

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by
BALLAND ENTERPRISES
LIMITED for an on-licence
pursuant to s.7 of the Act in
respect of premises situated at
the corner of Hood Street and
Victoria Street, Hamilton
known as "Judder Bar"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro
Mr J W Thompson

DECISION

This is an application by Balland Enterprises Limited for an on-licence in respect of premises situated at the corner of Hood Street and Victoria Street, Hamilton, known as "Judder Bar".

The general nature of the business to be undertaken will be that of a tavern.

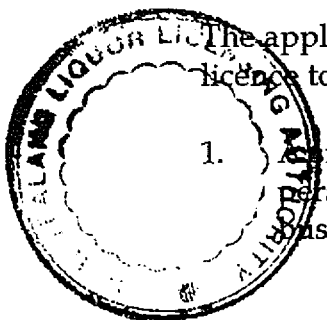
The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.13 of the Act and we grant the applicant an on-licence authorising the sale and supply of liquor, for consumption on the premises, to any person who is present on the premises.

The licence will not issue until the Authority has received confirmation from the District Licensing Agency that all relevant clearances have been obtained. The applicant is not entitled to sell liquor until the licence issues. Unlicensed sales can result in imprisonment for up to three months or a fine of \$20,000 (ss.114(2), 151 and 152 of the Act refer).

The applicant's attention is drawn to s.25 of the Act obliging the holder of an on-licence 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.

The entrance from Hood Street is designated as the principal entrance.

The licence will be 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 is to be sold or supplied on a Sunday after 3.00 am; or Good Friday; or Christmas Day to any person other than persons who are 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) Monday to Saturday 12.00 noon to 3.00 am the following day (12.00 noon to 12.00 midnight on Christmas Eve and on the Thursday before Good Friday) to any person who is present on the premises.
 - (ii) Sunday, Good Friday and Christmas Day 12.00 noon to 3.00 am the following day 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) The whole of the premises is designated as a supervised area.
- (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

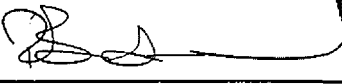
- (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.



THE LICENSED PREMISES

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 on the ground floor at the corner of Hood Street and Victoria Street, Hamilton are more precisely identified in a plan date stamped as received by Tribunals Division on 26 June 1998.

DATED at WELLINGTON this 18th day of August 1998



R Barber
Deputy Secretary



