

DECISION NUMBER

1217/2022

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Ex-Royal Naval
Men's Association of NZ Napier
Incorporated** for a Club Licence
pursuant to section 100 of the Sale and
Supply of Alcohol Act 2012.

BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE

The application for Club-Licence was advertised in the Hawkes Bay Today on the 27 November and 4 December 2022 with no objections received. 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

Ex-Royal Naval Men's Association of NZ Napier Incorporated made application on the prescribed form dated 8 November 2022. The application for Club Licence is made in relation to the premises known as the 'Ex-Royal Naval Men's Association' situated at 10 Ford Road, Onekawa, Napier.

This is a relatively small Club made up of ex-naval men and their families. The Club had a licence for over 30 years however an administrative oversight saw the licence expire last year. The general nature of the business will be that of a SOCIAL CLUB.

The applicant supplied Building and Resource Consent Certificates, as well as a Fire Service Act compliance letter.

The complete file that I received included –

- The application
- Certificate of incorporation
- Floor plan
- Club schedule of activities, rules, opening hours, bar prices, menu
- Host Responsibility Policy
- Location map
- List of non-alcoholic drinks, bar snacks
- Council letter of compliance with Building/Resource Management Acts

- Notice from owners giving permission for the building to be used for this purpose
- Letter explaining compliance with Fire Evacuation Scheme rules
- 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 following criteria under section 105 of the Act.

(a) the object of this Act:

The applicant provided a Host Responsibility Policy that if followed should result in statutory compliance and a good host.

(b) the suitability of the applicant:

The applicant is an incorporated society that should be looking to run a tight operation to preserve its reputation. The Club is incorporated and has named one certified manager on the application to manage the licence which is seen as suitable for this type of licence. The applicant has run the licence for 30 years prior without known issues. 'Suitability' is not questioned.

(c) any relevant local alcohol policy:

The application accords to the Napier LAP.

(d) the days on which and the hours during which the applicant proposes to sell alcohol:

Applicant has applied for the following days and hours –

- **Monday to Sunday, 9.00am to 1.00am the following day.**

These hours accord within the national default hours and the LAP.

(e) the design and layout of any proposed premises:

No CPTED assessment received with application but I accept the inspector's comments that the premise appears fit for purpose. The premises to be licensed is that previously and that which was supplied within the floor plan dated 8 November 2021.

(f) whether the applicant is engaged in, or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods:

No

(g) whether the applicant is engaged in, or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which services:

No the applicant does not.

(h) whether (in its opinion) the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence:

I concur with the inspector's assessment that the amenity and good order of the area should not be compromised by the issue of the licence.

(i) whether (in its opinion) the amenity and good order of the locality are already so badly affected by the effects of the issue of existing licences that—

(i) they would be unlikely to be reduced further (or would be likely to be reduced further to only a minor extent) by the effects of the issue of the licence; but

(ii) it is nevertheless desirable not to issue any further licences:

No issues raised.

(j) whether the applicant has appropriate systems, staff, and training to comply with the law:

If the host responsibility policy and licence conditions are followed there should be no problems.

(k) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under [section 103](#). (see below)

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 17 November 2021, of no opposition.

3.2 Medical Officer of Health - Report received on 11 November 2021 offering no opposition.

3.2 Licensing Inspector – Full report dated 4 February 2022. The inspector had no opposition to the application and notes that the application is complete, has been licensed before without any known issues and appears to meet the criteria for a new club licence.

4 Conclusion

Based on the evidence provided to me within the complete file, my assessment above of section 105 matters, I conclude that the application meets the statutory criteria to be granted a Club Licence under the Act.

5 Decision

Accordingly the application is **Approved** for issue for one year subject to the conditions outlined in the Inspectors report.

Dated at Napier this 13th day of February 2022.

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