

DECISION NUMBER

1448/2020

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND

IN THE MATTER

of an application by **Piko Piko Trust Limited** for a renewal of On Licence pursuant to section 127 of the Supply of Alcohol Act 2012.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

The application for renewal of On Licence (030/ON/1448/2019) was publically advertised in the Hawkes Bay Today on 24 and 31 October 2020 along with a display notice attached to the premise in accordance with the Regulations, with no objections received.

As no matters of opposition were raised under section 102 and 103 reports; therefore the matter was considered by the Napier District Licensing Commissioner on the papers contained in the full file provided by the secretary.

Commissioner:Stuart Hylton

RESERVED DECISION OF THE NAPIER DISTRICT LICENSING COMMITTEE

1. Application

On the 9 October 2020, **Piko Piko Trust Limited** on the prescribed form made application for renewal of an On-licence.

The application for renewal of On-Licence is in relation to the premises known as '*Piko Piko Restaurant*' situated at 55 Wharerangi Road, Greenmeadows, Napier.

The general nature of the business is that of a 'Restaurant Style On Licence'. The renewal application seeks to renew with a variation to extend the footprint. The Taradale Club has split its former licensed Club Premise area to incorporate now an On and Club Licence. This variation renewal seeks to take over some of the Club-licence area for the On-licence.

The premise has not come to the notice of authorities in an adverse manner during the renewal period.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- Food/Drinks list
- Marked Up Floor plan
- Photo's
- Copy of draft public notice and public display
- Existing Licence
- Reports from Police, Medical Officer of Health and Inspector

2. **Decision Making**

In considering this application for On-Licence the licensing committee had regard to the criteria under section 131 and 105 of the Act. Section 105 assessments were made using the inspector's full report and own assessment. I accept the inspector's assessment and recommendations.

Key matters raised in complete file including the inspector's report were –

- The applicant is a private company who have operated this licence without known issues. There are no known changes to the company structure. Two managers are nominated to operate the licence.
- The premise has not come to the notice of authorities in an adverse manner during the renewal period.
- The applicant provided a host responsibility plan that if followed should ensure the object of the act is met.
- The applicant appears to have appropriate systems, staff and training to comply with the law.
- There were no reports questioning suitability and neither do I.
- The current hours wanting to be renewed are -

Monday to Sunday, between 8.00am to 12.00 midnight.

These hours are within the default maximum trading hours allowable and are not opposed to by the inspector.

- Floor plan provided shows the alterations requested. The premise will continue to be 'Undesignated' which is normal for a restaurant type ON-licence.
- No CPTED or amenity or good order issues raised with renewal. There is no reason to believe the amenity and good order of the locality would likely to be increased, more than a minor extent, by the effects of a refusal to renew the licence.
- The applicant has satisfactory systems for staff training and performance.
- The application accords with the Napier LAP.

3 **Reporting Agencies**

The following reports were received under section 103 of the Act and taken into account during the decision.

3.1 Police – Report received on 15 October 2020, of no opposition.

3.2 Medical Officer of Health – Report received on 22 October 2020, of no opposition.

3.3 Licensing Inspector – Full report dated 25 November 2020. The inspector has no opposition to the application and assessed the application against s. 105 matters with no matters of opposition raised. The inspector concludes that the application is complete and recommends renewal of the licence with varied conditions as requested.

4 Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters and the past operation of the premise/licensee, I conclude that the application by **Piko Piko Trust Limited** meets the statutory criteria to be granted a renewal of On-Licence under the Act for a period of three (3) years, from the expiry date of the previous licence.

The licence will be subject to the current conditions with a redefined licensed premise area.

5 Decision

Accordingly the application is **Approved** for issue immediately.

Dated at Napier District this 6 day of December 2020.

Signed

A handwritten signature in blue ink, appearing to be 'Stuart Hylton', written in a cursive style.

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Stuart Hylton
Napier District Licensing Commissioner