

Application	ON002
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u>	
<u>IN THE MATTER</u>	of an application by Panorama Motels Limited for the renewal of an on-licence pursuant to section 127 of the Act in respect of the premises at 59 Awakino Road, Te Kuiti known as Panorama Motor Inn

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The on-licence 19/ON/007/2015 in respect of the premises situated at 59 Awakino Road, Te Kuiti and known as Panorama Motor Inn 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 with the following conditions:
 - a) Alcohol may be sold or supplied from 10.00am to 2.00am the following day Monday to Sunday.
 - b) No alcohol may be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day to any person who is not on the premises to dine or is not lodging on the premises.
 - c) The area where alcohol is to be sold and consumed is described in the plan date stamped as received by the Waitomo District Licensing Committee on 13 June 2018 and no alcohol is to be taken out of this area.
 - d) The entire premises is designated as a supervised area (no persons 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, 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 displayed at every point of sale appropriate signs detailing these restrictions.
- i) Drinking water must be freely available, and this must be clear to customers, while the premises is open for the sale and supply of alcohol.
- j) Food must be available for consumption on the premises at all times when open for the sale of alcohol in accordance with the restaurant menu submitted with the application for this licence, or variations of a similar range and standard. If full a la carte menu or buffet meal is not available then a minimum of four types of light meals must be available (the choices exclude nuts, chips and the like).
- k) A range of low-alcohol and non-alcoholic drinks must be available at all times when the premises is open for the sale of alcohol.
- l) A telephone must be freely available for customers to call for transport and staff must assist if required. Telephone numbers for alternative forms of transport from the premises must be displayed.
- m) 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 Panorama Motels Limited for the renewal of an on-licence in respect of the premises situated at 59 Awakino Road, Te Kuiti and known as Panorama Motor Inn. This premises is a hotel that Panorama Motels Limited has been operating for 20 years. The complex includes 19 accommodation units, a swimming pool, office and administration area. However, the only area licensed is the restaurant and bar and conference room and a small deck. There are no minibars or off-licence sales.
2. The application was advertised and there have been no objections by members of the public. The Liquor 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 (section 134).
3. The purpose of the Sale and Supply of Alcohol Act 2012 is to put in place a new system of control over the sale and supply of alcohol (section 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 (section 4).
4. In deciding whether to renew an on-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 Waitomo 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 Panorama Motels Limited is a suitable applicant to hold an on-licence. The company has demonstrated compliance with the Sale and Supply of Alcohol Act 2012. The company has an appropriate Host Responsibility Policy and staff training programme. There are seven certificated duty managers who are responsible for ensuring compliance with the Act, although two more staff members are in the process of completing their Licence Controller's Qualification. These duty managers are also shared with the Waitomo Caves Motor Inn, just north of Te Kuiti, that the applicant also operates. The licensing committee accepts the Inspector's recommendation that these numbers are sufficient, having regard to the nature of the operation. Regular meetings are undertaken to cover general alcohol licensing responsibilities. Before each event, the senior manager goes through the host responsibility policy with all staff working to ensure knowledge is current.
- 7. The Licensing Inspector is satisfied that the application complies with the Waitomo District Local Alcohol Policy. Panorama Motels Limited is currently licensed from 10.00 am to 3.00am the following day Monday to Sunday. However, the Waitomo District Local Alcohol Policy (LAP) restricts opening hours to 9.00am to 2.00m the following day for any hotel or tavern. Panorama Motels Limited has applied to reduce the hours to 10.00 to 2.00am the following day to comply with the LAP. This is essentially a variation to the current licensed hours. While the public notice did not mention that there was variation to a condition of the licence, the licensing committee accepts that there is no disadvantage to the public because the hours are being reduced and not increased, and because the change is required by the LAP. The licensing committee is satisfied that these are appropriate hours of operation.
- 8. The licensing committee is satisfied that suitable measures will be taken to ensure that alcohol is sold and supplied responsibly, and that harm caused by inappropriate or excessive consumption of alcohol is minimised.
- 9. The licensing committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. The area is open, well-lit and has CCTV surveillance around car-parks and throughout the premises. It is well appointed and able to be monitored effectively by the staff of the premises.

10. The licensing committee is satisfied that the renewal of the on-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 12 months.
11. The licensing committee is satisfied that alcohol is sold, displayed and promoted in a responsible manner and in accordance with the requirements of the Act.

Conclusion

12. Therefore, the application for the renewal of the on-licence is granted. 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 and to reflect the change to the licensed hours

Dated this 22nd day of June 2018

A handwritten signature in black ink, appearing to be 'S. Grayson', written in a cursive style.

Sara Grayson
Commissioner
Waitomo District Licensing Committee