

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. 99 in respect  
of premises situated at 116 Revell  
Street, Hokitika and known as New  
World Hokitika by B L and N K Prue  
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 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 report from the Inspector concludes that the applicant is suitable 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 application does not request any change to the existing days and hours of operation.

The applicant is a company and is entitled to hold a licence. The application is reasonably well made and provides sufficient clarity to assist in making a decision. I have met Mr. Prue in a private capacity and I have no doubt as to his commitment to the food and beverage industry. I should think that his commitment to the provision of a responsible alcohol service will be as accurate as clockwork.

The days and hours of operation are to be 7.00am to 9.30pm on Monday to Sunday. This seems to be appropriate for the nature of the premises

No designations are identified or warranted, and I am satisfied that there are no amenity and good order issues to be taken into account.

The premises does have an existing "single area" display aisle although this fact is not alluded to in the application; the Inspector does refer to the "single area" display concept provided for in the Act but noting that during discussions with the applicant the Medical Officer of Health suggested placing a screen over one end of the alcohol display aisle so that alcohol would not be easily visible to patrons at the check-out area. The applicant, apparently, agreed to this course of action at the time. The application or other documents in the complete file do not reflect this suggestion. I will not be taking this suggestion any further. The Act envisages "single area" displays and not "secluded areas". I have no intention of prescribing conditions on an application that go further than what the legislature intended. The status-quo is warranted.

### Decision and Reasons

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

The application for a renewed off-licence by B L and N K Prue Limited is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **082-2020** and I direct that an Off-licence be issued pursuant to s.64 of the Act.

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

Monday to Sunday from 7.00AM to 9.30PM the same day

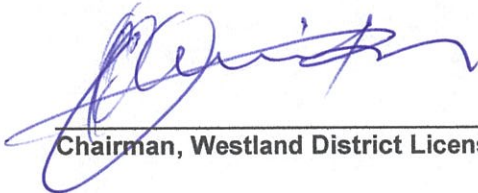
Except when the licensee also holds a special licence for the premises no alcohol is to be sold or delivered from the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person.

- (b) the following steps must be taken to promote the responsible consumption of alcohol:

- (i) Pursuant to section 116(2)(c) of the Act, drinking water shall be freely available to all customers at each point of consumption while alcohol is being supplied free as a sample at all times that the licence is being exercised.
- (ii) The area set aside for the display and promotion of alcohol is to be limited to the penultimate aisle on the Eastern portion of the New world premises. A plan showing this area shall be deposited with the Secretary of the Westland District Licensing Committee within 21 days of receipt of the licence.

- (c) The Principal Entrance is to be described as "The public entrance on the Southern side of the premises".

Dated at Hokitika this 21<sup>st</sup> day of July 2020



Chairman, Westland District Licensing Committee

