

Application

19/021/2018

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND
IN THE MATTER

of an application by
Jeffares Investments Limited
for the renewal of an off-licence
in respect of the premises situated
at Gribbin Street, Awakino known as
Awakino Hotel

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The off-licence 019/OFF/002/2017 in respect of the premises situated at Gribbin Street, Awakino and known as Awakino Hotel is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
2. The present conditions of the licence continue to apply.

Reasons

1. This is an application by Jeffares Investments Limited for renewal of an off-licence in respect of the premises situated at Gribbin Street, Awakino, known as Awakino Hotel.
2. The application was advertised, and no objections have been received from members of the public. The Liquor Licensing Inspector and the Medical Officer of Health have provided reports and do not oppose the application. No report has been received from Police within the required 15 working day period, therefore it must be assumed Police do not oppose the application (section 103(4)). Accordingly, the application is decided on the papers (s 202(1)).
3. The purpose of the Act is to put in place a new system of control over the sale and supply of alcohol (s 3). The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
4. In deciding whether to renew an off-licence the licensing committee must have regard to sections 131 and 105 of the Act. Therefore this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) Is the applicant suitable?
 - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - c) Is the design and layout of the premises suitable?
 - d) Does the applicant propose to engage in the sale of goods or provision of services other than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?
 - e) Does the applicant have appropriate systems, staff and training to comply with the law?
 - f) Have the police, inspector and medical officer of health raised any relevant considerations?
 - g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?

- h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
- i) Does the application comply with the Waitomo District Local Alcohol Policy?

5. The licensing committee must have regard to section 116 in deciding what conditions apply to an off-licence.

Should the licence be renewed?

- 6. The licensing committee is satisfied that Jeffares Investments Limited is a suitable applicant to hold an off-licence. The company has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The premises has a suitable design and layout to meet the requirements of the Act. It is well appointed and able to be monitored effectively by the staff of the premises. Jeffares Investments Limited has an appropriate Host Responsibility Policy and staff training programme. There are three Duty Managers employed to ensure compliance with the Act.
- 7. The licensing committee is satisfied that the renewal of the off-licence will not reduce the amenity and good order of the locality by more than a minor extent. There have been no reports of any nuisance, vandalism or noise problems associated with this premises in the past three years. Alcohol is sold, displayed and promoted in a responsible manner and in accordance with the requirements of the Act.
- 8. The application complies with the Waitomo District Local Alcohol Policy because off-licence sales are made from a separate counter at the tavern, with a separate entrance, and the trading hours do not exceed the maximum hours permitted. The counter is close to the main bar and can be monitored with CCTV cameras.

Conclusion

- 9. The licensing committee is satisfied that the grant of the off-licence with the appropriate conditions will ensure the safe and responsible supply of alcohol and the minimisation of harm caused by excessive or inappropriate use of alcohol.
- 10. Therefore, the application for the issue of the off-licence is granted.

Dated this 18th day of July 2018



Sara Grayson
Commissioner
District Licensing Committee