

**IN THE MATTER**  
**AND**

of the Sale and Supply of Alcohol Act 2012

**IN THE MATTER**

of an application by **B M & D G Crosby Partnership** for an off-licence pursuant to s.99 of the Act in respect of premises situated at **31 Princess Street, Martinborough** known as **On Giants' Shoulders**

**BEFORE THE SOUTH WAIRARAPA DISTRICT LICENSING COMMITTEE**

Chairperson: Julie Riddell

**DECISION**

This is an application by **B M & D G Crosby Partnership** for an off-licence in respect of premises situated **31 Princess Street, Martinborough** known as **On Giants' Shoulders**

The application is in respect of premises in which the principal business is that of remote sales only.

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

I am satisfied as to the matters to which I must have regard as set out in s.105 of the Act and I grant the applicant an off-licence pursuant to s.17. The remote sales endorsement is pursuant to s.40 of the Act and applies to this licence; and the licensee is authorised to sell alcohol from (but not on) the premises and deliver it somewhere else.

**CONDITIONS OF LICENCE**

- 1) A remote sale of alcohol may be made at any time on any day.
- 2) The holder of this licence must ensure that any alcohol sold by remote sale is not delivered to the buyer (or to any other person on the buyer's behalf) at any time after 11.00 pm on any day or before 6.00 am on the next day.
- 3) No alcohol is to be delivered from the premises on Good Friday, or Christmas Day, or before 1.00 pm on Anzac Day.
- 4) No alcohol is to be delivered from the premises at any time on Easter Sunday unless it is grape wine or fruit or vegetable wine made –
  - a) On the premises; or
  - b) From produce harvested from land on which the premises are situated.
- 5) Condition 4 applies whether the alcohol is delivered by the seller or by some other person.
- 6) The holder of this licence must take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age.
- 7) The licensee complies with condition 6 if they comply with regulation 14 of the Sale and Supply of Alcohol Regulations 2013 to be a reasonable procedure for that purpose.
- 8) The holder of an off-licence who sells alcohol by remote sale must comply with regulations 15 of the Sale and Supply of Alcohol Regulations 2013 requiring information to be provided by remote sellers.

**THE LICENSED PREMISES**

The premises, situated at **B M & D G Crosby Partnership**, are more precisely identified as outlined in a plan date stamped as received by the **South Wairarapa District Licensing Committee** on **27 February 2018**.

**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 **31 Princess Street, 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 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 Martinborough this **4<sup>th</sup>** day of May 2018

*J E Riddell*

Julie Riddell  
Chairperson  
**South Wairarapa 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 **B M & D G Crosby Partnership** is authorised to sell or deliver alcohol on or from the premises situated at **31 Princess Street, Martinborough**, and known as **On Giants' Shoulders**, 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.

### CONDITIONS OF LICENCE

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

- 1) A remote sale of alcohol may be made at any time on any day.
- 2) The holder of this licence must ensure that any alcohol sold by remote sale is not delivered to the buyer (or to any other person on the buyer's behalf) at any time after 11.00 pm on any day or before 6.00 am on the next day.
- 3) No alcohol is to be delivered from the premises on Good Friday, or Christmas Day, or before 1.00 pm on Anzac Day.
- 4) No alcohol is to be delivered from the premises at any time on Easter Sunday unless it is grape wine or fruit or vegetable wine made –
  - a) On the premises; or
  - b) From produce harvested from land on which the premises are situated.
- 5) Condition 4 applies whether the alcohol is delivered by the seller or by some other person.
- 6) The holder of this licence must take reasonable steps to verify that the buyer of any alcohol that the holder sells by remote sale (and, if a person other than the buyer is to receive it, to verify that the receiver) is not under the purchase age.
- 7) The licensee complies with condition 6 if they comply with regulation 14 of the Sale and Supply of Alcohol Regulations 2013 to be a reasonable procedure for that purpose.
- 8) The holder of an off-licence who sells alcohol by remote sale must comply with regulations 15 of the Sale and Supply of Alcohol Regulations 2013 requiring information to be provided by remote sellers.

### THE LICENSED PREMISES

The premises, situated at **31 Princess Street, Martinborough** are more precisely identified as outlined in a plan date stamped as received by the **South Wairarapa District Licensing Committee** on the **27<sup>th</sup> February 2018**.

### 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 **31 Princess Street, Martinborough** is designated as the principal entrance.

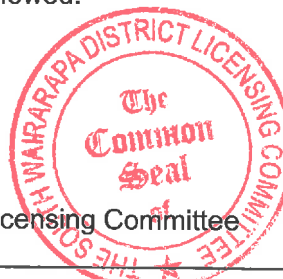
### DURATION

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 **4<sup>th</sup> day of May 2018**.

  
 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:

**4 May 2020**