

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

**AND**

**IN THE MATTER** of an application for the renewal of an  
On-licence pursuant to s. 127 in respect  
of premises situated at 22 Main Road,  
Franz Josef and known as Full of Beans  
Cafe by Jamie Francis Caldwell.

**DECISION OF THE WESTLAND DISTRICT LICENSING COMMITTEE ON AN UNCONTESTED  
APPLICATION**

**Authority:**

Pursuant to section 191(2) of the Sale and Supply of Alcohol Act 2012 and a Council resolution dated 28 November 2013, the functions, powers and duties of the Westland District Licensing Committee are delegated to the committee chairperson where no objection has been filed, and no matters of opposition have been raised by the Police, the Medical Officer of Health or an Inspector. There is no Local Alcohol Policy in place for the District.

**Summary of Evidence**

The complete file has been made available to me.

The application is mostly made with clarity and conviction. I note that the supporting documents include a copy of the Host responsibility Policy for the premises.

A report from the Inspector is positive as to the suitability of the applicant and amenity and good order. It concludes that the premises is well run.

The Police advise that there is no objection to the renewal application.

The Medical Officer of Health has no opposition to the renewal application.

**Evaluation of Evidence**

I have considered the application on the basis of the uncontested reports received. The matter is able to be dealt with on the papers.

The applicant is not requesting any changes to the existing conditions.

**Decision and Reasons**

I am satisfied as to those matters provided for in s.131 of the Act.

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **027-2019** and I direct that renewed on-licence 56/ON/004/2016 be issued pursuant to s.64 of the Act.

The renewal is for a period of three years from the date of expiry and is subject to the following conditions:

- (a) Alcohol may be sold only on the following days and during the following hours:  
**Monday to Sunday 8.00am to 1.00am the following day.**
- (b) except when the licensee also holds a special licence for the premises, no alcohol is to

be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not—

- (i) residing or lodging on the premises; or
  - (ii) present on the premises to dine.
- (c) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all guests at every table on arrival and during a meal at all times that the licence is being exercised.
- (d) The principal entrance is to be described as “the entrance off Main Road, State High Way 6, Franz Josef”.
- (e) The entire premises is designated a restricted area between 11.00pm and 1.00AM the following day.

### **Duration**

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

(a) either—

(i) until the close of the period for which it was last renewed; or

(ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but

(b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—

(i) until the close of the period of 3 years after the period for which it was last renewed; or

(ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Dated at Hokitika this 13<sup>th</sup> day of March, 2019

  
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Chairperson, Westland District Licensing Committee

