DECISION NUMBER	**1385/2021**
IN THE MATTER	of the Sale and Supply of Alcohol Act 2012
AND	
IN THE MATTER	of an application by **SOS NO:1 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/1385/2018) was publically advertised in the Hawkes Bay Today on 28 October and 13 November 2021 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 27 October 2021, **SOS NO:1 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 *'The Filter Room'* situated at 20 Awatoto Road, Meeanee, Napier.

The general nature of the business is that of a 'Tavern Style On-licence'. The renewal application seeks to renew with the same existing conditions. The premise has not come to the notice of authorities in an adverse manner during the renewal period. This is the second renewal application by the current licensee.

The complete file included –

- The application
- Fire evacuation compliance statement
- Host Responsibility Plan
- Food/Drinks list
- 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 and there are no changes to the structure of the company.

- The applicant has named three managers for the licence which is seen as suitable for this type of 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 are -

  Monday to Sunday, between 8.00am to 2.00am the following day.

  These hours are within the default maximum trading hours allowable and supported by the inspector.

- Floor plan provided works well for the nature of the business held on the premises. The premise will continue to be 'supervised' which is normal for this type of 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 5 November 2021, of no opposition.

3.2 Medical Officer of Health – Report dated 29 October 2021 of no opposition.

3.3 Licensing Inspector – Full report dated 6 December 2021. 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 existing conditions.

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 **SOS NO:1 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 existing conditions on the licence.

5 Decision

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

Dated at Napier District this 10th day of December 2021.

Signed

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Stuart Hylton

Napier District Licensing Commissioner