

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 37 Main Road,
State Highway 6, Fox Glacier and
known as Café Neve by Vosgo
Hospitality 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 "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 not seek to change any of the present conditions on the existing licence.

It is proposed that the existing days and hours of trading on Monday to Sunday from 11.00am to 12.00 midnight are to continue.

A report from the Inspector advises that the applicant is fully complying with the terms of the Sale and Supply of Alcohol Act 2012.

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.

Vosgo Hospitality Limited is a private company and is entitled to continue to hold a licence.

The Inspector has noted that the applicant has a host responsibility policy that is sufficiently comprehensive for the premises that it relates to. The Inspector makes no observation as to the contents of the policy in comparison to that which has existed over the life of the licence that is being renewed. I accept that it is a document that remains relevant to the premises and the way in which the premises is managed. There will

be a condition requiring the existing host responsibility policy to remain in place but I do accept that it needs to be a flexible document that reflects changes to the industry and that it may need to be amended from time to time.

I am completely satisfied that there are no amenity and good order issues to be addressed and that there is no need for designations at the premises.

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

Decision

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **154-2020** and I direct that renewed on-licence 56/ON/106/2019 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:

The terms and conditions will be:

- (a) alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 11.00AM to midnight.

- (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, 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) the following steps must be taken to promote the responsible consumption of alcohol:
 - At all times that alcohol is being sold or supplied there shall be a *Host Responsibility Policy* in place similar to that which accompanied the renewal application dated 24 November 2020.
 - The extent of the licensed area is that which is shown on a floor plan which accompanied the renewal application dated 24 November 2020.

- (d) The Principal Entrance is to be described as “The public entrance off Main Road, Fox Glacier”.

- (e) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers from the counter at all times that the licence is being exercised.

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

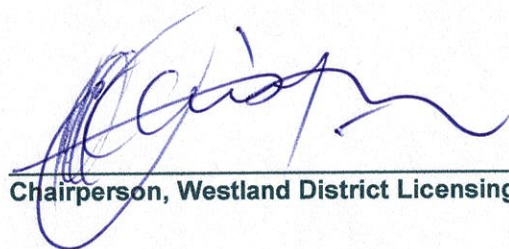
(ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but

(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 18th day of December, 2020.



Chairperson, Westland District Licensing Committee

