

LICENSING COMMITTEE

<b>Application</b>	018-0166
<b><u>IN THE MATTER</u></b>	of the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b>	
<b><u>IN THE MATTER</u></b>	of an application by Rome Limited for renewal of an off-licence in respect of the premises at 6 Main North Road, Otorohanga known as Bottle Service NZ pursuant to section 127 of the Act

**DECISION OF THE DISTRICT LICENSING COMMITTEE**

1. The off-licence 018/OFF/001/18 endorsed for the remote sale of alcohol by using an internet site (pursuant to section 40) in respect of the premises situated at 6 Main North Road, Otorohanga and known as Bottle Service NZ 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 Rome Limited trading as Bottle Service NZ for the renewal of an off-licence endorsed for the remote sale of alcohol by using an internet site. Rome Limited has been operating the off-licence since 16 May 2018.
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 endorsed for the remote sale of alcohol by using an internet site the licensing committee must have regard to sections 40, 49, 59,131 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) Does the applicant have appropriate systems, staff and training to comply with the law?
  - c) Has the applicant taken reasonable steps to ensure that alcohol is not sold or received by persons under the age of 18 years?
  - d) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?
  - e) Does the applicant have a copy of the licence displayed in a prominent place on their internet site?
  - f) Does the applicant have the licence holder's name, licence number and the date on which the licence expires printed on each receipt for the remote sale of alcohol?
  - g) Have the police, inspector and medical officer of health raised any relevant considerations?
  - h) 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 Rome Limited is a suitable applicant to hold an off-licence endorsed for the remote sale of alcohol by using an internet site. The employs a certificated duty manager to ensure that all remote sales of alcohol comply with the Act. The company has the licence displayed on the internet site and ensures that appropriate details are displayed on receipts. In addition, Rome Limited is taking appropriate steps to ensure no sales are made to or received by persons under the age of 18 years. The committee is satisfied that alcohol is sold, displayed and promoted in a responsible manner and in accordance with the requirements of the Act.

**Conclusion**

7. Therefore, the application for the renewal of the off-licence is granted. There is no application to vary any conditions of the licence, therefore the conditions of the licence remain the same.

Dated at this 26<sup>th</sup> day of September 2019



Sara Grayson  
Commissioner  
Otorohanga District Licensing Committee