

Decision number:

150-2023

IN THE MATTER

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

AND

IN THE MATTER

of an application by **Paroa
Hotel Limited** pursuant to s.
100 of the Act for an ON
Licence in respect of
premises situated at 84
Revell Street, Hokitika to be
known as "**Thatcher &
Small**"

BEFORE THE WESTLAND DISTRICT LICENSING COMMITTEE

The Application

Paroa Hotel Limited applies for an ON Licence in respect of premises situated at 84 Revell Street, Hokitika to be known as "**Thatcher & Small.**"

It is proposed that this business will operate as a Class 2 restaurant/cafe and bar in central Hokitika. There has been an extensive refurbishment of the building and the inclusion of an outdoor dining area.

The days and hours sought for this licence are **Monday to Sunday 8.00am to 3.00am the following day.**

These hours are within the default national maximum trading hours for an on-licence of 8.00am to 4.00am.

The applicant has provided a list of substantive food options and the low alcohol and non-alcoholic refreshments that will be available at all times when the premises is open for the sale and supply of alcohol.

The food is to be prepared on-site, and the inspector is satisfied that it is of an acceptable variety and price range and will be provided within a reasonable timeframe of placing an order.

Water jugs and glasses will be available on request at all times, plus water is given to all seated customers as part of table service.

The application was publicly notified from 25 July 2023, and no public objections were received.

Building and Planning Certificates have been sought and issued for this activity.

Neither the Police nor the Medical Officer of Health raised any final matters in opposition.

REASONS FOR THE DECISION

The applicant has provided an acceptable menu together with a list of both low and non-alcoholic refreshments that will satisfy the requirements of the Act.

Certificated managers are attached to the application and will oversee the sale and supply of alcohol.

The Inspector reports that the amenity and good order of the area is unlikely to be affected by more than a minor extent. He suggests that the licensed area other than the public footpath should be designated as a Supervised Area from 10.30pm.

The hours sought for a restaurant café bar are extensive and we remind the applicant that they have sought and been risk rated as a Class 2 restaurant. This means that they can have a defined bar, but the premises never operates as a tavern.

Effectively the principal activity should always be dining with alcohol on the side. This regime can be reviewed at renewal time in 12 months when the actual patron profile has become known.

Meanwhile, I am satisfied as to the matters to which we must have regard as set out in s.105 and s.106 of the Act.

Accordingly, I deal with the ON Licence application on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **grants** an application by **Paroa Hotel Limited** for an ON Licence in respect of premises situated at 84 Revell Street, Hokitika to be known as **"Thatcher & Small"** subject to conditions.


Conditions:

The licence is subject to the conditions listed as follows:

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 3.00am the following day;
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 whole of the premises is undesignated until 10.30pm whereupon the licensed area, minus the footpath, become a Supervised Area.
8. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises;
9. 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 7th day of December 2023



Murray Clearwater
Chairperson/Commissioner
Westland District Licensing Committee

