

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
Eateat Limited in respect of premises
situated at 76 Revell Street, Hokitika
and known as Eateat 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 renewal application is made mostly with clarity and conviction. The application is accompanied by a document titled "Host Responsibility Policy" which outlines the matters that the staff at Eateat will action as far as the consumption of alcohol is concerned. The premises is in the nature of a restaurant. The alcohol service is a table service and there is no bar.

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 9.00am to 11.00pm the same day.

A report from the Inspector advises that the applicant is fully complying with the requirements 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 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.

Eateat Limited is a private company and is entitled to continue to hold a licence. I have no concerns as to the suitability of the applicant.

The Inspector has noted that the applicant has a host responsibility policy and a copy accompanies the application. I think that it is appropriate for the type of premises to which it refers.

I am completely satisfied that there are no amenity and good order issues to be addressed. The application asks that no part of the premises should be designated. The Inspector has not made any particular comment as to this approach and I think that a no designation approach is satisfactory.

The extent of the licensed area is shown on a plan accompanying the application and it appears to be clear enough for enforcement purposes.

I readily come to the view that there is no concern as to how the premises has been operated. I am certain from the application that the applicant has sufficient systems, staff and training in place to ensure compliance with the Act.

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 **003-2022** and I direct that renewed on-licence 56/ON/024/2019 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) 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 9.00AM to 11.00pm the same 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 13 November 2021.
 - The extent of the licensed area is that which is shown on a plan which accompanied the renewal application dated 13 November 2021.
- (d) The Principal Entrance is to be described as “The entrance off Revell Street, Hokitika nearest to the customer service counter”.
- (e) Pursuant to section 110(2)(c) of the Act, drinking water shall be freely available to all customers at each table in the restaurant and from the customer service counter at all times that the licence is being exercised.

Dated at Hokitika this 6 day of February 2022.



Richard Simpson
Chairman, Westland District Licensing Committee

