

Notice of Decision



Decision No. 57/CERT/1007/2015

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Alan Robert
McNabb pursuant to s.224 of the Act
for renewal of a Manager's
Certificate

BEFORE THE Hurunui District Licensing Committee

Chairperson: Commissioner M Ward

DECISION (ON THE PAPERS)

This is an application by Alan Robert McNabb for renewal of a Manager's Certificate.

The Police and District Licensing Inspector have raised no matters in opposition to the renewal of a Manager's Certificate.

The Licensing Inspector, in her report, advised the Licensing Committee of an incident involving the applicant, which occurred at Monteith's Brewery Bar Hanmer on Saturday 5 September 2020.

Following the incident, Mr McNabb was charged with common assault under the Crimes Act 1961. The charge was dismissed by the District Court following the completion of the restorative justice programme via diversion.

Police made an application to Alcohol Regulatory and Licensing Authority (the Authority), under s. 285 of the Act, for suspension of Mr McNabb's manager's certificate with an agreed summary of facts and a signed suspension agreement. The Authority in their decision, [2023] NZARLA 61-62, suspended Mr McNabb's manager's certificate for 42 days from 8.00am on Monday 8 May 2023.

We have read the decision of the Authority and we are of the mind that the matter has been adequately dealt with by both the District Court process, and the Licensing Authority by way of a suspension of Manager's Certificate. While we do not condone the behaviour of Mr McNabb, we consider this to be a one-off incident and that reasonable steps have been taken by Mr McNabb to ensure that this behaviour will not be repeated in the future.

Accordingly, we are satisfied that the criteria set out in s. 227 of the Act has been met. We place Mr McNabb on notice and make clear that any further occurrences will not sit favourably with his suitability to hold a manager's certificate.

A renewal notice can be issued and will remain in force until 23 January 2026.

Dated at Amberley this 16th day of May 2023



Secretary
Hurunui District Licensing Committee

