

Application	018-0148 (OF0025)
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u>	of an application by
<u>IN THE MATTER</u>	KB 2010 Limited For renewal of an off-licence in respect of the premises at 6 Maniapoto Street, Otorohanga Known as Kiwitown Liquor Centre Pursuant to section 127 of the Act

DECISION OF THE DISTRICT LICENSING COMMITTEE

1. The off-licence 018/OFF/001/16 in respect of the premises situated at 6 Maniapoto Street, Otorohanga and known as Kiwitown Liquor Centre 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 are replaced as follows:
 - a) Alcohol may be sold only from 8.00am to 10.00pm Monday to Sunday.
 - b) No alcohol is to be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day.
 - c) The area where alcohol is to be sold is described in the plan date stamped as received by District Licensing Committee on 13th May 2019.
 - d) The entire premises is designated as a supervised area (no persons under 18 can be in the area unless with their parent or legal guardian).

- e) The 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.
- f) A manager's register (as required by s.232 of the Act) is to be maintained and available on site.
- g) A Host Responsibility Policy must be maintained and displayed in a prominent place that can be seen by customers and the licensee must ensure all staff receive training in their responsibilities and obligations under the Sale and Supply of Alcohol Act 2012.
- h) There must be no sale or supply of alcohol to minors or intoxicated persons and there must be appropriate signs detailing these restrictions at every point of sale.
- i) Drinking water must be freely available and displayed whenever alcohol is being supplied by way of complimentary tastings.
- j) The Licensee must ensure the following are displayed;
 - i) A sign to be seen from outside the principal entrance stating the ordinary hours of business during which the premises will be open for the sale of alcohol.
 - ii) A copy of the original licence with all the conditions, just inside the principal entrance so persons entering can read it.
 - iii) A sign in a prominent place identifying the duty manager.

Reasons

1. This is an application by KB 2010 Ltd for renewal of an off-licence in respect of the premises situated at 6 Maniapoto Street, Otorohanga known as Kiwitown Liquor Centre.
2. The application was advertised and no objections were received from members of the public. The Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the matter is decided on the papers (s 134).
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 Otorohanga District Local Alcohol Policy?

5. Section 132 provides that the licensing committee may vary or cancel any conditions applying to the licence before its renewal.

Should the licence be renewed?

6. The licensing committee is satisfied that KB 2010 Ltd 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. It has adequate street lighting for the safety of both patrons and staff. KB 2010 Ltd has an appropriate Host Responsibility Policy and staff training programme. There are 4 certified Managers employed to ensure compliance with the Act.
7. The Licensing Inspector reports that the application does comply with the Otorohanga District Local Alcohol Policy.
8. 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.
9. The conditions for this licence have been replaced to ensure that they are consistent with licences issued since the commencement of the Sale and Supply of Alcohol Act 2012. The new conditions include information about the statutory obligations to display signage and the maintenance of a manager's register.

Conclusion

10. Therefore, the application for the renewal of the off-licence is granted.

Dated at this 22nd day of July 2019



Cr Roy Johnson
Deputy Chair
Otorohanga District Licensing Committee