

APPLICATION	17/ON/001/2015
IN THE MATTER	of the Sale and Supply of Alcohol Act 2012
AND	
IN THE MATTER	of an application by Mark Reynolds on behalf of the Crown & Anchor for a licence to sell and supply alcohol (On License) pursuant to Section 127 of the Act in respect to premises situated at 4 Princes Street, Putaruru and known as the Crown & Anchor.

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

QUORUM: Jenny Shattock QSM JP Chairperson

INTRODUCTION

Pursuant to Section 127 of the Sale and Supply of Alcohol Act 2012 Mark Reynolds on behalf of the Crown & Anchor has filed an application for the renewal of On Licence number 17/ON/001/2015. This application relates to premises located at 4 Princes Street Putaruru and known as the Crown & Anchor.

- 1) The general nature of the business is that of the sale and supply of alcohol.
- 2) The applicant has sought no change to the current designation that being "Restricted."
- 3) The Inspector has filed a comprehensive report pursuant to Section 103 (2) of the Act. The report is clear and covers off the provisions of Section 106 of the Act which relate to Amenity and Good Order.
- 4) Both the New Zealand Police and the Medical Officer of Health have reported without opposition to the application.
- 5) The Fire Service has no objections to the application.
- 6) The Territorial Authority Building Department and Planning Department provided certificates stating the application meets the requirements of the Building Code and Resource Management Act 1991.
- 7) The current hours are
Monday to Saturday – 9:00am to 1:00am (the following day)
Sunday – 10:00am to 10:30pm

DECISION OF THE DISTRICT LICENSING COMMITTEE AND REASONS

- 8) In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:
(a) the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):

(b) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:

(c) any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:

(d) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.

- 9) The Inspectors report is both comprehensive and positive. It does not need to be restated, it covers the matters required including Amenity and Good Order. The Inspector reports that there is no reason to believe that the amenity and good order of the locality would be likely to be increased, to more than a minor extent, by the effects of a refusal to renew the licence.
- 10) There is nothing in the Inspectors report to suggest that the applicant has managed the Sale and Supply of Alcohol in an inappropriate manner during the currency of the On-Licence.
- 11) In this matter I believe that the criteria under Section 131 of the Act have generally been met given that:
- (i) The Inspector has provided a positive report
 - (ii) The relevant Agencies have reported without opposition,
 - (iii) The application has drawn No Objection from the public.
 - (iv) The Applicant has managed the Sale and Supply of alcohol appropriately during the currency of the licence.
- 12) I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the purpose and object of the Act. Accordingly, I grant the applicant a renewal of the underlying on licence 17/ON/001/2015 in respect of the premises situated at 4 Princes Street Putaruru and known as the Crown & Anchor for a further period of 3 years. The licence may be issued upon payment of the annual fee with the following conditions:

CONDITIONS


- 13) Pursuant to s.132 (1) (a)(b)(c) the current conditions of the licence are replaced with the following conditions:
- a) Alcohol may only be sold or supplied on the following days and during the following hours
Monday to Saturday – 9:00am to 1:00am (the following day)
Sunday – 10:00am to 10:30pm
 - b) No alcohol may be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day (except in the case of a licence endorsed under s.38 of the Act or when the Licensee holds a Special Licence for the premises).
 - c) The whole of the premise is designated as “Restricted.”
 - d) A reasonable range of food shall be available at all times when alcohol may be sold or supplied under the licence.

- e) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments and low alcoholic beverages including free access to water.
- f) The following steps must be taken to ensure that the provisions of the Act relating to the sale of alcohol to prohibited persons and responsible consumption of alcohol are observed:
 - i. Ensure that no intoxicated persons are allowed to enter or to remain on the premises.
 - ii. Ensure that appropriate signs are prominently displayed detailing the statutory restrictions on the supply of liquor to minors and intoxicated persons adjacent to every point of sale.
 - iii. Ensure that appropriate signs are prominently displayed detailing information about alternative forms of transport from the premises
 - iv. The licensee must ensure that all staff comply with a host responsibility plan detailing the steps to be taken by the licensee to ensure a safe drinking environment
- g) The area where alcohol is to be sold and consumed is described in the plan received by the South Waikato District Licensing Committee and no alcohol is to be taken out of this area.
- h) A holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.
- i) A Host Responsibility Policy must be maintained and displayed and the Licensee must ensure all staff receives training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- j) Drinking water must be freely available and this must be clear to customers, while the premises are open for the sale and supply of alcohol.
- k) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.
- l) The South Waikato does not have a local alcohol policy
- m) A copy of this licence must be displayed at the principal entrance to the premises.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that a new on-licence (17/ON/001/2015) should be granted pursuant to the conditions set out above.

DATED at TOKOROA this 27th day of August 2016



Jenny Shattock QSM JP
Chairperson
South Waikato District Licensing Committee