

DECISION NUMBER

1468/2021

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **Event-Rite Limited** for a renewal of On Licence pursuant to section 127 of the Supply of Alcohol Act 2012.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

The application for renewal of On Licence (030/ON/1468/2020) was publically advertised in the Hawkes Bay Today on 19 and 26 July 2021 along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As no matters of opposition were raised under section 102 and 103 reports; therefore the matter was considered by the Napier District Licensing Commissioner on the papers contained in the full file provided by the secretary.

Commissioner:Stuart Hylton

RESERVED DECISION OF THE NAPIER DISTRICT LICENSING COMMITTEE

1. Application

On the 30 June 2021, **Event-Rite Limited** on the prescribed form made application for renewal of an On-licence. This is the first renewal application by the licensee who is seeking a variation to extend the licensed area.

The application for renewal of On-Licence is in relation to the premises known as '*McLean Park*' situated at 32 Latham Street, Napier South, Napier.

The general nature of the business is that of a 'Function Centre Style On-Licence'. The premise has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- Food/Drinks list
- Floor plan
- Photo's
- Copy of draft public notice and public display
- Existing Licence
- Reports from Police, Medical Officer of Health and Inspector

2. Decision Making

In considering this application for On-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act. Section 105 assessments were made using the inspector's full report and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in the complete file including the inspector's report were –

- The applicant is a registered private company who have operated this licence for a year. The applicant has named two managers for the licence which is seen as adequate for this type of licence as the licensee seconds other managers for large events held there.
- The premise has not come to the notice of authorities in an adverse manner during the renewal period. This is the first renewal application.
- The applicant provided a host responsibility policy that if followed should ensure the object of the act is met.
- The applicant appears to have appropriate systems, staff and training to comply with the law.
- There was no changes noted to the structure of the company since the previous application.
- There were no reports questioning suitability and neither do I.
- The current hours wanting to be renewed have operated without incident i.e.

Monday to Sunday, between 8.00am to 1.00am the following day.

- Floor plan provided works well for the nature of the business held on the premises. The new floor plan submitted shows the variation sought that being an extended licensed area to encapture what was the entrance way and car parking areas. The applicant gave reasons for the variation and all agencies have recorded no opposition to the variation request. The variation is to accommodate an extended upgrade to the main entertainment area. **The whole premises is to remain undesignated.**
- No CPTED or amenity or good order issues raised with renewal. There is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.
- The applicant has satisfactory systems for staff training and performance.
- The application accords with the Napier LAP.

3 Reporting Agencies

The following reports were received under section 103 of the Act and taken into account during the decision.

3.1 Police – Report received on 22 July 2021, of no opposition.

3.2 Medical Officer of Health – Report received on 15 July 2021, of no opposition.

3.3 Licensing Inspector – Full report dated 13 August 2021. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition

raised. The inspector concludes that the application is complete and appears to meet the criteria for renewal of the licence with existing conditions apart from minor adjustment to accommodate variation to extend licensed premises.

4 Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters and the past operation of the premise/licensee, I conclude that the application by **Event-Rite Limited** meets the statutory criteria to be granted a renewal of On-Licence under the Act for a period of three (3) years, from the expiry date of the previous licence.

The licence will be subject to the conditions currently contained on the licence apart from the extended licensed footprint.

5 Decision

Accordingly the application is **Approved** for issue immediately.

Dated at Napier District this 16 September 2021.

Signed



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Stuart Hylton
Napier District Licensing Commissioner