 31 October 2021.**

**Signed**



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**Stuart Hylton**

**Napier District Licensing Commissioner**