

Matamata-Piako District Licensing Committee



IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Anna Stretton Wines Limited**, for an **off-licence** pursuant to section 99 of the Act in respect of premises situated at 2 Marshall Street, Morrinsville known as Stetton Clothing Company.



Licence Number: **13/OFF/004/2022**
File Number: 162.2021.1696.1

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Chairperson: Councillor Adrienne Wilcock

DECISION ON THE PAPERS

This is an application by Annah Stretton Wines Limited for an off-licence in respect of a premises situated at 2 Marshall Street, Morrinsville known as Stretton Clothing Company. The general nature of the business is that of a Remote Seller of Wine.

The application was filed on 19 November 2021 and was advertised in accordance with the Act, in the Piako Post on 1 & 8 December 2021. No public objections were received.

The days and hours of operation set out in the application are:

Dispatch Times

Monday to Friday from 8.00 am until 5.00 pm

Online Sales

Monday to Sunday 24 hours a day

The public notification hours are more than those shown on the application. The Local Alcohol Policy did not consider remote sales when it was written however the dispatch times will be Monday to Friday 8.00 until 5.00 pm, this is consistent with off licences. The premises is not designated. This is appropriate for remote sales.

This application was initially made by Stretton Clothing Limited, who previously held an on licence. However as the sale of alcohol needs to be 85% of the business a new company needed to be formed, Anna Stretton Wines Limited.

The application was referred to the Police and Inspector for comment. No matters in opposition have been raised in respect of the application by those reporting bodies. The certificates required by s.100(d) and (f) have been received. Accordingly the application is determined on the papers. The Medical Officer of Health originally opposed, this matter was resolved and the opposition withdrawn.

A handwritten signature in black ink, appearing to be "JW".

The applicant, in accordance with s.212 of the Act, has named a manager with a current certificate to manage the sale of alcohol from the premises.

In deciding whether to grant an off-licence the committee must have regard to the matters set out in s.105 of the Act. These are:



Section 105

- (a) *the object of this Act:*
- (b) *the suitability of the applicant:*
- (c) *any relevant local alcohol policy:*
- (d) *the days on which and the hours during which the applicant proposes to sell alcohol:*
- (e) *the design and layout of any proposed premises:*
- (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:*
- (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:*
- (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) *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:*
- (j) *whether the applicant has appropriate systems, staff, and training to comply with the law:*
- (k) *any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103*

The object of the Act is that the sale, supply and consumption of alcohol should be undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol should be minimised.

The Inspector reporting on the application has noted that he considers the applicant, Annah Stretton Wines Limited, has the necessary experience and is suitable to operate a licensed premises. He has also noted that in his opinion the amenity and good order of the locality would not be likely to reduce by more than a minor extent if the licence is issued. His recommendation is for the application to be granted subject to conditions.

I am satisfied as to those matters to which I must have regard and grant the applicant an off-licence for a period of one year from the date of issue pursuant to s.104.

The applicant must comply with all conditions specified on the licence.

The licence will be subject to the following conditions:

Conditions

Section 40 of the Act applies to this Licence.

This licence is subject to the following conditions:

- (a) No alcohol sold is to be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day: or at any time after 11pm on any day and before 6am on the next day
- (b) The remote sale of alcohol may be made at any time on any day, however the days and hours in which alcohol that has been sold may be delivered may be restricted as set out in condition (a) above.
- (c) The premises is undesignated.

Dated at Te Aroha this 9th day of March 2022


Adrienne Wilcock
Chairperson
Matamata-Piako District Licensing Committee

