

Decision number:

060-2025

IN THE MATTER

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

AND

IN THE MATTER

of an application
by **Franish Limited**
pursuant to s.120 & 127 of
Act for the variation and
renewal of the ON Licence in
respect of premises situated
at 103-105 Revell Street,
Hokitika known as
**“Stone Oven Bakery &
Cafe”**

BEFORE THE WESTLAND DISTRICT LICENSING COMMITTEE

Franish Limited applies for the variation and renewal of the ON Licence in respect of premises situated at 103-105 Revell Street, Hokitika, known as **“Stone Oven Bakery & Cafe.”**

The business is a very low risk bakery and café, and they seek to renew the on licence with the existing days but with **amended hours from the existing Monday to Sunday 8.00am to 1.00am the following day to: Monday to Sunday 8.00am to 12.00 midnight. The newly developed deck out the front is subject to licence to occupy and will be part of the licensed area.**

This is to better align with their actual opening hours.

The application was notified on the council's website from the 27th day of November 2024 and no objections were received from the public.

Neither the reports of the Police nor that of the Medical Officer of Health raises any matters in opposition and the applicant has not come to the adverse attention of reporting agencies during the renewal period.

However, the Police raise three questions about the hours sought, the licensed area over the footpath and monitoring of the security cameras by cell phone.

REASONS FOR THE DECISION

The inspector reports that the amenity and good order of the area has not been reduced by more than a minor extent, and the Cafe has not come to adverse notice during the renewal period.

Neither the Police nor the Medical Officer of Health has raised any matters in opposition, but the Police have sought clarification on a couple of matters.

Firstly, as the Police concede, this is a very low risk premises, and a more 'reasonable' regime may be adopted. While the 12.00 midnight closing is not currently utilised, it does give the business an opportunity to operate as an evening restaurant if they so choose. This is acceptable in the eyes of the DLC.

Similarly, there is no need for overt monitoring of the entire licensed area when such low quantities of alcohol are consumed.

We also see a Licence to Occupy agreement for the front deck area, dated 6 May 2025, has been agreed with council.

Overall, I am satisfied as to the matters to which we must have regard as set out in s.120 & 131 of the Act.

The request to amend the hours is approved and the licensed area is redefined as depicted in the plan dated 6 May 2025.

Accordingly, I deal with the matter on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **Franish Limited for the variation and renewal of the ON Licence in respect of premises situated at 103-105 Revell Street, Hokitika, known as "Stone Oven Bakery & Cafe"** subject to conditions.

The renewal will be for three years from the expiry of the current licence, i.e. 31 December 2024, and a replacement licence is to be issued.

We refresh the licence conditions to reflect best practice.

Conditions:

The licence is subject to following conditions:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours:
Monday to Sunday 8.00am to 12.00 midnight;
2. No alcohol is to be sold or supplied on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person who is on the premises to dine;
3. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
4. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcohol beverages;
5. Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted;
6. **A properly appointed certificated, or Acting or Temporary, manager must be on duty at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises;**
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
8. The Licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
 - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

DATED at HOKITIKA this 1st day of June 2025



Murray Clearwater
Chairperson/Commissioner
Westland District Licensing Committee

