

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by MURRAY JOHN LEITCH for an on-licence pursuant to s.7 of the Act in respect of premises situated at 72 Main Road, Havelock, Marlborough known as "Clansman Tavern"

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 Murray John Leitch for an on-licence in respect of premises situated at 72 Main Road, Havelock, Marlborough, known as "Clansman Tavern".

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

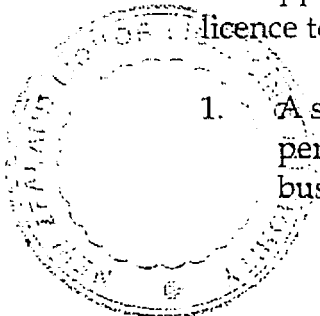
Public notification of the application attracted a purported objection which was sent anonymously to the Marlborough District Licensing Agency and, in any event, did not relate to any of the matters specified in s.13(1) of the Act as required by s.10(3). We will deal with the matter on the papers.

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 Main Road 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 1.00 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 10.00 am to 1.00 am the following day (10.00 am 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 10.00 am to 1.00 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) 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




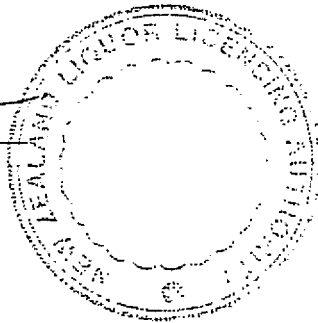
- (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

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 at 72 Main Road, Havelock, Marlborough are more precisely identified in a plan date stamped as received by the Liquor Licensing Authority on 20 September 1999.

DATED at WELLINGTON this *19th* day of *November* 1999


R Barber
Deputy Secretary



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