

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

AND

IN THE MATTER of an application for the renewal of an
Off-licence pursuant to s. 127 in respect
of premises situated at 140 Stafford
Street, Hokitika and known as Stafford
Street Four Square by Luso Holdings
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

I am in possession of a copy of the complete file relating to the application. The application does not seek to change any of the existing conditions.

The Inspector has reported and advises that the applicant is suitable to Continue to hold an off- licence.

The Police have no objection to the 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 and I have noted that there have also been no public objections. The matter can, therefore, be dealt with on the papers.

The applicant is a private company and is, accordingly, permitted to hold an Off-licence. Glen McLachlan Pierson and Lana Kristina Pierson are the shareholders, Directors and business owners. The application shows that the principals of the company have significant experience in the industry. The Inspector, in his report notes at least seven years' experience. I have no doubts as to the suitability of the applicant.

The application includes a Host responsibility Policy, which on a quick glance, appears to be appropriate for the nature of the premises but can also be described as "generic and ticks the box". I suspect that the policy has been prepared by the Four Square Group for the use of the many Four Square shops as there is nothing in the document that would indicate that it is specific to the Stafford Street Four Square. There is nothing inherently wrong with this approach and the licensee should keep the document under review to ensure that it remains relevant to the premises.

The application addresses the issue of a single display area and a plan accompanying the application shows a separate area in the Northern part of the shop floor. Overall, it is a modest part of the total display area on the premises.

The current days and hours of operation are Monday to Sunday from 7.00am to 10.00pm. No change to these hours is sought and I think that they are appropriate for the community.

I have not identified any amenity or good order issues. Likewise, I have not identified any need for designations.

I am satisfied that the applicant has sufficient skilled staff to safely sell alcohol.

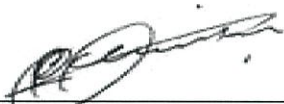
Decision and reasons

I am satisfied as to those matters provided for in section 131 of the Act.

The application for the renewal of an off-licence by Luso Holdings Limited is granted on the papers pursuant to s.211 (1) of the Act as Decision Number **016-2022** and I direct that renewed off-licence 056/OFF/026/2019 be issued pursuant to section 64 of the Act. The renewal is for a period of three years from the date of expiry and is subject to the following terms and conditions:

- (1) Alcohol may be sold or supplied only on the following days and during the following hours:
Monday to Sunday 7.00am to 9.30pm.
No alcohol is to be sold on or supplied from the premises on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on ANZAC Day.
- (2) The area set aside for the display and promotion of alcohol is to be limited to that area shown on a floor plan submitted with the application dated 13 October 2021.
- (3) There shall be a "Host Responsibility Policy", similar to that which accompanied the application dated 13 October 2021, in place at all times.
- (4) The principal entrance is to be described as the entrance to the premises fronting Stafford Street, Hokitika.
- (5) Pursuant to section 116(2) of the Act, drinking water shall be freely available to all customers at each point of consumption, if and while alcohol is being supplied, free as a sample at all times that the licence is being exercised.

Dated at Hokitika this 9 day of February 2022.



Chairman, Westland District Licensing Committee

