

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 56-60 Tancred
Street, Hokitika and known as The
Bottle-O Hokitika by My Liquor 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. No changes to the existing conditions are proposed.

A report from the Inspector concludes that the applicant is suitable to continue to hold a licence.

The Police advise that there are no objections 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. The matter is able to be dealt with on the papers.

The applicant is a company and is entitled to continue to hold a licence. My Liquor Limited is wholly owned by Mejar Singh who seems to be the principal manager of the undertaking and is assisted by at least two other holders of Manager's Certificates

It is intended by the applicant that the entire public part of the premises should be Designated as a Supervised Area and I agree with the Inspector's analysis that such a Designation is appropriate. I am satisfied that there are no amenity and good order issues to be taken into account.

Although the application suggests that the existing hours should be changed on renewal, this position is reversed with a subsequent communication from the applicant. Trading hours will continue to be Monday to Sunday from 8.00am to 10.00pm. This is appropriate in my view for the area.

The application includes a plan showing then extent of the supervised area designation and I am led to conclude that the same plan shows the extent of the premises subject to the licence.

The applicant has helpfully provided a copy of the adopted Host Responsibility Policy. I think that the Policy is appropriate for the nature of the premises and it is essential that it remains in place for the duration of the renewed licence. I would anticipate that the policy will be amended from time to time as circumstances change.

Decision and Reasons

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

The application for an off-licence by My Liquor Limited is granted on the papers pursuant to s.202 (1) of the Act as Decision Number **139-2021** and I direct that renewed Off-licence 56/OFF/051/2020 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 terms and conditions:

(a) Alcohol may be sold only on the following days and during the following hours:

Monday to Sunday from 8.00AM to 10.00PM the same day

Except when the licensee also holds a special licence for the premises no alcohol is to be sold or delivered from the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person.

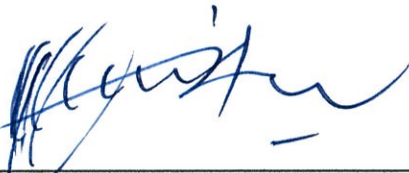
(b) the following steps must be taken to promote the responsible consumption of alcohol:

(i) Pursuant to section 116(2)(c) of the Act, drinking water shall be freely available to all customers at each point of consumption while alcohol is being supplied free as a sample at all times that the licence is being exercised.

(ii) the company's adopted Host Responsibility Policy (a copy of which accompanied the renewal application dated 17 September 2021) is to continue in force, with any required amendments, for the duration of this licence period.

(c) The Principal Entrance is to be described as "The public entrance into the premises off Tancred Street, Hokitika".

Dated at Hokitika this 9 day of December 2021



Richard Simpson
Chairman, Westland District Licensing Committee

