

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by KEVIN REX BURTON and CHRISTINA ANN BURTON for on and off-licences pursuant to ss.7 and 29 of the Act in respect of premises situated at 138 Main Street, Greytown, South Wairarapa District, known as "Club Tavern"

AND

IN THE MATTER of an application by MICHAEL HARRY McPHERSON SOUTHEY for on and off-licences pursuant to ss.7 and 29 of the Act in respect of premises situated at 53 Main Street, Greytown, South Wairarapa District, known as "Foresters Arms Hotel"

AND

IN THE MATTER of an application by ROSEMARY CECILIA RYAN pursuant to ss.18 and 41 of the Act for the renewal of on and off-licences in respect of premises situated at 33 Main Street, Greytown, South Wairarapa District, known as "Greytown Hotel"

BEFORE THE LIQUOR LICENSING AUTHORITY

Quorum

Chairman: District Court Judge J P Gatley
Member: Mr R J S Munro

HEARING at GREYTOWN on 29 June 1995

APPEARANCES

Club Tavern

Mr K R Burton on behalf of the applicant partnership
Mrs B Johnson - South Wairarapa District Licensing Agency Inspector - in opposition
Sgt K C Tunnell - NZ Police - in opposition

Ms J C Couling } in person
 Mr N BurrIDGE } in opposition

Foresters Arms Hotel

Mr I R Bray as agent of the applicant
 Mrs B Johnson - South Wairarapa District Licensing Agency Inspector - in opposition
 Sgt K C Tunnell - NZ Police - in opposition

Greytown Hotel

Mr A G Sherriff for applicant
 Mrs B Johnson - South Wairarapa District Licensing Agency Inspector - in opposition
 Sgt K C Tunnell - NZ Police - in opposition

DECISION

These three applications are each in respect of premises situated in Main Street, Greytown, South Wairarapa.

As a result of reports from the Police and a District Licensing Agency Inspector opposing hours of trading, all matters were set down for public hearing.

Three separate hearings were held sequentially but the essential issue - hours of trading - is a common feature of all applications. It is convenient to consider the evidence in all three applications together.

CLUB TAVERN

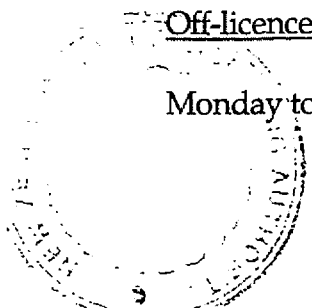
This is an application for on and off-licences in respect of premises situated at 138 Main Street, Greytown, known as "Club Tavern". The applicants seek the following trading hours for the sale of liquor:-

On-Licence

- | | |
|------------------------|---|
| (a) Monday to Saturday | 10.00 am to 2.00 am the following day (to any person present on the premises) |
| (b) Sunday | 11.00 am to 10.00 pm (to any person who is present on the premises for the purpose of dining) |

Off-licence

- | | |
|--------------------|----------------------|
| Monday to Saturday | 10.00 am to 11.00 pm |
|--------------------|----------------------|



Mr Burton, who appeared on behalf of the applicant partnership, told us he had operated the tavern since 24 April 1994 pursuant to a temporary authority and that since that time live bands had only been employed twice. Mr N Burrige and Ms N Couling, both neighbouring property owners, appeared at the hearing and asked the Authority to consider their written objections. These related primarily to noise, litter, aggressive and anti-social behaviour and Sunday trading.

The trading hours sought on Sunday are for the purpose of dining as distinct from casual drinking. In her report the Licensing Inspector comments:

"The tavern does not have a commercial kitchen for supplying meals. The licensee intends providing barbeque functions in a small garden bar. He intends purchasing prepared salads and meat. At present he intends using the domestic kitchen from the flat for food preparation. This is unacceptable."

Trading hours on Sundays, Good Friday and Christmas Day will not be authorised at present. That part of the operation will be adjourned sine die until the applicant is able to demonstrate how, to the satisfaction of the reporting agencies, it is proposed to cater for intending diners.

For the Police, Sergeant K G Tunnell sought closure at 11.00 pm Monday to Thursday and 12.30 am the following day on Friday and Saturday evenings. We will refer separately to his submissions which were similar for all three premises.

FORESTERS ARMS HOTEL

The applicant seeks on and off-licences in respect of premises at 53 Main Street, Greytown, known as "Foresters Arms Hotel". He seeks the following trading hours for the sale of liquor:-

On-Licence

- (a) At any time on any day (to any person living on the premises)
- (b) Monday to Saturday 7.00 am to 3.00 am the following day (to any person present on the premises)
- (c) Sunday 9.00 am to 11.00 pm (to any person present on the premises for the purpose of dining)

Off-Licence

Monday to Saturday 9.00 am to 1.00 am the following day
(across the bar sales only)

Mr I.R Bray appearing as agent of the applicant, first submitted that in relation to objections and reports in opposition, s.10(4) of the Act applies. The subsection provides that where an applicant seeks the same conditions as those presently applying, to the base licence objections may be made only in relation to the suitability of the applicant.

We did not accept Mr Bray's submission and indicated that we would give reasons separately. We do so later in this decision.

In other submissions Mr Bray quoted extensively from our decision on an application by Tonto Investments Limited (LLA 1210/95). He highlighted the Authority comment at p7:

"In our experience much depends on the location of the premises, the licensee, the clientele, style of operation and the type of premises. It is not so much the hours of trading, as the manner of trading that requires close examination."

He then submitted:

"This applicant has shown over the past 11 months, that he can and does operate with a closing time of 3.00 am in a manner that causes no concern to neighbours, the public at large or either the police, licensing inspector or medical officer of health."

He argued that as the District Plan did not require specific resource consent for the operation of licensed premises after a fixed hour it may be *"assumed that the (South Wairarapa) Council itself has no objection to the hours sought by this particular hotel."*

As to Police opposition, Mr Bray submitted that Sergeant Tunnell is:

"in effect endeavouring to apply a general blanket approach to this particular application."

Evidence in support was given by Mr Southey, the applicant, and his mother. Mr Southey, who holds a General Manager's Certificate told us that the hotel did not usually stay open until 3.00 am. He produced four hand-written statements in support of the hours applied for from nearby residents. In response to questioning he admitted that the hotel had only remained open until 3.00 am twice in the last six months. Mrs Southey told us that *"the only objection is as the result of police policy and not anything specific against us."*

GREYTOWN HOTEL

The applicant seeks renewal of on and off-licences in respect of premises situated at 33 Main Street, Greytown known as the "Greytown Hotel". The licensee wishes to retain the existing trading hours for the sale of liquor:-

On-Licence

- | | |
|-----|---|
| (a) | At any time on any day (to any person who is living on the premises) |
| (b) | Monday to Saturday 9.00 am to 2.00 am the following day to any person who is present on the premises |
| (c) | Sunday, Good Friday and Christmas Day 9.00 am to 1.00 am the following day to any person who is present on the premises for the purpose of dining |

Off-Licence

Monday to Saturday

- | | | |
|-----|-----------------------|---------------------------|
| (a) | Across the bar | 9.00 am to 12.00 midnight |
| (b) | From any bottle store | 9.00 am to 11.00 pm |

For the applicant Mr Sherriff submitted that there is *"an existing trading right which cannot as a matter of law or natural justice be taken away from her, except for good cause or Act of Parliament."*

He cited the recent Tonto Investments decision (supra) and submitted that:

"The proper and careful approach to the renewal process is to assess each individual premise, rather than by some shotgun regional approach."

He further submitted that Sergeant Tunnell's opposition to renewal (to achieve a reduction in hours) is not a proper use of powers on a second renewal.

Mrs Ryan, the licensee told us that she had purchased the hotel with her husband in 1988. Her family live on the premises. One of her regular clients, the local fire brigade, play pool on Wednesdays (other than on "away" nights) until 1.30 am. On Friday and Saturday nights she told us she trades until between 1.00 and 2.00 am the following day.

Mrs B Johnson, a South Wairarapa District Council Licensing Inspector and an Environmental Health Officer for South Wairarapa District Council provided details of six noise complaints in relation to the subject premises from December 1993 to October 1994, mostly involving loud music. One was found to have no substance; there have been no recent complaints as at the date of hearing in 1995.

In her written report dated 23 February 1995 Mrs Johnson noted that 11 residents had lodged objections to licence renewal, although none recorded an appearance at the hearing. Mrs Johnson stated that her *"objection would be met"* if the premises closed at 12.30 am the following day Monday to Saturday.

POLICE OPPOSITION IN RESPECT OF ALL PREMISES

For the Police, Sergeant Tunnell produced similar submissions opposing later closing in all three premises. He did not oppose the grant or renewal of licences. He submitted that it is

"in the interests of residents of Greytown that these hotels be granted hours until 12.30 am only."

He referred to the noise complaints from neighbours, the lack of a taxi service and pointed out there is no effective bus or other public transport system. The premises had all been built in the days of 6.00 pm closing and all are close to residential

properties. He also pointed to the desirability of consistency in hours within South Wairarapa to avoid the opportunity for "border hopping". He urged the Authority to restrict hours as follows:

Monday - Thursday	11.00 am - 11.00 pm
Friday and Saturday	11.00 am - 12.30 am the following day
Sundays	11.00 am - 10.00 pm

These are the operating hours (Monday to Saturday) of the Empire Hotel situated in nearby Featherston which were recently determined by the Authority (LLA decisions 1154 - 1155/94).

CONCLUSION

At the conclusion of the hearings the Authority took an exterior view of all three premises. They are clearly located close to residential property.

In considering these applications we have had the benefit of extensive submissions for and on behalf of the applicants, some objectors, the Police, and a Licensing Inspector. Although the South Wairarapa District Council in its capacity as a District Licensing Agency was not formally represented at the public hearing, an Inspector, Mrs Johnson, told us that its Chief Executive and Secretary of the DLA was fully aware of her reports. We note that the Mayor of the South Wairarapa District, Mr John Garrity has indicated his "concern" in response to a letter from one of the objectors, Ms Couling.

Applicability of s.10(4)

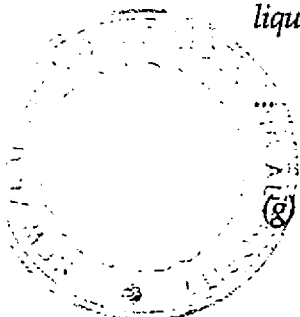
Early in the hearing we refused to accept Mr Bray's submission that pursuant to s.10(4) in relation to his client (Foresters Arms Hotel) there being no challenge to the licensee's suitability, and licences sought on the same terms as those presently applying, we could not consider objections on grounds other than suitability.

Our reasons for so refusing follow. The word "objection" is not defined in the Act but we would not interpret it as including reports from any one of the reporting agencies detailed in s.11(2) of the Act opposing some aspect of a liquor licence application other than the suitability of the applicant.

We are directed by s.13(1) of the Act when considering any application for an on-licence to have regard to various matters including:-

"(b) The days on which and the hours during which the applicant proposes to sell liquor:

(g) Any matters dealt with in any report made under section 11 of this Act."



Similarly (in the case of the renewal of licences of the Greytown Hotel as distinct from the grant of licences for the Club Tavern and Foresters Arms Hotel) we are directed by s.22 of the Act in considering any application for the renewal of an on-licence to have regard to various matters including:-

"(d) Any matters dealt with in any report made under section 20 of this Act."

The holding of this Authority is that in considering any application for the grant or renewal of an on-licence the absence of any objection challenging suitability does not in any way preclude us from having regard to reports from an Agency Inspector or the Police opposing a licence being granted or renewed with the same trading hours as those presently applying. Further the Authority has a complete discretion to set any application down for public hearing solely on the basis of an Agency Inspector's or Police report opposing existing trading hours.

In considering an application for an on-licence the Authority may also have regard to neighbouring land use pursuant to s.14(7) of the Act when determining the days and hours during which liquor may be sold. As a matter of practice, the Authority almost invariably does so.

Background

From 1 April 1990, when the Sale of Liquor Act 1989 came into effect, some early "*on the papers*" decisions authorised very extensive hours of trading in the absence of any opposition. In hindsight, it is now clear that in some circumstances the hours granted were too extensive. This applies in particular where there are residential neighbours. On an application by application basis, we intend to focus more closely on neighbouring land use where objections are lodged or reports in opposition are received.

The Authority does not see its role as being to impose unwanted lengthy trading hours on local communities. We wish to encourage to the maximum extent possible local consultation and dialogue prior to public hearings. In some cases the necessity for a public hearing may be avoided where agreement is reached, and objections withdrawn.

Without intending to fetter ourselves it may assist if we reiterate our general approach to closing hours under hotel and tavern on-licences. Where there are residential neighbours closure at around 11.00 pm on weeknights, and 12.00 midnight or 1.00 am the following day on Friday and Saturday nights will frequently be appropriate. In other cases for taverns and hotels, closure at 3.00 am is common. We will continue to regard 24 hour a day licences as the exception rather than the norm; 24 hour trading requires more detailed justification. In all cases the hours will be subject to the proposed use of the premises meeting planning requirements under the Resource Management Act 1991.

On-licences for hotels and taverns no longer have to overcome a "*necessary or desirable*" threshold, nor answer any question as to whether demand is being "*met but not stimulated*" as previously required under the Sale of Liquor Act 1962. The Sale of Liquor Act 1989 is a liberalising enactment. Nevertheless trading hours - a condition of the licence - are substantially within the discretion of the Authority.

It is not a function of the Authority to assess demand. That is for each applicant to determine. An applicant for a licence is required to provide information as to the general nature of the business to be conducted, indicate whether or not the sale of liquor is intended to be the principal purpose of the business, describe the nature of the goods and services to be provided other than those directly related to liquor and food and state the days and hours during which there is an intention to sell liquor. In providing this information an applicant may well seek to demonstrate custom received or envisaged. As a practical observation, where there is little or no evidence of the extent of the business and neighbouring land use or liquor abuse issues arise, the balance usually swings against longer trading hours. In that respect, actual and potential use of the facilities to be operated with the licence is indirectly considered and weighed in determining hours of trading.

Finally we restate the view we expressed in Tonto Investments (supra) that we continue to welcome and weigh the views of elected Local Authorities (including Community Boards) where these exist. Such an expression of opinion is particularly valuable where a distinct local approach is advocated as being in the best interests of a particular locality.

welcome & weigh the views of elects

In these applications, as in Tonto Investments (supra), we would have welcomed the formal views of the elected Local Authority in its capacity as a District Licensing Agency - in addition to the opinion of a Licensing Inspector and the local Police. Local Authority views can be expressed either through a sale of liquor policy adopted by elected councillors and highlighted in reports by a Licensing Inspector of the District Licensing Agency, or by a formal resolution of the Council relating to a particular application. Some Local Authorities also use or are considering use of the district plan under the Resource Management Act 1991 to impose restrictions on trading hours for certain categories of licensed premises.

Whilst retaining our discretion on a case by case basis, we will be slow to reject the formally expressed views of elected community leaders.

The Result

In Greytown where each of the applicants' premises is sited in relative proximity to neighbouring residents, we believe closing hours should be reduced. In our view, a closing hour of 11.00 pm Monday to Thursday and 1.00 am the following day on Fridays and Saturdays is appropriate for all three on-licences and 9.00 am to 11.00 pm on Sundays, Good Friday and Christmas Day for the sale of liquor to diners at the "Foresters Arms" and "Greytown" hotels.

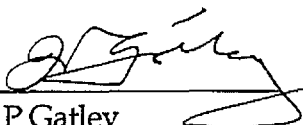
In a number of decisions since 1991 we have indicated that in the absence of special circumstances we do not see any requirements for bottle shop off-sales beyond 11.00 pm. There are no special circumstances in these applications. Off-licence hours for sales across the bar will follow the hours granted for the respective on-licences.

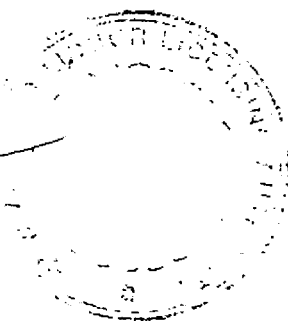
The licences may issue immediately following the expiry of 20 working days from the date of this decision. That period is the time provided for by s.140 of the Act for the lodging of the notice of appeal. The applicants' attention is drawn to ss.25 and 48 of the Act obliging holders to display:

1. A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor AND
2. A copy of the licence and of the conditions of the licence attached to the interior of the premises so as to be easily read by persons entering through each principal entrance.

Copies of the licences setting out the conditions to which each is subject are attached to this decision.

DATED at WELLINGTON this 7th day of September 1995


J P Gatley
Chairman



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ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, the partnership of KEVIN REX BURTON and CHRISTINA ANN BURTON ("the licensee") is authorised to sell and supply liquor on the premises situated at 138 Main Street, Greytown, South Wairarapa District and known as "Club Tavern", for consumption on the premises to any person who is present on the premises and to allow the consumption of liquor on the premises by any such person.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) No liquor shall be sold or supplied on any Sunday or on Good Friday or Christmas Day.
- (c) Liquor may be sold only on the following days and during the following hours:
Monday to Thursday 10.00 am to 11.00 pm
Friday and Saturday 10.00 am to 1.00 am the following day to any person who is present on the premises.
- (d) Food shall be available for consumption on the premises as follows:
At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notices throughout the premises.
- (e) Each of the following parts of the premises is designated as:
A supervised area: Every bar
- (f) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

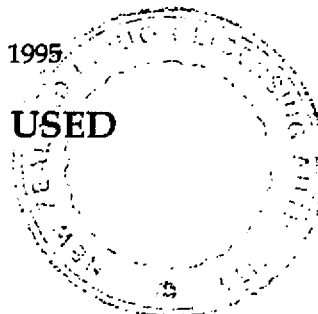
DATED at WELLINGTON this day of

1995.

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.....
R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally. The premises, located at 138 Main Street, Greytown are more precisely identified in a plan date stamped as received by Tribunals Division on 2 September 1994.
 - (iii) The entrance from Main Street is designated as the principal entrance.



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OFF-LICENCE

Sections 29 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, the partnership of KEVIN REX BURTON and CHRISTINA ANN BURTON ("the licensee") is authorised to sell or deliver liquor on or from the premises situated at 138 Main Street, Greytown, South Wairarapa District, and known as "Club Tavern", to any person for consumption off the premises.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) No liquor shall be sold or delivered on any Sunday or on Good Friday or Christmas Day:
- (b) Liquor may be sold or delivered only on the following days and during the following hours:
 - (i) From any bottle store:
Monday to Saturday 10.00 am to 11.00 pm
 - (ii) Across the bar:
Monday to Thursday 10.00 am to 11.00 pm
Friday and Saturday 10.00 am to 1.00 am the following day
- (c) Each of the following parts of the premises is designated as:

A supervised area: Every bar and any bottle store
- (d) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this day of

1995

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.....
R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg.10 of the Sale of Liquor Regulations 1990 the sale or delivery of liquor is authorised in or from the premises generally. The premises, located at 138 Main Street, Greytown are more precisely identified in a plan date stamped as received by Tribunals Division on 2 September 1994.
 - (iii) The entrance from Main Street is designated as the principal entrance.

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ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, ROSEMARY CECILIA RYAN is authorised to sell and supply liquor on the premises situated at 33 Main Street, Greytown, South Wairarapa District and known as "Greytown Hotel", for consumption on the premises to:

- (a) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise; or
- (b) Any person who is present on the premises for the purpose of dining; or
- (c) Any person who is present on the premises for the purpose of attending any function or entertainment (whether live or not); or
- (d) Any other person who is present on the premises,

and to allow the consumption of liquor on the premises by any such person.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) No liquor shall be sold or supplied on any Sunday or on Good Friday or Christmas Day to any person other than -
 - (i) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise, or
 - (ii) Any person who is present on the premises for the purpose of dining:
- (c) Liquor may be sold only on the following days and during the following hours:
 - (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
 - (ii) Monday to Thursday 9.00 am to 11.00 pm
Friday and Saturday 9.00 am to 1.00 am the following day to any person who is present on the premises.
 - (iii) On Sundays, Good Friday and Christmas Day 9.00 am to 11.00 pm to any person who is present on the premises for the purpose of dining.
- (d) Food shall be available for consumption on the premises as follows:

At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notices throughout the premises.
- (e) Each of the following parts of the premises is designated as:

A supervised area: Every bar
- (f) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this

day of

1995

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.....
R Barber

Deputy Secretary

LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally.
 - (iii) The entrance from Main Street is designated as the principal entrance.
 - (iv) This licence replaces licence no. 044/ON/5/92.

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OFF-LICENCE

Sections 29 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, ROSEMARY CECILIA RYAN is authorised to sell or deliver liquor on or from the premises situated at 33 Main Street, Greytown, South Wairarapa District, and known as "Greytown Hotel", to any person for consumption off the premises.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) No liquor shall be sold or delivered on any Sunday or on Good Friday or Christmas Day:
- (b) Liquor may be sold or delivered only on the following days and during the following hours:
 - (i) From any bottle store:
Monday to Saturday 9.00 am to 11.00 pm
 - (ii) Across the bar:
Monday to Thursday 9.00 am to 11.00 pm
Friday and Saturday 9.00 am to 1.00 am the following day
- (c) Each of the following parts of the premises is designated as:

A supervised area: Every bar and any bottle store
- (d) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this day of

1995

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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg.10 of the Sale of Liquor Regulations 1990 the sale or delivery of liquor is authorised in or from the premises generally.
 - (iii) The entrance from Main Street is designated as the principal entrance.
 - (iv) This licence replaces licence no. 044/OFF/2/92.

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ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, MICHAEL HARRY McPHERSON SOUTHEY is authorised to sell and supply liquor on the premises situated at 53 Main Street, Greytown, South Wairarapa District and known as "Foresters Arms Hotel", for consumption on the premises to:

- (a) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise; or
- (b) Any person who is present on the premises for the purpose of dining; or
- (c) Any person who is present on the premises for the purpose of attending any function or entertainment (whether live or not); or
- (d) Any other person who is present on the premises,

and to allow the consumption of liquor on the premises by any such person.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) No liquor shall be sold or supplied on any Sunday or on Good Friday or Christmas Day to any person other than -
 - (i) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise, or
 - (ii) Any person who is present on the premises for the purpose of dining:
- (c) Liquor may be sold only on the following days and during the following hours:
 - (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
 - (ii) Monday to Thursday 7.00 am to 11.00 pm
Friday and Saturday 7.00 am to 1.00 am the following day to any person who is present on the premises.
 - (iii) On Sundays, Good Friday and Christmas Day 9.00 am to 11.00 pm to any person who is present on the premises for the purpose of dining.
- (d) Food shall be available for consumption on the premises as follows:
At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notices throughout the premises.
- (e) Each of the following parts of the premises is designated as:
A supervised area: Every bar
- (f) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this

day of

1995

COPY ONLY - NOT TO BE USED

R Barber

Deputy Secretary

LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally. The premises, located at 53 Main Street, Greytown are more precisely identified in a plan date stamped as received by Tribunals Division on 13 October 1994.
 - (iii) The entrance from Main Street is designated as the principal entrance.

COPY ONLY - NOT TO BE USED

OFF-LICENCE

Sections 29 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, MICHAEL HARRY McPHERSON SOUTHEY is authorised to sell or deliver liquor on or from the premises situated at 53 Main Street, Greytown, South Wairarapa District, and known as "Foresters Arms Hotel", to any person for consumption off the premises.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) No liquor shall be sold or delivered on any Sunday or on Good Friday or Christmas Day:
- (b) Liquor may be sold or delivered only on the following days and during the following hours:

Across the bar:

Monday to Thursday 7.00 am to 11.00 pm
Friday and Saturday 7.00 am to 1.00 am the following day

- (c) Each of the following parts of the premises is designated as:

A supervised area: Every bar and any bottle store

- (d) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this day of 1995

COPY ONLY - NOT TO BE USED

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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg.10 of the Sale of Liquor Regulations 1990 the sale or delivery of liquor is authorised in or from the premises generally. The premises, located at 53 Main Street, Greytown are more precisely identified in a plan date stamped as received by Tribunals Division on 13 October 1994.
 - (iii) The entrance from Main Street is designated as the principal entrance.

COPY

ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

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2020-93-2025-93

PURSUANT to the Sale of Liquor Act 1989, MICHAEL HARRY McPHERSON SOUTHEY is authorised to sell and supply liquor on the premises situated at 53 Main Street, Greytown, South Wairarapa District and known as "Foresters Arms Hotel", for consumption on the premises to:

- (a) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise; or
 - (b) Any person who is present on the premises for the purpose of dining; or
 - (c) Any person who is present on the premises for the purpose of attending any function or entertainment (whether live or not); or
 - (d) Any other person who is present on the premises,
- and to allow the consumption of liquor on the premises by any such person.

The authority conferred by this licence shall be exercised by the licensee (if an individual) or through a manager or managers appointed by the licensee in accordance with Part VI of the Act.

CONDITIONS

This licence is subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) No liquor shall be sold or supplied on any Sunday or on Good Friday or Christmas Day to any person other than -
 - (i) Any person who is for the time being living on the premises, whether as a lodger or an employee of the licensee, or otherwise, or
 - (ii) Any person who is present on the premises for the purpose of dining:
- (c) Liquor may be sold only on the following days and during the following hours:
 - (i) At any time on any day to any person who is for the time being living on the premises whether as a lodger or an employee of the licensee, or otherwise.
 - (ii) Monday to Thursday 7.00 am to 11.00 pm
Friday and Saturday 7.00 am to 1.00 am the following day to any person who is present on the premises.
 - (iii) On Sundays, Good Friday and Christmas Day 9.00 am to 11.00 pm to any person who is present on the premises for the purpose of dining.
- (d) Food shall be available for consumption on the premises as follows:
At all times when the premises are authorised to be open for the sale of liquor, food of a range and style similar to that shown on any menu submitted or a range of snack foods in the nature of pies, sandwiches, filled rolls, pizzas and the like, shall be conveniently available for all patrons and the availability of those foodstuffs shall be notified to them by appropriate notices throughout the premises.
- (e) Each of the following parts of the premises is designated as:
A supervised area: Every bar
- (f) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
 - (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
 - (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DURATION

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence shall continue in force -

- (a) Until the close of the period of 1 year commencing with the date of its issue; or
- (b) If an application for the renewal of the licence is duly made, until the application is determined; or
- (c) If the licence is renewed, until the close of the period for which it is renewed.

DATED at WELLINGTON this 12th day of October 1995

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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY

- NOTE:
- (i) For the purpose of this licence the hour from 12.00 midnight on a Saturday to 1.00 am on Sunday is considered to be part of Saturday.
 - (ii) In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the premises generally. The premises, located at 53 Main Street, Greytown are more precisely identified in a plan date stamped as received by Tribunals Division on 13 October 1994.
 - (iii) The entrance from Main Street is designated as the principal entrance.