

Decision Number 60C [2015] 1840

IN THE MATTER of the Sale & Supply of Alcohol Act 2012

AND

IN THE MATTER of an application pursuant to
s219 of the Act by
JAYNE SAUNDERS for a
Manager's Certificate.

DECISION OF THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson Mr R.J.Wilson
Members Mr A.J.Lawn
Mr G.Buchanan

HEARING at Christchurch on the 20th August 2015

APPEARANCES

Sergeant J. Harris, NZ Police
Ms J. Davison, Alcohol Licensing Inspector, CCC

INTRODUCTION

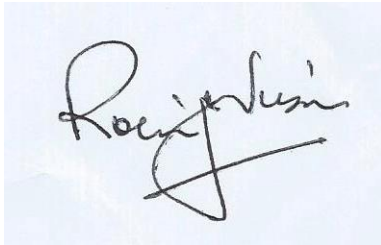
This is an application by Jaynene Saunders for a Manager's Certificate. The application is opposed by the NZ Police and by the Inspector on the grounds that the applicant has a conviction dating from 19th January 2012 for Driving with Excess Breath Alcohol. It was set down earlier for a public hearing but Ms Saunders sought an adjournment because of ill health in her family. This was granted and a new date was to be set in consultation with the parties. However attempts to contact Ms Saunders in ensuing weeks were unsuccessful and in order to bring the matter to a head a hearing date was set for today. Late yesterday Ms Saunders contacted the Hearings Adviser and sought a further adjournment of six months to allow the five year stand down as suggested in the Osborne decision to elapse (her calculation) and also so she could produce evidence as to her suitability. As Chairperson I refused the request for adjournment and directed that Ms Saunders appear before the Committee so that the substantive matter could be determined. Ms Saunders failed to appear today.

DECISION

It is unfortunate that Ms Saunders has chosen not to turn up today as it means we are unable to hear her submissions on the matter. While the Committee is guided by the Osborne decision it is not bound by it and Ms Saunders might have been able to persuade us to take a more lenient course. However in the absence of any such submissions we are left with the opposition of the Police and the Inspector expressed in their written reports. We are also mindful that Ms Saunders has informed us in her communication yesterday that she was not currently employed in the hospitality industry. Both factors influence our decision that Ms Saunder's application must be refused and it is. Ms Saunders is of course entitled to make a fresh application whenever she chooses and the matter will then be considered on its merits at that time.

The decision of the Committee is that the application is refused.

Dated at Christchurch this 20th day of August 2015

A handwritten signature in black ink on a light blue background. The signature is cursive and appears to read 'R.J. Wilson'.

R.J. Wilson
Chairperson
Christchurch District Licensing Committee