

Decision number: 048/2020/HCDLC/076

**IN THE MATTER** of the Sale and Supply of  
Alcohol Act 2012

**AND**

**IN THE MATTER** of an application by Paul  
Vincent Rowan pursuant to  
ss.22 and 64 of the Act for a  
Special licence in respect of  
premises situated at Williams  
Park, Marine Drive, Eastbourne,  
Lower Hutt, known as  
"Butcher and Brewer Beer &  
Food Garden"

**BEFORE THE HUTT CITY DISTRICT LICENSING COMMITTEE**

This is an application by Paul Vincent Rowan for a Special licence in respect of premises situated at Williams Park, Marine Drive, Eastbourne, Lower Hutt, known as "Butcher and Brewer Beer & Food Garden".

The application was duly notified and no opposition or notice of desire to be heard has been received. Accordingly I deal with the matter on the papers.

Pursuant to the Sale and Supply of Alcohol Act 2012, the application by Paul Vincent Rowan for a Special licence is **granted** subject to conditions.

I am satisfied as to the matters to which we must have regard as set out in s.142 and s.143 of the Act.

**STATUTORY CRITERIA**

**Sale and Supply of Alcohol Act 2012**

*142 Criteria for issue of special licences*

- (1) *In deciding whether to issue a special licence, the licensing committee concerned must have regard to the following matters:*
  - (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](#).*

(2) *The licensing committee must not take into account any prejudicial effect that the issue of the special licence may have on the business conducted pursuant to any other licence.*

#### 143 *Additional requirements for large-scale events*

- (1) *If, in the opinion of the licensing committee concerned, an application for a special licence relates to a large-scale event, the committee may do any or all of the following:*

- (a) require the applicant to provide the committee with a management plan describing how the applicant proposes to deal with matters such as security, monitoring, interaction with local residents, and public health concerns;
- (b) require the applicant to provide the committee with a certificate by the territorial authority that the proposed use of the premises meets the requirements of the Resource Management Act 1991 and of the building code;
- (c) require the applicant to liaise with the Police and the territorial authority on planning for the event.

(2) In deciding whether to issue a special licence, the licensing committee concerned may have regard to the following matters (in addition to the matters stated in section 142(1)):

- (a) whether, and how well, the applicant has complied with any requirement under subsection (1)(a);
- (b) whether, and how well, the applicant has complied with any requirement under subsection (1)(c), and whether the Police and the territorial authority are satisfied with any liaison that has taken place.

#### REASONS FOR THE DECISION

No objections raised by reporting agencies.

#### DECISION


The District Licensing Committee Chair, acting pursuant to the Sale and Supply Of Alcohol Act 2012 **grants** an application by Paul Vincent Rowan for a Special licence for the premises at Williams Park, Marine Drive, Eastbourne, Lower Hutt, for the event "Eastbourne Local Wild Food Challenge 2020", subject to conditions.


#### Conditions:

The licence is subject to the conditions as listed on licence No. 048/S/0018/20 attached.

DATED at LOWER HUTT this 26<sup>th</sup> day of February 2020



  
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 Granted by: Simon Edwards  
 Chair

  
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 Approved by: Johanna Miller  
 Secretary