

Application number: SP5044

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

AND

IN THE MATTER of an application by **Hawkes Bay Latin Dance Club Inc.** for a special licence pursuant to section 137 of the Act on the occasion of a series of events known as 'Mid-Year Latin Fiesta Dances' to be held at 39 Marine Parade, Napier South, Napier.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

Chairperson

Mr Stuart Hylton _____

DECISION

1. Introduction

This is an application by **Hawkes Bay Latin Dance Club Inc.** for a special licence in regard to an event to be held at 39 Marine Parade, Napier South, Napier and known as Spa Hotel. The nature of the events for which the licence is sought are 'Mid-Year Latin Fiesta Dances'.

The dates and hours sought are –

- **Saturday 14 May 2022, between 5.00pm & 1.00am the following day**
- **Saturday 21 May 2022, between 5.00pm & 1.00am the following day**
- **Saturday 28 May 2022, between 5.00pm & 1.00am the following day**
- **Friday 3 June 2022, between 5.00pm & 1.00am the following day**
- **Saturday 11 June 2022, between 5.00pm & 1.00am the following day**
- **Saturday 25 June 2022, between 5.00pm & 1.00am the following day**
- **Thursday 14 July 2022, between 5.00pm & 1.00am the following day**

- **Friday 15 July 2022, between 5.00pm & 1.00am the following day**
- **Saturday 16 July 2022, between 5.00pm & 1.00am the following day**
- **Saturday 13 August 2022, between 5.00pm & 1.00am the following day**
- **Saturday 3 September 2022, between 5.00pm & 1.00am the following day**
- **Saturday 17 September 2022, between 5.00pm & 1.00am the following day**

2. Application

The application was received on 12 April 2022 and included a site plan showing the area 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 29 April 2022.

Medical Officer of Health – No opposition within report received on 19 April 2022.

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 an incorporated society who is organising the series of Club events. The Club has long held these events.
- Suitability is not challenged.
- The premise is an ex-Hotel that has been in existence for a number of years, is zoned for such events and an extra special licence should not reduce amenity and good order of the locality. The premise has held special licensed events previously.
- The premise is suitable for the type of event and layout has been suitable in the past. The marked floor plan was included which is the front part of the hotel with no designations sought. The Inspector originally noted a concern raised about the buildings compliance but apparently this has now been rectified.
- The hours appear relevant for the events being undertaken.
- A certified manager is nominated for the event.

- Both the Police and MOH have no opposition to the application.

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 13 May 2022.



Chairperson

Napier District Licensing Committee