

Decision No. *SB2177*

IN THE MATTER

of the Sale of Liquor Act 1989

AND

IN THE MATTER

of an application by JOHN ALAN THORPE pursuant to s.18 of the Act for renewal of an on-licence in respect of premises situated at No.1, Wharf Street, 66 The Esplanade, Gisborne known as "Landfall Restaurant"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley
Members: Mr R J S Munro
Mr J W Thompson

DECISION

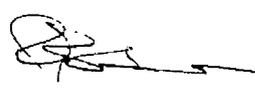
This is an application by John Alan Thorpe for renewal of an on-licence in respect of premises situated at No.1, Wharf Shed, 60 The Esplanade, Gisborne known as "Landfall Restaurant".

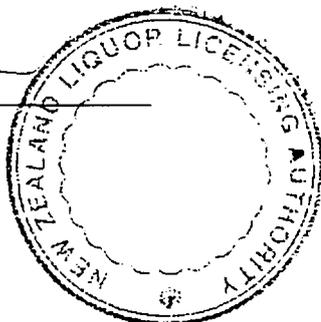
No changes are sought to the conditions of the licence, although the premises are being sub-divided. A replacement on-licence is sought to include a smaller area of the original licensed premises.

The application was duly advertised and no objection or notice of desire to be heard has been received. 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.22 of the Act. We renew the licence on the existing terms and conditions until 9 February 2002, that being the anniversary date of the licence and three years from the last renewal, and authorise the issue of a renewal certificate.

DATED at WELLINGTON this *6th* day of *April* 1999


R Barber
Deputy Secretary



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COPY

ON-LICENCE

Sections 7 and 114, Sale of Liquor Act 1989

PURSUANT to the Sale of Liquor Act 1989, JOHN ALAN THORPE is authorised to sell and supply liquor on the premises situated at No. 1, Wharf Shed, 66 The Esplanade, Gisborne and known as "Landfall Restaurant", 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 manager 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 is to be sold or supplied on a Sunday after 2.00 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 9.00 am to 2.00 am the following day (9.00 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 9.00 am to 2.00 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 Regulation 7 of the Sale of Liquor Regulations 1990 the sale, supply or consumption of liquor is authorised in the premises generally. The premises located at No. 1, Wharf Shed, 66 The Esplanade, Gisborne are more precisely identified as outlined in a plan date stamped as received by Tribunals Division on 6 March 1999.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence shall be displayed at the principal entrance to the premises. The entrance from the paved walkway is designated as the principal entrance.

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 6th day of April 1999


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R Barber
Deputy Secretary
LIQUOR LICENSING AUTHORITY



NOTE: This licence replaces licence no. 027/ON/2/95.
This licence shall expire on the same expiry date (or anniversary) as that of the licence it replaces or, if renewed, of the most recent renewal certificate.