

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 89 Revell Street,
Hokitika and known as Fat Pipi Pizzas
by Fat Pipi Pizzas 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 with clarity and conviction. The applicant is a private company. The application is accompanied by a document titled "Fat Pipi Pizza's 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 seeks a change to the existing conditions relating to the trading hours which are currently 11.00am till 11.00pm each day. It is proposed that the days and hours of trading be Monday to Sunday from 12.00 Noon to 12.00 Midnight the same day.

A report from the Inspector advises that the applicant is suitable to continue to hold a licence and that there are no amenity and good order issues to consider.

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.

Fat Pipi Pizzas Limited is a private company and is entitled to continue to hold a licence. The shareholders are actively involved in the day to day management of the restaurant. The restaurant offers meals and an alcohol table service. There is no bar.

The host responsibility policy is suitable for the nature of the premises.

The proposed change of hours seems to be appropriate given the nature of the business which is a restaurant

There is a plan accompanying the application which shows the extent of the licensed premises and indicates that there is no intention to designate any part of the premises. The inspector has considered this proposal and indicated that no designations should be required. I agree with this approach.

Part of the dining area is outdoors on the western side of the landholding. The information made available to me in the complete file indicates that there was an on-site meeting with the Inspector and a representative of the Medical Officer of Health in the company of the applicant. It is apparent that the outside dining area is rather dark which makes for poor surveillance of the area after dark and the application indicated that it was his intention to install more adequate lighting. I agree with this assessment and a condition will be imposed. Given that I have been given little guidance by the parties involved I hope that the condition will be appropriate; it will certainly be measurable.

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.

Decision

The application is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **068-2022** and I direct that renewed on-licence 56/ON/057/2019 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:

- (a) Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday from 12 Noon until 12.00 Midnight, the same 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 at a central location to all customers at all times that the licence is being exercised.
- (b) The principal entrance is to be described as “the entrance into the building from Revell Street, Hokitika”.
- (c) Lighting sufficient to achieve a standard of 300 lumens shall be installed in the exterior dining area. This condition is to be satisfied within 30 days of the grant of the renewed licence.
- (d) The extent of the licensed area is to be that which is shown on a plan accompanying the renewal application and titled “Site Plan. 89 Revell street” dated 8 June 2022
- (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 8 June 2022, in place at all times.

Dated at Hokitika this 17 day of August 2022.



Richard Simpson
Chairman, Westland District Licensing Committee

