

Decision Number: 60F [2021] 7312

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

AND

IN THE MATTER OF an application by **GREGORY DAVID FALCONER** for **Renewal of a Manager's Certificate** pursuant to section 224 of the Act

BEFORE THE CHRISTCHURCH DISTRICT LICENSING COMMITTEE

Chairperson: Mrs M S Redstone JP

Member: Ms C E Robinson

Member: Mr D Ivory

DECISION ON APPLICATION FOR RENEWAL OF MANAGER'S CERTIFICATE

RECORD OF DECISION

[1] This is an application by **GREGORY DAVID FALCONER** ('the applicant') for renewal of a Manager's Certificate pursuant to section 224 of the Sale and Supply of Alcohol Act 2012 ('the Act').¹ The applicant is currently employed in the industry. The applicant was recently convicted of an alcohol related driving offence and had his manager's certificate suspended for a period pursuant to section 285 of the Act.²

[2] Although initially the NZ Police opposed the application their opposition was withdrawn following the outcome of the s285 application.³

[3] We convened a hearing on 19 May 2021. The applicant attended along with the Inspector and Senior Constable Jolliffe.

[4] The applicant provided an explanation of the circumstances of his offending and the consequences for himself and his employer. He also provided a number of references from previous employers and personal references as to his character. He regretted the incident and assured the Committee it would not happen again. The applicant explained the nature of

¹ 60/CERT/31/2020

² [2021] NZARLA 24

³ Police Email 25/02/2021

his employment as a General Manager at Harbar Beachbar & Kitchen in Akaroa. He is not routinely the duty manager on the premises.

[5] Having heard from the applicant and having regard to the matters in section 227 of the Act we grant the renewal for a period of 3 years.

[6] We record that alcohol related convictions are a serious matter and go to the suitability of an applicant and places the applicant's certificate in jeopardy.

[7] Having been persuaded by the applicant's explanation and his extensive record of satisfactory employment as a Duty Manager in licensed premises, we believe the applicant holds the required qualifications and experience, and is of a suitable character, to hold a Manager's Certificate. We approve the renewal for a period of 3 years.

DATED at CHRISTCHURCH this 20th day of May 2021

A handwritten signature in black ink, appearing to read 'M S Redstone', written in a cursive style.

M S Redstone

Chairperson

Christchurch District Licensing Committee