

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012 ("the Act")

**A N D**

**IN THE MATTER**

of an application from **CRAIG  
RICHARD NUNNERLEY** pursuant to  
s219 of the Act for a new Off-Licence  
Decision 126/2018

**BEFORE THE HOROWHENUA DISTRICT LICENSING COMMITTEE**

Chairperson: Cr Ross Brannigan  
Members: Mr Allen Little  
Mr Roger Perring

**HEARING** at Levin on 9 July 2018.

**APPEARANCES**

- (a) Mr Craig Nunnerley – Applicant
- (b) Ms Amy Maere, Liquor Licensing Inspector – in opposition

**DECISION OF THE DISTRICT LICENSING COMMITTEE**

**1. Introduction**

- 1.1 This decision relates to an application by Craig Richard Nunnerley for a Manager's Certificate.
- 1.2 The application was filed on 23 May 2018, with the hearing held on 9 July 2018.
- 1.3 The applicant Mr Nunnerley was previously the holder of a Manager's certificate that had expired on 18 June 2016. For a period of nearly two (2) years Mr Nunnerley continued to work as the Duty Manager at the Fatboyz Bar without a current manager's certificate.
- 1.4 On 27 April 2018 whilst working as a Duty Manager Mr Nunnerley sold alcohol to volunteer minors during a controlled purchase operation.
- 1.5 The application was opposed by the Liquor Licensing Inspector and NZ Police on the grounds of suitability of the applicant.

**2. Reporting agencies**

- 2.1 The Liquor Licensing Inspector opposed the application based on concerns regarding the suitability of the applicant specifically in relation to Mr Nunnerley continuing to work as a duty manager without a current manager's certificate; and in relation to an incident that occurred on 27 April 2017 where alcohol was sold to a volunteer minor during a controlled purchase operation by the applicant.
- 2.2 NZ Police also opposed the application based on concerns relating to the suitability of the applicant; specifically the applicant continuing to work as a duty manager at Fatboyz Bar without a current manager's certificate for a period of almost 2 years with no apparent attempts

to ensure his manager's certificate was kept current and up to date, or to make necessary enquiries.

### **3. Considerations of Section 222 matters**

#### *a. The applicant's suitability to be a manager;*

Though the Committee had some reservations in relation to the applicant letting his managers' certificate lapse, and to the sale of alcohol to a volunteer minor; the Committee noted the applicant to have demonstrated maturity in the liquor industry and to have taken full ownership of his shortcomings and was therefore less likely to be complacent in future with timelines and responsibility.

The Committee made it clear to the applicant that they simply expected better from him in the future.

#### *b. Any convictions recorded against the applicant*

The applicant has no convictions recorded.

#### *c. Any experience, in particular recent experience, that the applicant has had in controlling any premises for which a licence was in force;*

The applicant Mr Nunnerley has been working in the liquor industry for 7 years at the Fatboyz bar.

#### *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;*

Mr Nunnerley completed a Licence Controller Qualification (LCQ), on 10 May 2018.

#### *e. Any matters dealt with in any report made under Section 220;*

The Liquor Licensing Inspector opposed the application on the grounds of the suitability of the applicant in relation to the applicant continuing to work as the duty manager for Fatboyz bar without a current Manager's certificate, and for having sold alcohol to volunteer minors during a controller purchase operation.

NZ Police objected to the application on the grounds of suitability of the applicant.

### **4. Decision**

4.1 Whilst the Committee acknowledge the objections by the Liquor Licensing Inspector and NZ Police, following the hearing the Committee expects the applicant to have learnt from his recent experiences and as such have no further concern the applicant will suffer complacency in this regard in the future.

4.2 It is therefore the decision of this Committee is to issue a Manager's Certificate to Craig Richard Nunnerley.

**DATED** at LEVIN this 24<sup>th</sup> day of July 2018.



R J Brannigan  
Chairperson

