

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 11 Blue spur
road, Hokitika and known as Stations
inn by Stations 2004 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.

The renewal application is made mostly with clarity and conviction. The application is accompanied by a document titled "Stations inn Boutique Bar, restaurant and accommodation Host Responsibility Policy" which covers matters relating to the way in which the applicant will take steps to promote the responsible consumption of alcohol.

The application does advise that a change is sought to the present conditions on the existing licence but does not identify what change(s) are sought.

It is proposed that the existing days and hours of trading on Monday to Sunday from 8.00am to 2.00am the following day are to continue.

A report from the Inspector advises that the applicant is a responsible operator and that the amenity and good order of the area is not badly affected by issues such as anti-social behaviour, vandalism or noise.

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.

Stations 2004 Limited is a private company and is entitled to continue to hold a licence.

Surprisingly, the Inspector has made no comment concerning the existing condition relating to the requirement to have a host responsibility policy and he has no comment as to the apparent effectiveness of the existing policy. From memory, the proposed policy is the same as that which exists and so I am content that it is a document that remains relevant to the premises and the way in which the premises is managed.

I am a little mystified as to the change sought to existing conditions as the inspector has made no comment on the unidentified proposal to alter a present condition. The inspector has noted that the 10 accommodation units on site are not part of the licensed area but I am uncertain that they ever were.

I am completely satisfied that there are no amenity and good order issues to be addressed.

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

No changes to the existing terms and conditions are proposed and the opening days and hours will remain as Monday to Sunday from 8,00am to 2,00am the following day.

Decision

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **152-2020** and I direct that renewed on-licence 56/ON/069/2018 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 from 8.00am until 2.00am the following day
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.
- (b) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at each table in the restaurant and from the bar service area at all times that the licence is being exercised.
- (c) The principal entrance is to be described as “the entrance into the restaurant adjacent to the verandah”.
- (d) The following steps must be taken to promote the responsible consumption of alcohol:
There shall be a “Host Responsibility Policy”, similar to that which accompanied the application dated 4 November 2020, in place at all times.
- (e) The entire premises consisting of the restaurant and bar area including the exterior dining area is designated as a supervised area.

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 13th day of November, 2020.


Chairman, Westland District Licensing Committee

