

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

AND

IN THE MATTER of an application for the renewal of an
Off-licence pursuant to s. 127 in respect
of premises situated at 37 Main Road,
Fox Glacier and known as Fox Glacier
General Store by Fox Glacier General
Store Limited.

**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 (the Act) 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.

A comprehensive report from the Inspector concludes that the applicant is suitable to continue to hold a licence.

The Police advise that there are no objections 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 seeking trading hours which will differ according to the seasons of the year, which between 1 May and 31 August will be between 8am and 7pm Monday to Sunday (Winter hours) and between 1 September and 30 April 8am to 9pm Monday to Sunday (Summer hours).

No designations are required and I am satisfied that there are no amenity and good order issues to be taken in to account. I have not identified any "single area" display issues. The applicant has submitted a floor plan showing the extent of the display of alcohol beverages. The area set aside for the display and promotion of alcohol is modest in comparison with the whole floor area.

I note that the applicant has a Host Responsibility Policy specific to the premises. And the premises has several managers to operate the licence as it needs to be.

The Inspector has advised that the applicant Company has a good track-record of compliance with the Act.

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 **072-2020** and I direct that renewed licence 56/OFF/029/2020 (current 56/OFF/054/2017) be issued to Fox Glacier General Store Limited 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 terms and conditions:

(a) Alcohol may be sold only on the following days and during the following hours:

1 May and 31 August between 8am and 7pm Monday to Sunday (Winter hours) and between 1 September and 30 April 8am to 9pm Monday to Sunday (Summer hours).

Except when the licensee also holds a special licence for the premises no alcohol is to be sold or delivered from the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person.

(b) The principal Entrance is to be described as "The entrance from Main Road Fox Glacier."

(c) The Licensee is to continue to have a Host Responsibility Policy specific to the premises.

(d) The area set aside for the display and promotion of alcohol is to be that area shown on a floor plan submitted with the renewal application dated 1 May 2020.

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 17 June 2020



Deputy Chairperson, Westland District Licensing Committee

