

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
Plateau Fox Glacier Limited in respect
of premises situated at 27 Cook Flat
Road, Fox Glacier and known as Betsey
Jane.

**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 Plateau Fox Glacier 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 8.00am 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 renewal application is made with clarity and conviction which appears to be underpinned by an appropriate understanding of the obligations of a licence holder.

The application is accompanied by a document titled "Betsey Jane 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.

Erica Ellen McClintock is a nominated manager along with one other. Ms. McClintock made the application on behalf of the applicant company and she is the sole director and shareholder of Plateau Fox Glacier Limited. From what I am able to judge from the file I can readily come to the view that Betsey Jane is being operated with a very safe pair of hands.

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 **103-2021** and I direct that renewed on-licence 56/ON/037/2020 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) 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.
- (b) alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 8.00am to 1.00am the following day.
- (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 3 June 2021.
 - The extent of the licensed area is that which is shown on plans which accompanied the renewal application dated 3 June 2021.
- (d) The Principal Entrance is to be described as “The entrance on the Eastern side of the building which opens into the customer reception area”.
- (e) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers 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 11 day of August, 2021.



Richard Simpson
Chairman, Westland District Licensing Committee

