

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 by Alice
May 2013 Limited in respect of premises
situated at 30 Cron Street, Franz Josef
Glacier and known as Alice May
Restaurant.

**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 applicant is Alice May 2013 Limited which is a private company. The premises is in the nature of a café and restaurant.

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 10.00am to 1.00am the following day remain in place.

A report from the Inspector advises that the applicant is suitable to continue to hold an on licence.

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.

The applicant is a private company and is accordingly able to continue to hold a licence, Jennie Ann O'Loughlin is the principal of the company and I know that she has had a long involvement in the hospitality industry and her interest in The Alice May goes back many years.

The renewal application is made with clarity and conviction which appears to be underpinned by an appropriate understanding of the obligations of a licence holder. I have never dealt with a file with so many photographs attached; I readily get the impression of a tidy and well operated business that exudes pride.

The application is accompanied by a copy of the premises Host Responsibility Policy which covers matters relating to the way in which the applicant will take steps to ensure that patrons can enjoy the atmosphere and know that they will be looked after in a safe environment. I think that the thrust of the policy is appropriate for the nature of the premises. Part of the policy is a staff personal statement of their responsibility for the safe sale and supply of alcohol. I think that the approach by the applicant to the concept of Host responsibility is strong and worthy of consideration by others.

Two individuals are nominated as managers which is regarded by the Inspector as adequate control in the covid 19 environment; I agree with his analysis.

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 **117-2021** and I direct that renewed on-licence 56/ON/236/2018 be issued pursuant to s.64 of the Act.

The renewal is for a period of three years from the date of expiry. The terms and conditions remain unchanged.

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 5 day of October, 2021.


Richard Simpson
Chairman, Westland District Licensing Committee

