

Objection to an Application for an Alcohol Licence

Sale and Supply of Alcohol Act 2012

This form is for objecting to an application for an alcohol licence, either for a new licence or the renewal or variation of a licence. Applications for alcohol licences covers on-licences, off-licences, club licences and in some circumstances special licences.

Read the guidance notes accompanying this form to ensure your objection contains sufficient detail and information in order for your objection to qualify as a valid objection.

1 Your Contact Details

Surname: _____ First Names: _____

Postal Address: _____

Email Address: _____

(very important – this allows us to forward important information to you at short notice.)

Phone Number: _____ Mobile Number: _____

If you are submitting on behalf of an organisation, please indicate the name of the organisation and your position or role within that organisation:

Organisation: _____

Position: _____

tick to confirm you have the mandate and authority from the above organisation to make this objection on their behalf.

2 Application

Please identify the alcohol licence application you are objection to.

Name of applicant or business: _____

Address of business: _____

Proposed business: _____

3 Your Objection

Would you like to add to your objection or produce further evidence, in person, at the hearing? YES NO

Please note, you do not have to attend personally. Your objection will be read by the District Licensing Committee. It will be taken into consideration in deciding whether to grant to licence.

To object you must have a greater interest in regard to the application than the general public.

3.1 Please indicate below how you have a greater interest than the public generally (section 102 of the Act):

- reside close to the premises (residing within 1km)
- operate an organisation or business close to the premises
- other criteria related to section 102 of the act (please specify) _____

3.2 What are your grounds for objecting (Section 105 of the Act)?

- The object of the Act
- The suitability of the applicant

- Any relevant local alcohol policy
- The days on which and the hours during which the applicant proposes to sell alcohol
- The design and layout of any proposed premises
- the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments and food
- the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food
- the effect on the amenity and good order of the locality
- whether the applicant has appropriate systems, staff and training to comply with the law

3.3 Additional grounds for objecting to renewals (SECTIONS 131 & 132 of the Act):

- the manner in which the applicant has sold, supplied, displayed, advertised or promoted alcohol.

Please provide some detail on the grounds for objection you have identified above (*continue on a separate sheet if necessary*):

If the licence was granted what conditions (if any) would you like to see imposed on the business (e.g. opening hours)?

IMPORTANT- PLEASE ENSURE THIS FORM IS SIGNED

Dated this _____ day of _____ 20____

Signature: _____

Please post this objection to:

The Secretary
Manawatu District Licensing Committee
Private Bag 10002
Feilding 4702

Or email: alcohol@mdc.govt.nz

PLEASE READ THESE GUIDANCE NOTES BEFORE COMPLETING THIS FORM

Who can object to an application for an alcohol licence?

A person may object to the granting of a licence only if he or she has a greater interest in the application than the public generally. You would be considered to have a greater interest if you lived close to the proposed premises, operated a business or organisation close to the premises, or has some other close connection with the proposed premises.

When must an objection be made?

An objection must be made in writing and be received by the licensing committee within 15 working days after the first publication of the public notice. A notice is also displayed on the premises or site.

On what grounds can an objection be made?

An objection can only be made in relation to the matters listed in section 105 of the Sale and Supply of Alcohol Act 2012 for new licences and section 131 and 132 of the Act for renewals. The grounds are:

- 1 the object of the Act;
- 2 the suitability of the applicant;
- 3 any relevant local alcohol policy;
- 4 the days on which and the hours during which the applicant proposed to sell alcohol;
- 5 the design and layout of any proposed premises;
- 6 whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food (you will need to state which goods);
- 7 whether the applicant is engaged in, or proposes on the premises 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 (you will need to state which services);
- 8 the effect on the amenity and good order of the locality;
- 9 whether the applicant has appropriate systems, staff and training to comply with the law.

For renewal applications there is an additional criteria under section 131 (1)(d):

- 1 the manner in which the applicant has sold, displayed, advertised or promoted alcohol.

What is the object of the Sale and Supply of Alcohol Act 2012?

The Object of the Act is that “the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and the harm caused by the excessive consumption of alcohol should be minimized”.

What is meant by the amenity and good order of the locality?

When considering the impact of a licence application on the amenity and good order of the locality, the committee will have regard to current and possible future noise levels, nuisance and vandalism, and the number of premises for which licences of the same kind are already held. For new applications the committee will also consider the compatibility of the purposes for which land near the premises concerned is used, and the purposes for which those premises will be used if the licence is issued.

Is commercial competition a valid ground for objection?

No, the committee must not take into account any prejudicial effect that the issue of the licence may have on any other licenced businesses.

Are anonymous objections accepted?

No, we need to identify the person objecting so we can establish whether they have a greater interest than the public generally and therefore whether it is a valid objection. Anonymous objections cannot be accepted as valid.

Is my objection confidential?

No, a copy of your objection has to be provided to the applicant, so your identity and the details of your objection are not confidential.

What happens if I make an objection?

A copy of any objections received is given to the applicant and the Licensing Inspector may discuss them with the applicant. Sometimes the applicant will offer to make changes to appease the objectors, such as reducing hours or changing aspects of the business. If this occurs, objectors will be contacted to see if they agree to the changes and wish to withdraw their objection, or if they continue to object. If no agreement is reached and the application continues to be objected it will go to a public hearing.

The District Licensing Committee of three members will hear the matter. The objectors and the applicant will be invited to attend and state their case, and the Committee will then deliberate and decide whether to grant or decline the application, or what conditions should be imposed on the licence.

Advice

If you need advice in relation to alcohol licensing procedures, then do not hesitate to ring the Council Liquor Licensing Inspectors on 06 323 0000.