

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by
**MARTINBOROUGH GROCERY
LIMITED** pursuant to s.100 of the
Act for an Off Licence in respect of
premises situated at 14-16 Memorial
Square, Martinborough known as
"Pain and Kershaw Grocery"

BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE

Chairperson: Vivien Napier

DECISION

This is an application by MARTINBOROUGH GROCERY LIMITED for an Off Licence in respect of premises situated at 14-16 Memorial Square, Martinborough, known as "Pain and Kershaw Grocery".

I recommend that the application made by Martinborough Grocery Limited for the issue of an off-licence be granted under the provisions of the Sale and Supply of Alcohol Act 2012 authorising the sale and supply of liquor for consumption off the premises known as "Martinborough Grocery Limited".

REASONS FOR THE DECISION

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.

The application is complete and appears to meet the criteria for issue of an off licence.

The applicant has altered the layout of the premises to provide a single defined area for all alcohol display and advertising. The Inspector and the Medical Officer of Health have inspected and approved the location and layout of the single alcohol area.

The applicant has provided a statement of the Annual Sales Revenue which shows that food products are 51.15% of sales. I am satisfied that the premise meets the definition of a Grocery Store 32 (f).

I am satisfied as to the matters to which I must have regard as set out in s.100 of the Act and we grant the applicant an off-licence authorising the sale and supply of liquor for consumption off the premises subject to the following conditions:

CONDITIONS OF LICENCE

The licence is subject to the following conditions

1. No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1pm on Anzac Day:
2. No alcohol may be sold other than—
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or

- (ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
 - (iv) grape wine that complies with the appropriate New Zealand food standard for grape wine; or
 - (v) a food flavouring, prepared for culinary purposes, that is unsuitable for drinking undiluted.
3. Alcohol may be sold only on the following days and during the following hours:
Monday to Sunday 7.00am to 10.00pm.
4. The only area delineated on the attached plan is a permitted area for the display and promotion of alcohol
5. Drinking water is to be freely available to customers while alcohol is being supplied free as a sample
6. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.

The conditions sought are consistent with the style of off-licence.

DATED at Martinborough this 13th day of May 2015



Vivien Napier
Chairperson
South Wairarapa District Licensing Committee





44/OFF/010/2015

FORM 15

Licence 44/OFF/010/2015 replacing licence number 044/RN/443/2012

NOTICE OF RENEWAL OF OFF LICENCE

Section 135, Sale and Supply of Alcohol Act 2012

Martinborough Grocery Limited

The off licence in respect of the premises situated at 14-16 Memorial Square, Martinborough and known as Pain and Kershaw Grocery is renewed. The present conditions of the licence (numbered 44/OFF/010/2015) shall continue to apply.

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 continues in force –

- Until the close of the period for which it is renewed; or
- If an application for the renewal of the licence is duly made before it would otherwise expire, until the close of the period of three years after the period for which it is renewed.

This licence expires on **1st April 2018.**

DATED at Martinborough this 13th day of May 2015.



Paul Crimp
Secretary
District Licensing Committee

OFF-LICENCE

Sections 17 to 20 and Section 64, Sale and Supply of Alcohol Act 2012

PURSUANT to the Sale and Supply of Alcohol Act 2012 **Martinborough Grocery Limited** is authorised to sell or deliver alcohol on or from the premises situated at **14-16 Memorial Square, Martinborough**, and known as **Pain and Kershaw Grocery**, to any person for consumption off the premises and to supply complimentary samples of alcohol on the premises.

The authority conferred by this licence must be exercised through a manager or managers appointed by the licensee in accordance with subpart 7 of Part 2 of the Act.

RECOMMENDED CONDITIONS OF LICENCE

The licence is subject to the following conditions

1. No alcohol is to be sold or delivered on Good Friday, Christmas Day, or before 1pm on Anzac Day;
2. No alcohol may be sold other than—
 - (i) beer that complies with the appropriate New Zealand food standard for beer; or
 - (ii) mead that complies with the appropriate New Zealand food standard for mead; or
 - (iii) fruit or vegetable wine that complies with the appropriate New Zealand food standard for fruit or vegetable wine; or
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The conditions sought are consistent with the style of off-licence I.

CONCLUSION

The application is complete and appears to meet the criteria for issue off licence.

The Inspector recommends that the application made by Martinborough Grocery Limited for the issue of an off-licence be granted under the provisions of the Sale and supply of Alcohol Act 2012 authorising the sale and supply of liquor for consumption off the premises known as "Martinborough Grocery Limited".

THE LICENSED PREMISES

The premises, situated at **14-16 Memorial Square, Martinborough** are more precisely identified as outlined in a plan date stamped as received by the **South Wairarapa District Licensing Committee** on the **17th March 2015**.

DISPLAY OF LICENCE AND PRINCIPAL ENTRANCE/S

A copy of this licence must be displayed at the principal entrance to the premises. The entrance from **14-16 Memorial Square, Martinborough**, 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 continues in force -

- (a) Until the close of the period of 3 years 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 Martinborough this **13th day of May 2015**.



Paul Crimp
Secretary
South Wairarapa District Licensing Committee



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, the licence expires on:

The 1st day of April 2018

Note: This licence replaces licence number 044/RN/443/2012

OFF-LICENCE

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- (a) Until the close of the period of 3 years 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 Martinborough this **13th day of May 2015**.



Paul Crimp
Secretary
South Wairarapa District Licensing Committee



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, the licence expires on:

The 1st day of April 2018

Note: This licence replaces licence number 044/RN/443/2012