

APPLICATION 17/CL/015/2017

IN THE MATTER of the Sale and Supply of Alcohol Act 2012 (The Act)

AND

IN THE MATTER of an application by **POCKETS 8 BALL CLUB INCORPORATED** pursuant to s127 of The Act for the renewal of a Club Licence in respect of premises situated at 42 Mannering Street Tokoroa and known as "**POCKETS 8 BALL CLUB – POOL LOUNGE**"

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

Quorum: Chairperson: Jeff GASH JP
Members: Bill MACHEN
Marin GLUCINA

THE APPLICATION

The Committee has before us an application from **POCKETS 8 BALL CLUB INCORPORATED** (the applicant), pursuant to s. 127 of the Sale and Supply of Alcohol Act 2012, (the act) for the renewal of **Club-Licence** number 17/CL/015/2017, for premises located at 42 Mannering Street Tokoroa known as "**POCKETS 8 BALL CLUB**"

THE AGENCY REPORTS

Reports on the application have been received from the Inspector, Medical Officer of Health and the New Zealand Police.

Neither the Police nor the Medical Officer of Health oppose the granting of this application.

THE ADVERTISING

The application was publicly notified in the South Waikato News on 31 January and 7 February 2018.

An onsite notice was posted on 24 January 2018.

OBJECTIONS

Two objections were received.

Both objections were received within the legislative time requirement.

One objector withdrew the objection.

The second objector was considered a valid objector inasmuch as the objector did have "*a greater interest....than the public generally.*"

However, it is the Committee's opinion the objection is not valid because it does not relate to the sale, supply or provision of alcohol, but rather the presence of gaming machines on the premises.

Whilst the objector did state in his objection that his letter box, some trees and his garden had been vandalised on a number of occasions as "*drunk people pass our house after a night drinking*" – by the objector's own admission he could not guarantee they came from the premises in question.

The Inspector has also provided a positive report and does not oppose the renewal of the Club-Licence.

The Committee is satisfied as to the matters to which we must have regard and we are satisfied that the application meets the purpose and object of the act.

REASONS FOR THE DECISION

In deciding whether to renew a licence, the licensing committee must have regard to the following matters: -

1. the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):
2. 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:
3. any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:
4. the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol

In assessing the application against the criteria found in s.105 of the Act; the committee finds that there is no question as to the suitability of the applicant.

The Inspectors report is both comprehensive and positive. 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.

There is nothing in the Inspector's report to suggest that the applicant has managed the sale and supply of alcohol in an inappropriate manner during the currency of the **Club-Licence**.

In this matter the committee believes that the criteria under Section 131 of the Act has been met.

DECISION

In view of the above, the Committee is satisfied as to the matters which they must have regard as set out in s.131 of the Act, and recommends that the **Club-Licence (17/CL/08/2014)** in respect of premises situated at 42 Mannering Street Tokoroa and known as Pockets 8 Ball Club for a period of three (3) years with the same terms and conditions as in the previous licence.

The licence will be issued upon payment of any outstanding fees.

Dated at Tokoroa this 3rd day of May 2018



Jeff Gash JP
Chairperson
South Waikato District Licensing Committee