

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

AND

IN THE MATTER of an application for the renewal of an
Club licence pursuant to s. 127 in
respect of premises situated at 24
Sewell Street, Hokitika and known as
the Hokitika Westland RSA by the
Hokitika Westland Returned and
Services Association.

**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 application is well documented and is made with conviction.

A report from the Inspector concludes that the applicant is currently operating in compliance with the Sale and Supply of Alcohol Act 2012.

The Police advise that there is no opposition 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.

There are no changes to Terms and Conditions sought by the applicant in the renewal application.

The Inspector refers in his report to the existence of a Host responsibility policy which addresses the applicant's duty to have appropriate systems, staff and Training to comply with the law. My copy of the complete file does not contain a copy of the Policy, but I am sure that it exists as it is a condition of the existing licence that such a document must be in place. I do not know if it is exactly the same document that was in place when the licence was first granted but I am confidently assuming that the inspector would not have made a positive reference to the Policy if it were not fit-for-purpose.

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 234-2018 and I direct that renewed on-licence 56/Club/077/2017 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) 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 or Christmas Day to any person who is not—
 - (i) residing or lodging on the premises; or
 - (ii) present on the premises to dine.
- (b) alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 8.00AM to 1.30AM the following day.
- (c) the following steps must be taken to promote the responsible consumption of alcohol:
 - (i) There shall be a “Host Responsibility Policy”, similar to that which accompanied the original application dated 12 October 2017, in place at all times.
 - (ii) There shall be food available, similar to that described in the menu which accompanied the renewal application dated 2 November 2018, at all times that the premises are being used for the sale and supply of alcohol.
- (d) The Principal Entrance is to be described as “The entrance on the northern side of the building leading into the hall area”.
- (e) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers from the bar and the kitchen at all times that the licence is being exercised.

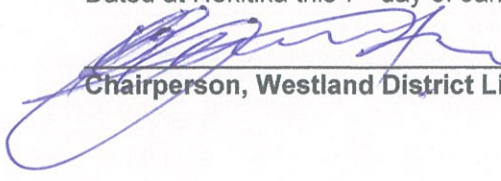
Duration

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 7th day of January, 2019





Chairperson, Westland District Licensing Committee