

Decision number: 17/ON/007/2023

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012 ("the Act")

AND

IN THE MATTER

of an application
by **WAIKATO HOTELS
GROUP LIMITED**
pursuant to s.120 and 127 of
the Act for the renewal and
variation of the ON Licence
for premises situated at 204-
206 Rosebery Street,
Tokoroa, known as
'SCOTTY'S SPORTS BAR'

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

The Application

WAIKATO HOTELS GROUP LIMITED applies for the renewal and variation of the ON Licence for premises situated at 204-206 Rosebery Street, Tokoroa, known as 'SCOTTY'S SPORTS BAR'.

The business is that of a tavern with gaming machines.

The current days and hours are **Monday to Saturday 10.00am to 2.00am the following day and Sunday 10.00am to 12.00 midnight.**

The hours are within the default national maximum trading hours prescribed under the Act for on licensed premises.

The application was publicly notified in the South Waikato News on the 11th and 18th of August 2021. No public objections were received by the DLC secretariat.

Both the Police and the Medical Officer of Health raised matters in opposition regarding the variations sought.

Reasons for the Decision

The Inspector reports that the applicant and its alter egos are experienced operators of licensed premises and have certificated managers working in the business.

The whole of the premises is designated as a Restricted Area.

The business was the subject of a hearing in 2020 and a number of discretionary conditions were imposed as the premises had come to notice in an adverse manner.

Since the lodging of the opposed reports ongoing negotiations have seen the withdrawal of the oppositions from the Police and MOoH on the basis that most of the discretionary conditions imposed in 2020 remain with one exception.

The DLC has reviewed the progression of this renewal and is satisfied the position that it has landed on is acceptable to the DLC.

Overall, I am satisfied that the conditions that we imposed in 2020 have largely worked and that this activity has not reduced the amenity and good order of the locality by more than a minor extent.

Public bars are high risk venues, and we are sure the regulatory agencies will continue to conduct compliance inspections from time to time.

Subject to the above, I deal with the matter on the papers.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, **approves** an application by **WAIKATO HOTELS GROUP LIMITED** for the **renewal and variation of the ON Licence for premises situated at 204-206 Rosebery Street, Tokoroa, known as 'SCOTTY'S SPORTS BAR'**, subject to conditions.

Conditions:

The licence is subject to the conditions listed as follows:

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and hours: **Monday to Saturday 10.00am to 2.00am the following day; Sunday 10.00am to 10.00pm;**
 2. **A One-Way Door shall apply from 12 midnight. No Entry, Exit Only from this time;**
 3. No alcohol is to be sold or supplied on the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day to any person other than a person who is on the premises to dine;
 4. The whole of the premises is designated as a **Restricted Area at all times;**
 5. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises;
 6. The Licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low alcohol beverages,
 7. **Food must be available for consumption on the premises at all times the premises are open for the sale and supply of alcohol, in accordance with the sample menu supplied with the application for this licence or menu variations of a similar range and standard. Menus must be visible, and food should be actively promoted,**
 8. A properly appointed certificated or Acting or Temporary Manager must be on duty at all times when the premises are open for the sale and supply of alcohol, and their full name must be on a sign prominently displayed in the premises,
 9. The Licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises,
 10. The Licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
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- b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol.
- c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

11. Spirit based alcoholic beverages known as 'shots' are only able to be sold, supplied, and consumed at these premises on Fridays and Saturdays nights between 5pm and 12midnight.

12. A minimum of two (2) COA qualified security staff are to be engaged on door control from 8.00pm Fridays and Saturdays and on any other day when more than 50 patrons are on the premises.

The licence is renewed for three (3) years from the expiry of the current licence and a replacement licence is to be issued. This renewed licence will expire on 25 August 2024.

DATED at TOKOROA this 15th day of May 2023



Murray Clearwater
Chairperson/Commissioner
South Waikato District Licensing Committee
