

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

AND

IN THE MATTER of an application for an Off-licence
pursuant to s. 99 in respect of premises
situated at 56-60 Tancred Street,
Hokitika and known as The Bottle-O by
My Liquor 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 comprehensive report from the Inspector concludes that the applicant is suitable to hold a licence.

The Police advise that there are no objections to the application.

The Medical Officer of Health has no opposition to the 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 has been made subsequently to the grant of a temporary authority.

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. The reason that the application is proceeding relates to the ownership of the company; The previous owner was a company that Mr. Prabhat Dixit had an interest in. Mr. Dixit has joined Mr. Mejar Singh in a new company called My Liquor Limited which entity now owns The Bottle-O. Mr. Dixit is the person who provides continuity from the previous owner, through the Temporary Authority and into a new Licence for My Liquor limited. Mr. Dixit has several years experience in the industry and Mr. Singh is building up his experience, I have no concerns as to the suitability of the applicant company.

It is intended by the applicant that the entire premises should be Designated as a Supervised Area and I agree with the Inspector's analysis that such a Designation is appropriate. I am satisfied that there are no amenity and good order issues to be particularly taken into account.

Trading hours are proposed to be Monday to Sunday from 8.00am to 10.00pm. This is appropriate in my view for the area.

The applicant has included a copy of the Host Responsibility Policy entitled "The Bottle O Social Responsibility Policy" which is a short, sharp and succinct statement of how the business will be operated on a day to day basis. I think that it is one of the better policies that I have seen, and I believe that it is appropriate for the business and adequately deals with the Host Responsibility issues facing a bottle store.

Decision and Reasons

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

The application for an off-licence by My Liquor Limited is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **0121-2020** and I direct that an Off-licence be issued pursuant to s.64 of the Act.

The licence is to be issued for a period of one year and is subject to the following terms and conditions:

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

Monday to Sunday from 8.00AM to 10.00PM 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.

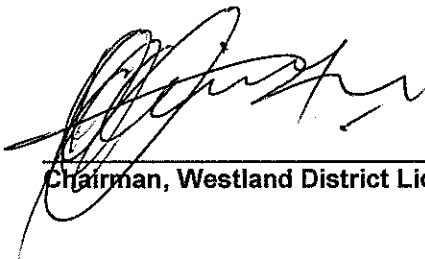
(b) the following steps must be taken to promote the responsible consumption of alcohol:

(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) There shall at all times be a Host Responsibility Policy in place similar to that which accompanied the application dated 25 August 2020.

(c) The Principal Entrance is to be described as "The public entrance into the premises off Tancred Street".

Dated at Hokitika this 22nd day of October 2020



Chairman, Westland District Licensing Committee

