

Mā tō tātou takiwā
For our District

District Licensing Committee

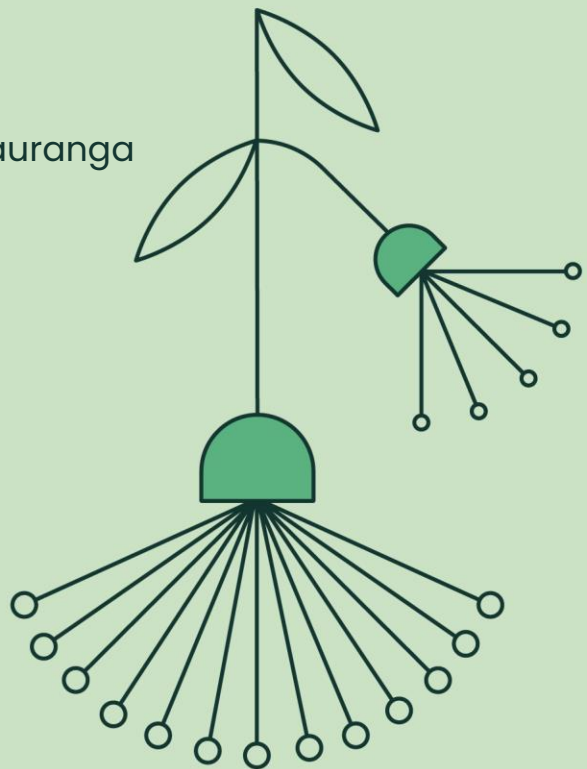
Komiti Raihana-ā-Rohe

DL23-3

Monday, 27 November 2023, 9.30am

(La Vie en Rose, Waihī Beach)

Council Chambers, 1484 Cameron Road, Tauranga



District Licensing Committee

Membership:

Chairperson	Commissioner/Chairperson from the District Licensing Committee Members List ('the List')
Members	Cr Don Thwaites (Licensing Commissioner) Murray Clearwater (Licensing Commissioner) James Davison (Licensing Commissioner) Beverley Edlin (Licensing Commissioner) Arthur Wilkinson (Licensing Commissioner) Steve Williams (Licensing Commissioner)
Quorum	Commissioner and two members from the List (Section 191 – Sale and Supply of Alcohol Act 2012)
Frequency	As required

Role:

As conferred under the Sale and Supply of Alcohol Act 2012:

- To consider and determine applications for licences and manager's certificates.
- To consider and determine applications for renewal of licences and manager's certificates.
- To consider and determine applications for temporary authority to carry on the sale and supply of alcohol in accordance with [Section 136](#) of the Sale and Supply of Alcohol Act 2012.
- To consider and determine applications for the variation, suspension, or cancellation of special licences.
- To consider and determine applications for the variation of licences (other than special licences) unless the application is brought under [Section 280](#) of the Sale and Supply of Alcohol Act 2012.
- With the leave of the Chairperson for the licensing authority, to refer applications to the licensing authority.
- To conduct inquiries and to make reports as may be required of it by the licensing authority under [Section 175](#) of the Sale and Supply of Alcohol Act 2012.
- Any other functions conferred on licensing committees by or under the Sale and Supply of Alcohol Act 2012 or any other enactment.

Chairperson's Delegation:

- Where no objection to the application has been received within the timeframes as prescribed under the Act the authority to decide on the papers and issue decisions on such applications (**Section 191** (2) Sale and Supply of Alcohol Act 2012).

Notice is hereby given that a District Licensing Committee Meeting will be held in the Council Chambers, 1484 Cameron Road, Tauranga on:

Monday, 27 November 2023 at 9.30am (La Vie en Rose, Waihi Beach)

Order Of Business

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1 PRESENT**2 IN ATTENDANCE****3 APOLOGIES****4 DECLARATIONS OF INTEREST**

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

5 HEARINGS

5.1 DISTRICT LICENSING COMMITTEE HEARING – LL8766 – LA VIE EN ROSE WAIHĪ BEACH – APPLICATION FOR AN ON LICENCE RENEWAL

File Number: A5823875

Author: Carolyn Irvin, Senior Governance Advisor

Authoriser: Greer Golding, Governance Manager

EXECUTIVE SUMMARY

The District Licensing Committee Hearing, set for Monday, 27 November 2023 at 9:30am, is to consider an application made by Bevin Limited, pursuant to section 127 of the Sale and Supply of Alcohol Act 2012, seeking to grant a renewal of the On Licence in respect of the premises situated at 22 Wilson Road, Waihī Beach, known as 'La Vie en Rose Waihī Beach'.

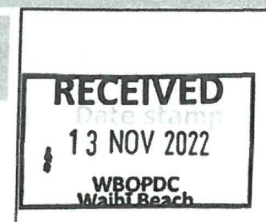
ATTACHMENTS

1. **Application for On Licence Renewal for La Vie En Rose Waihī Beach**  



Application for New or Renewal of On-Licence

Section 100 and 127(2) Sale and Supply of Alcohol Act 2012



Fill this form out with the assistance of the guide notes attached

☐ New On-Licence ☒ Renewal On-Licence

1. Applicant Details

a. Full name of applicant (legal entity who will receive the proceeds from the sale of liquor)

Bavin Ltd

Previous names or other names known by

b. Applicant is the ☐ Property Owner ☒ Lessee ☐ Agent
Provide details below Authorised by owner
Provide details below

c. Contact name Brice Bavin

Postal address

Occupation Company Director

Date of Birth 15/11/1988 Gender ☐ Male ☐ Female

Phone: Business (.....) Private (.....) Mobile 027 398 3626

Email

Website address

d. Preferred means for formal correspondence ☐ Mail ☒ Email ☐ Fax

e. Status of applicant

- | | | |
|---|--|--|
| <input type="checkbox"/> Natural Person | <input type="checkbox"/> Local Authority | <input type="checkbox"/> Body Corporate to which Section 28(1)(b) of the Act applies |
| <input checked="" type="checkbox"/> Private Company | <input type="checkbox"/> Trustee | <input type="checkbox"/> Manager under the Protection of Personal & Property Rights Act 1988 |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Public Company | <input type="checkbox"/> Government Department or other instrument of the Crown |
| <input type="checkbox"/> Club | <input type="checkbox"/> Licensing Trust | <input type="checkbox"/> Board, organisation, or other body to which section 28(1)(f) of the Act applies |
| <input type="checkbox"/> Community Trust | | |

f. Is there an existing licence held for the premises or conveyance concerned?

☐ No ☒ Yes State type of licence.....Number 022/ Renewal/7326/2020

Deposit Fee: \$350.00

Note: This is a deposit only (An invoice for the outstanding balance will be sent to the applicant once the correct weighting category has been selected. The outstanding balance is required to be paid prior to the licence being issued.

(for office use)	LIQL	
	Application <u>LL 8766</u>	Premise No
Date received (date stamp)	Receipt	Contact ID

1. Applicant Details (Continued)

- g. Have your or any business partners been convicted of any offence?

☐ Yes☒ No

If Yes, what are the details of each offence?

(NOTE: You are entitled to protection under the Criminal Records (Clean Slate) Act. Disclose only convictions not eligible for concealment under the Clean Slate Act)

Name	Nature of Offence	Date of Conviction	Penalty Suffered
.....
.....
.....
.....

(NOTE: Continue on a separate page if necessary and attach to this application)

- h. Is this the applicant's first licensed premises?

☐ Yes☒ No

If yes, has the applicant prepared a financial plan for the business?

☐ Yes☐ No**Select one of the following (Numbered 2 – 5):****2. Further Details Where Applicant is a Company**

- a. Date of incorporation 3.12.18

- b. Full details of each Director and the Secretary

Name	Address	Date of Birth	Place of Birth	Position Held
Bye Alister Peter Ross	15.4.58	Auckland	Director
.....
.....
.....
.....

3. Further Details where Applicant is a Private Company

- a.
- ☐
- Authorised capital
- ☒
- Paid-up capital

- b. Full details of each person issued by the company

Name	Date of Birth	Place of Birth	Position Held	Face value of shares
Bye Alister Peter Ross	15.4.58	Auckland	Director	\$1.00-
.....
.....
.....
.....

4. Further Details where Applicant is a Public Company

- a. Full details of each person who holds 20% or more of the shares, or any particular class of shares, issued by the company

Name	Address	Date of Birth	Place of Birth	Position Held
...../...../.....
...../...../.....
...../...../.....
...../...../.....
...../...../.....

5. Further Details Where Applicant is a Partnership

- a. Full details of each partner as follows

Name	Address	Date of Birth	Place of Birth	Signature
...../...../.....
...../...../.....
...../...../.....
...../...../.....
...../...../.....

6. Premises Details (If not conveyance)

- a. Existing trading name for premises *La Vie en Rose Cafe & Tapas*
 Proposed trading name for premises *La Vie en Rose Cafe & Tapas*
 Address of licensed premises *22 Wilson Rd. Warkentin Beach*

- b. Is a licence sought conditional upon construction or completion of building work? ☐ Yes ☒ No

- c. Do you own the proposed licensed premises? ☐ Yes ☐ No

If no:

- (i) Full name of the owner *[Redacted]*

Full address of the owner *[Redacted]*

- (ii) What form of tenure of the premises will you have? *Lease*

What term of tenure will you have? *15 years*

7. Conveyance Details

- a. Type of conveyance (e.g. ship, bus, railway carriage, etc)

.....

- b. Do you own the proposed conveyance? ☐ Yes ☐ No

If No:

- (i) Full name of owner

Full address of owner

- (ii) What form of tenure of the conveyance will you have?

What term of tenure will you have?

- c. What is the registration number of the conveyance (where applicable)?

- d. What is the home base address for the conveyance?

Page 3 of 7

8. Conveyance Details (Continued)

e. Any name used or proposed for conveyance?

f. Is a licence sought conditional upon completion of building work? ☐ Yes ☐ No

If yes, state details:

9. Designated Areas

a. What part (if any) of the premises do you intend should be designated as

(i) A restricted area

(ii) A supervised area

(iii) An undesignated area (specify reason) *The whole premises*

10. Business Details

a. What is the general nature of the business to be conducted on the premises if the on-licence is granted?

☐ Hotel ☐ Tavern/Night Club ☒ Restaurant/Café bar ☐ Entertainment venue

☐ Other, please state

b. Is the sale of liquor intended to be the principal purpose of the business? ☐ Yes ☒ No

If no:

What is intended to be the principal purpose of the business? *fusion of food & beverage of mixed and equal proportions: tapas, cfo, kebab*

c. Do you intend to sell or provide any goods and services other than liquor and food? ☐ Yes ☒ No

If yes, what is the nature of those other goods and services?

d. What days and hours do you intend to sell liquor under the licence? (The days and hours should reflect the entire hours you intend to operate your business and should be no greater than what was applied for on your Certificate of Compliance)

Days *7 days* Hours From *0900h* To *0100h*

11. BYO Endorsement for Restaurant/Café Bar

a. Is this application for a BYO only on-licence, under Section 37 of the Act? ☐ Yes ☒ No

12. Conditions

a. What provision do you intend to make for the sale and supply of (please describe type and range)

- (i) Food *Full all day menu unrestricted supply of food breakfast morning tea lunch afternoon tea dinner supper*
 (ii) Non-alcoholic refreshments *Full range of coffee, tea, hot drinks cold drinks & water*
 (iii) Low-alcohol beverages *Low alcohol beer*

b. To what extent and where is drinking water intended to be freely available to patrons?

At all times on counter & tables

If there is no access to mains water supply, describe the potability of water intended to be available

c. What steps do you propose to take to ensure that the requirements of the Act in relation to the sale of liquor to prohibited persons are observed?

Request proof of ID age, signage (age, intoxication) host responsibility policy

d. In the event that evidence of age documents is required, what documents will you request?

NZ or overseas passport, NZ Drivers License Approved 18 Evidence of Age Card. All with photo for positive ID.

e. What steps do you propose to take to provide assistance with or information about alternative forms of transport from the licensed premises?

Taxi numbers available for patrons

f. What other steps do you propose to take aimed at promoting the responsible consumption of liquor?

Host responsibility policy: do not promote excessive consumption, no discounting alcohol, all times food available with water non & low alcohol beverage

g. What other systems (including training), and what staff are to be or will be in place for compliance with the Act?

Pay for staff to have Manager's Certificate train staff to understand The Act & its application to prohibited persons

(Continued over)

12. Conditions (Continued)

- h. Has the applicant considered the neighbouring land use in the immediate area?

☒ Yes ☐ No

Activities (such as amplified music) are likely to create adverse effects on neighbouring land use. What actions does the applicant intend to take to mitigate any adverse effects?

No noise to emanate from the premises

- i. What experience and training has the applicant had?

13. Management of Premise

At all times when liquor is being sold or supplied to the public, a manager (appointed under Section 218 of the Sale and Supply of Alcohol Act) must be on duty.

- a. How many managers have been/will be appointed?
- 3*

- b. Manager details:

Name	Address	Date of Birth	Certificate No.	Expiry Date
<i>Byron Davis</i>	[REDACTED]	<i>15.12.158</i>	<i>12/CERT/14/2022</i>	<i>27.6.25</i>
<i>Sue Spiers</i>	[REDACTED]	<i>9.14.168</i>	<i>022/CERT/7904/2020</i>	<i>1.8.23</i>
<i>Liz Travers</i>	[REDACTED]	<i>2.8.75</i>	<i>Appln Pending</i>	

- c. If no managers have yet been appointed, what is your proposal relating to Section 214 of the Sale and Supply of Alcohol Act requiring a manager to be present at all times?

14. Signature of Applicant

- a. Before signing the application, please refer to and complete the check list at the end of this form.

- b. Applicant's signature (must be signed by the applicant personally)
- [Signature]*

Date *14.11.22*

• Please note – If applying as a company, please indicate your relationship to the company, eg Director, Secretary

Relationship *Co. Director* Name *Byron Davis*

"Pursuant to the Privacy Act 1993 the following is brought to your attention: The personal information contained in this form is being collected to assist Council and other agencies in processing your application and may be made available to the public as part of the process. You do have the right of access to, and correction of, this information subject to the provisions of the Privacy Act 1993"



**Western Bay of Plenty District Council
Policy, Planning and Regulatory Services Group
Certificate of Compliance Pursuant to Section 139
Resource Management Act 1991**

RC 11307L
P/1827/254/2

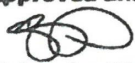
31 January 2019

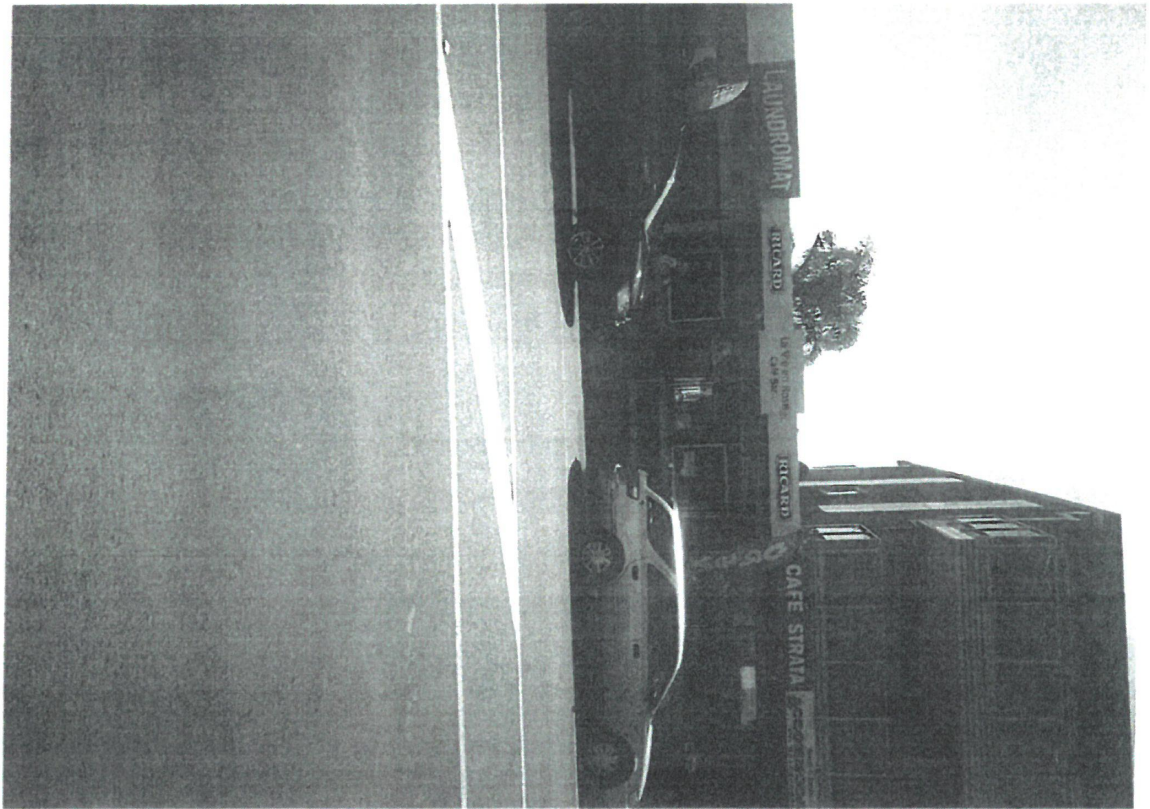
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|----------------------------|---|
| 1. Applicant | Bevin Limited |
| 2. Location of Property | 22 Wilson Road, Waihi Beach |
| 3. Legal Description | Lot 29 Deposited Plan 37325 |
| 4. Zone | Commercial |
| 5. District Plan | Western Bay of Plenty Operative District Plan 2012 |
| 6. Description of Activity | To sell liquor on site. For a "ON Licence" in accordance under the Sale and Supply of Alcohol Act 2012, for the premises known as "La Vie en Rose Waihi Beach".
The hours of operation:
Monday to Sunday from 6:30am to 1:00am. |
| 7. Statement of Compliance | |

On 18 December 2018, the day this application was received, the activity described above is a permitted activity under the Western Bay of Plenty Operative District Plan (Rule 19.3.1(d)), the relevant provisions of which are beyond the stage they can be affected by submission or appeal.
Please ensure that the conditions of consent are complied with for the land use consents attached (RC4776 & Rc4476v01).


Jody Schuurman
Resource Management Technical Advisor
Date: 1st February 2019

Approved under Delegated Authority


Christopher Watt
Environmental Consents Manager
Date: 4th February 2019



Insalada Rusa (Spanish Cold Russian Salad)

Gazpacho (Cold Summer Soup from Andalucia)

Croquetas de jamon (Spanish ham croquettes)

Market produce varieties from time to time, olive oil, pan (bread) accompanies all plates.

[REDACTED]

10th December 2018

With this letter, I, [REDACTED] on behalf of the partnership [REDACTED]
[REDACTED] that is Landlord of 20/22 Wilson Road, Waihi Beach give Bevin Ltd permission to sell
alcohol on our premises.

Regards,

[REDACTED]

[REDACTED]

[REDACTED]



Certificate of Incorporation

BEVIN LIMITED
7160573
NZBN: 9429047168886

This is to certify that BEVIN LIMITED was incorporated under the Companies Act 1993 on the 3rd day of December 2018.

A handwritten signature in black ink, appearing to read "D. Smith".

Registrar of Companies
3rd day of December 2018



Toi Te Ora
Public Health Service
BAY OF PLENTY DISTRICT HEALTH BOARD
Serving Bay of Plenty and Lakes Districts

Sale and Supply of Alcohol Act 2012
**Public Health Questionnaire for On-licence and
Club Licence Applications**
"Section 4: Object of the Act"

The object of the Sale and Supply of Alcohol Act 2012 is

(1) The object of this Act is that—

- (a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*
- (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

(2) For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes—

- (a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and*
- (b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).*

This questionnaire helps ensure that licensees meet the requirements of the Sale and Supply of Alcohol Act 2012 in relation to the public health consequences of alcohol use, such as alcohol-related health problems and preventable death or disability from alcohol-related motor vehicle crashes.

This questionnaire will enable the completion of the Medical Officer of Health report on your licence application. Your licence application cannot be processed without completion of this questionnaire.

This questionnaire should be completed by the licensee/applicant and not a consultant

To be completed & returned by / /

To complete our files please include copies of the following when returning this questionnaire.

- ☒ Current Menu (including prices)
- ☒ Host Responsibility Policy/Statement or alcohol management plan
- ☒ Staff Training Policy

Please return to:

Toi Te Ora – Public Health, PO Box 2120, Tauranga 3140

Attn: Trieste Ngawhika

0800 221 555

Application detailsName of Licensed Premises: La Vie on Rose Whisk BeachName of applicant: ~~Bryce Bevin Ltd~~ Bryce Bevin LtdAddress: [REDACTED]Postal address (if different from above): [REDACTED]Email address: [REDACTED]Name of person(s) who is / are responsible for day-to-day management of the Sale of Liquor for premises: Bryce BevinContact phone number: [REDACTED]Hours of operation: 0900h - 0100h**Application for:**On licence ☒Club Licence ☐On (BYO) Licence ☐**Type of application**New ☒Renewal ☒**Premises type:**Restaurant ☐Conveyance ☐Tavern ☐Short Stay Hostel ☐Hotel ☐Entertainment Centre ☐Club ☐Wine Bar ☐Nightclub ☐Motel ☐Other Cafe & Tapas Bar

Host Responsibility

- a. Do you have a written policy on host responsibility or an Alcohol Management Plan?
If yes, please attach a copy. Yes ☒ No ☐
- b. Is it displayed for your patrons? Yes ☒ No ☐
- c. Is there a Host Responsibility implementation plan? Yes ☒ No ☐
- d. Do you require further information on host responsibility guidelines? Yes ☐ No ☒

Staff Training

- a. Do you provide training to staff on their responsibilities for host responsibility? Yes ☒ No ☐
If yes: In-house training by whom *Byce Bever*
Courses Provided by
- b. How do you monitor the performance of staff in relation to their responsibilities under the Sale and Supply of Alcohol Act 2012?
Trainings and meetings and assistance while on-the-job working together. Close support, guidance and backing.
- c. Do you have an incident register or incident log for recording events such as fights, ejections and attempts to purchase by minors and intoxicated persons? Yes ☒ No ☐

Intoxicated Patrons

- a. How do you prevent intoxicated people from entering your premises?
Talk to them quietly outside the premises & explain your situation and concern about the customer's condition.
- b. How do you identify if a person is becoming intoxicated?
Observe their speech, coordination, appearance, control of bodily functions, behaviour & use the traffic light system.
- c. What steps do you take to ensure that patrons do not reach a state of intoxication?
Offer alcohol - the low alcohol drinks; offer plenty of food (solid food), serve alcohol responsibly, follow the traffic light system.
- d. Do you display signage stating that intoxicated patrons will not be served alcohol? (This signage can be provided by the Public Health Service) Yes ☒ No ☐

Minors

- a. What identification do your staff accept to identify minors and prevent them being served alcohol?

NZ photographic drivers licence Yes ☒ No ☐

NZ or overseas passports Yes ☒ No ☐

HANZ 18+ card Yes ☒ No ☐

Other forms of ID – please describe

..... *Must have photo for positive ID.*

- b. Do you display signage stating alcohol will not be sold to minors or that patron who appear under 25 years will be asked for ID?

Yes ☒ No ☐

- c. Are staff aware of their responsibilities under the Sale and Supply of Alcohol Act 2012 for breaches regarding supply of alcohol to minors?

Yes ☒ No ☐

Safe Transport Options

- a. How do/will you provide access to safe transport for those patrons who are not safe to drive?

Public telephone access Yes ☒ No ☐

Staff will telephone for transport Yes ☒ No ☐

Subsidised taxi scheme available Yes ☐ No ☐

Signage for dial-a-driver/taxis clearly displayed Yes ☒ No ☐

Courtesy van Yes ☒ No ☐

Other:

- b. Do you promote non-drinking or a designated driver scheme (e.g. free non-alcoholic drinks for drivers)?

Yes ☒ No ☐

If Yes, please describe

..... *Signage for free non-alcoholic drinks for drivers.*

Alcohol Promotion

- a. Do you run promotions offering reduced price liquor (e.g. happy hours, give-aways, 2 for 2 deals, etc)?

Yes ☐ No ☒

- b. Do you run promotions offering alcohol in non-standard measures? Yes ☐ No ☒
- c. Do you run promotions offering alcoholic drinks which by virtue of their descriptive titles encourage excessive consumption of alcohol (e.g. shooters/slammers/blasters)? Yes ☐ No ☒
- d. Describe the type and duration of your promotions:

Food

- a. Food slows the rate of absorption of alcohol and a minimum of three types of food should be available at all times – this does not mean three types of pie. Nuts and crisps are not sufficient. Please provide a menu or list the range of foods available while alcohol is sold.

Menu attached.

- b. Please state the times food is available.

- c. Food must be actively promoted. How do you promote the availability of food?

Menu Yes ☒ No ☐

Blackboard Yes ☒ No ☐

Signs Yes ☒ No ☐

Other: *Display cabinets of food also.*

Low and Non-alcoholic Drinks

- a. List the range of low alcohol (less than 2.5% alcohol) beverages that are available.

Low alcohol beer

- b. How are they promoted?

Displayed prominently

- c. Is water freely available at all times at no cost Yes ☒ No ☐

Entertainment

- a. What entertainment is offered on your premises?

Television and stereo

Smoke-free Environments Act 1990

Since 10 December 2004 it has been an offence to permit smoking in the internal areas of licensed premises. The licensee is required to take all reasonable practicable steps to prevent people smoking inside.

- a. Do you display signage at all entrances to your premises indicating that smoking is not permitted inside? Yes ☒ No ☐
- b. Do you have a policy for dealing with patrons who smoke in internal areas? Yes ☒ No ☐
- c. Do you have an outdoor smoking area? Yes ☒ No ☐
- d. Is this enclosed *Drunk Room* Yes ☒ No ☒
- e. If you have cigarette-vending machines, are they in view of the bar staff and operated by a remote control device? Yes ☐ No ☐
- f. Are all points of sale (including vending machines) marked with a Smoking Kills sign as required under the Smoke-free Environments Act 1990? Yes ☒ No ☐

All applications filed after 18 June 2013 require the Agency to take into account the criteria of the Sale and Supply of Alcohol Act 2012 (section 105).

To support your application, please supply the information required and answer the questions listed in this form.

Scale Floor Plan

Provide a scale floor plan which also shows the design and layout of the premises.

This should include: (identifying your principal entrance)

- Seating and tables
- A list of facilities, ie bar, toilets, stage, etc.
- CCTV placement
- Security lighting

Also, for Off-Licences:

- A description of your product types, where they are displayed and stored.

1. The reporting agencies must consider any effects the issue of the licence will have on amenity and good order - please answer the following:

For all licences:

- a) Advise proximity of all childcare centres, schools and churches within 500m - a site plan would assist.

~~Church at 200m.~~ Church at 200m.

- b) How many residential neighbours would you have within 50 metres?

0

- c) Security - what security systems do you have and state location (outdoor lighting, indoor/outdoor CCTV, other)?

Outdoor lighting

- d) Internal layout - can the entire premises be seen by the cashier? Is there good visibility in the cool store areas (Off-Licence)? Where there are blind spots, are mirrors or CCTV installed? Is the internal lighting inside the premises suitable?

Entire premises seen by cashier with good lighting

- e) Windows - is there good visibility into and from the premises and the street?

Yes. Glass doors onto deck facing street.

- f) Lighting - does the lighting outside the premises discourage loitering? Does the lighting allow staff to check ID's, etc?

Yes and Yes.

- g) Security - will you employ security staff and when will they be used?

No because it is a very small cafe.

h) Security staff - how many security staff hold a Certificate of Approval and formal registration or qualification? If so what?

Additional Information required for On-Licence and Club Licences.

Noise

i) Explain clearly all types* of entertainment you will be providing and when (* amplified music or large crowd noise related).

Noise from TV & stereo will not exit the boundary.

j) Noise management - do you have a noise management plan or an acoustic report prepared by a suitably qualified and experienced Acoustic Engineer?

k) Noise mitigation - what mitigation will/is be/being undertaken (include any details regarding noise monitoring)?

Music will be background when only a few people + omitted when full

What outside / off premise advertising involving liquor will you be doing?

l) Newspaper/Magazine

None

m) Shop windows?

None

n) On your premises - roof/other?

None

o) Street/Footpath signs?

None

p) Social Media Sites i.e. Twitter/Facebook, Online Magazines, Websites, etc?

None

A copy or sample of your advertising would be of assistance

Systems and Staff Training

q) Are you involved in any mystery shopper type programmes?

No

r) What till prompt systems do you have regarding age checks?

POS

s) What staff training is provided with regard to Sale of Alcohol compliance and Host Responsibility practices - explain content, duration and how often this training is provided. *Initial & periodic training*

t) Please provide copies of any written material you supply to staff regarding staff training (attach to this form).

Workbook attached.

2. Marketing and Promotions	
a)	What percentage of the front windows will be clear and transparent? <u>80%</u>
b)	What is the target market for the business? <u>Adults 30-50 years old, families inter-generational.</u>
c)	What is your policy regarding pricing and promotions? <u>Moderate prices with no promotions</u>
d)	Will there be single sales (Off-Licence)? _____
Renewals Only	
e)	Have you had any complaints from the neighbours (including confirmed noise complaints) that you are aware of? <u>One in the first month. Clearers at night turned stereo on. Clearers advised. No repetition.</u>
f)	Has your business been subject to a Police controlled Purchase Operation (CPO)? If so, what were the results? <u>No</u>
g)	Have you or your business ever appeared before the Alcohol Regulatory and Licensing Authority? If so, for what reason? _____
3. The granting, or renewal, of this application will contribute to the Object of the Act by:	
•	Steps taken to ensure the sale, supply and consumption of alcohol will be undertaken safely and responsibly: <u>Training in the Act and practise of good best responsibility practices at all times</u>
•	The harm caused by the excessive or inappropriate consumption of alcohol will be minimised by: <u>Food is available, low and non-alcoholic drinks, free water, alternate to sport all day, table</u>
Any other comments you wish to make to support your application being determined: _____	

UNDERTAKING FROM LICENSEE

I Bye Alister Peter Berin.....(Full name) the Licensee*
for Berin Ltd.....

Acknowledge that I have read and understood each of the above questions and I agree to comply with the host responsibility measures outlined here throughout this next licensing period.

I also acknowledge that Public Health Liquor Licensing Officer, on behalf of the Medical Officer of Health, may visit my premises, from time to time, in order to undertake a Sale and Supply of Alcohol Act 2012 compliance check.

Signed: [Signature]..... Dated: 14.11.22.....

Position/Title: Licensee / Director.....

**In the case of a corporate this application is to be signed by the Operations Manager responsible for the premises / outlet.*

The submission of this Public health Questionnaire is not complete until it has been signed either by the Licensee or Operations Manager for the premises. The information contained within this Public Health Questionnaire may be shared with other Statutory Agencies, including Police, DLC or LLA, for the purpose of their enquires.

CLUBS ONLY

A Club Licence allows you to sell liquor to club members, accompanied guests and members of clubs with reciprocal visiting rights. How do you ensure that only these people are sold or supplied alcohol in your club?

.....

.....

.....

Are the premises used/hired by other organisations/individuals and what is the nature of this use? Are the bar facilities available for these functions?

.....

.....

.....

RENEWAL APPLICATIONS ONLY (question a. and b.)

a. Are you proposing any changes to the conditions of your current licence?

Yes ☐

No ☒

b. If yes please state what these proposed changes are, and why you want them?

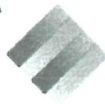
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ALL APPLICANTS

To complete our files please include copies of the following when returning this questionnaire.

- ☒ Current Menu (including prices)
- ☒ Host Responsibility Policy/Statement and /or Alcohol Management Plan
- ☒ Staff Training Policy



Western Bay of Plenty
District Council

Head Office Barks Corner, 1484 Cameron Rd, Greerton, Tauranga
Private Bag 12803, Tauranga Mail Centre, Tauranga 3143
Ph 07 571 8008 (24 hours) • F 07 577 9820
Free phone 0800 WBOPDC • 0800 926 732
E customerservice@westernbay.govt.nz
www.westernbay.govt.nz

New Zealand Fire Service Data Sheet (all applications)

Section 76 of the Fire and Emergency New Zealand Act 2017

In accordance with s.100 and s.127 of the Sale and Supply of Alcohol Act 2012, an application for an On, Off, or Club Licence, respectively, must be accompanied by a statement regarding the need for, or provision of, an Evacuation Scheme as required by section 76 of the Fire and Emergency New Zealand Act 2017

If you have any questions regarding an Evacuation Scheme for your premises please contact Luke Burgess (Fire Risk Manager, NZ Fire Service) at luke.burgess@fireandemergency.nz or Jon Rewi (Te Puke area) at jon.rewi@fireandemergency.nz

Please complete and then tick which statement applies:

The building, located at:

..... 22 Wilson Rd
..... Grahame Beach (address)

in which the premises known as

..... La Vie en Rose Café & Tapas Bar
..... (name of premises)

☒ has a current Fire Evacuation Scheme.

☐ does not require (by reason of its current use) an Evacuation Scheme.

☐ is exempt from having to meet the requirements for an Evacuation Scheme.

Signed: [Signature] Date: 14.11.22

Name: Boyle Benji

Please note, section 286 of the Sale and Supply of Alcohol Act 2012 outlines the provision for suspension of a licence for non-compliance with public health or fire precaution requirements.

A2622843



Staff Training Policy a Manual

Policy

On induction teach this manual
to staff.

	TYPE OF MANAGER	CONDITIONS
3	ACTING MANAGER	<p>Despite any other provision of this Act, a licensee may appoint an Acting Manager—</p> <p>(1) for any period not exceeding 3 weeks at any one time where a Manager is unable to act because of illness or absence; and</p> <p>(2) for periods not exceeding in the aggregate 6 weeks in each period of 12 months to enable a manager to have a vacation or annual leave.</p> <p>(3) Every person appointed as an acting manager in accordance with this section must, while the appointment continues, be deemed for the purposes of this Act to be the holder of a Manager's Certificate, and it is not necessary for that person to apply for or hold a Manager's Certificate.</p>

HOST RESPONSIBILITY

Four conditions that a Duty Manager has to meet to fulfil their requirements in regards to host responsibility are:

1. Food is available
2. Low and non-alcoholic drinks are available
3. Availability of free water
4. Alternative transport is available.

DESIGNATIONS

Descriptions of who may be in the area of a licensed premise are provided below:

Descriptions of areas in relation to this Act:

- **Restricted** – An area where persons under 18 years of age are not allowed.
- **Supervised** – An area where persons under 18 may only be present if accompanied by their parent or legal guardian.
- **Undesignated** – Regardless of age, anyone not otherwise prohibited may be present.

WHEN IS A DUTY MANAGER REQUIRED TO BE PRESENT ON SITE?

As part of legislative requirements and conditions the Manager on duty needs to be present at all times when the licensed premise is open to the public for the sale and supply of liquor.

OFF-LICENCE CONDITIONS, SIGNAGE DISPLAY, PROHIBITED PERSONS, CIRCUMSTANCES FOR ACTING MANAGER

OFF-LICENCE MANDATORY CONDITIONS

One of the mandatory conditions imposed on an off-licence is that they are unable to trade on Good Friday/ Easter Sunday, Christmas Day and up to 1 pm on ANZAC day.

SIGNAGE DISPLAY

The two types of licences that are not required to display the trading hours for the premises on its principal entrances are:

1. Club licence
2. Special licence.

The holder of an on-licence, an off-licence and club-licence must ensure that at all times a copy of the licence, together with a statement of all conditions, subject to which it is issued, is displayed on their principal entrance.

PROHIBITED PERSONS IN RELATION TO THIS ACT

The following persons are defined as prohibited in relation to this Act:

1. Minors - below the age of 18 years
2. Intoxicated - a person under the influence of alcohol. Also, any person to whom liquor cannot be sold, pursuant to the licence, such as a non-club member etc.
3. Trespassed - those individuals that have been barred or have a trespass order against them.

CIRCUMSTANCES WHEN AN ACTING MANAGER WOULD TAKE THE PLACE OF A DUTY MANAGER

In the event of taking leave such as a holiday, business trip or other occasion that requires the Duty/ General Manager to be away for a period of time longer than 48 hours at a time.

PRACTICES OF A RESPONSIBLE DUTY MANAGER, APPLYING AND RENEWING OF LICENCES, TEMPORARY AUTHORITY, SPECIAL LICENCES

PRACTICES THE DUTY MANAGER SHOULD FOLLOW TO PROVIDE RESPONSIBLE SERVICE OF ALCOHOL WHEN SERVING ALCOHOL TO THE PUBLIC

- Always check the ID before serving
- Do not refill automatically
- Do not promote excessive consumption
- Always serve food before and during the service of alcohol
- Always adhere to the conditions of the licence

PROCEDURE FOR APPLYING FOR ALL LICENCES OR RENEWING AN EXISTING LICENCE IN TERMS OF THE ACT

APPLYING

Apply to the DLC on a prescribed form with applicable fees.

Within 10 working days after filing the application, ensure that notice of the application in the prescribed form is attached in a conspicuous place on or adjacent to the site to which the application relates; and within 20 working days after filing the application, give public notice of the application.

DLC issues the licence if no objections are received from the Police, Health Authorities, Licensing Inspectors or member/s of the public having greater interest.

RENEWALS

Renewals must be filed with the same DLC and within 20 days of original licence expiring.

UNIT STANDARD 16705

HOST RESPONSIBILITY

Serving alcohol responsibly is the prime role of the "Host" and for all legal and practical purposes of this Act the "Duty Manager" is considered as the "Host". The person playing the role of the Duty Manager is responsible for every aspect of the licensed premises' overall operation which includes the safety and wellbeing of the customers, the employer, the community and him/herself.

ALCOHOL AND ITS CHEMICAL COMPOSITION

The nature of alcohol is identified and explained in terms of its chemical composition. Alcohol is a **legal drug and also is a depressant**. Its chemical name is Ethanol or Ethyl alcohol; Chemical composition is C_2H_5OH .

Liquor containing **1.15% or more alcohol** by volume will require a licence to be sold in this country with few exceptions.

Low alcoholic beverages include light beers (.9%) which do not require a licence to be sold. Supermarkets can sell alcoholic beverages such as wines, beers, sparkling wines, cider, mead and unfortified wines only.

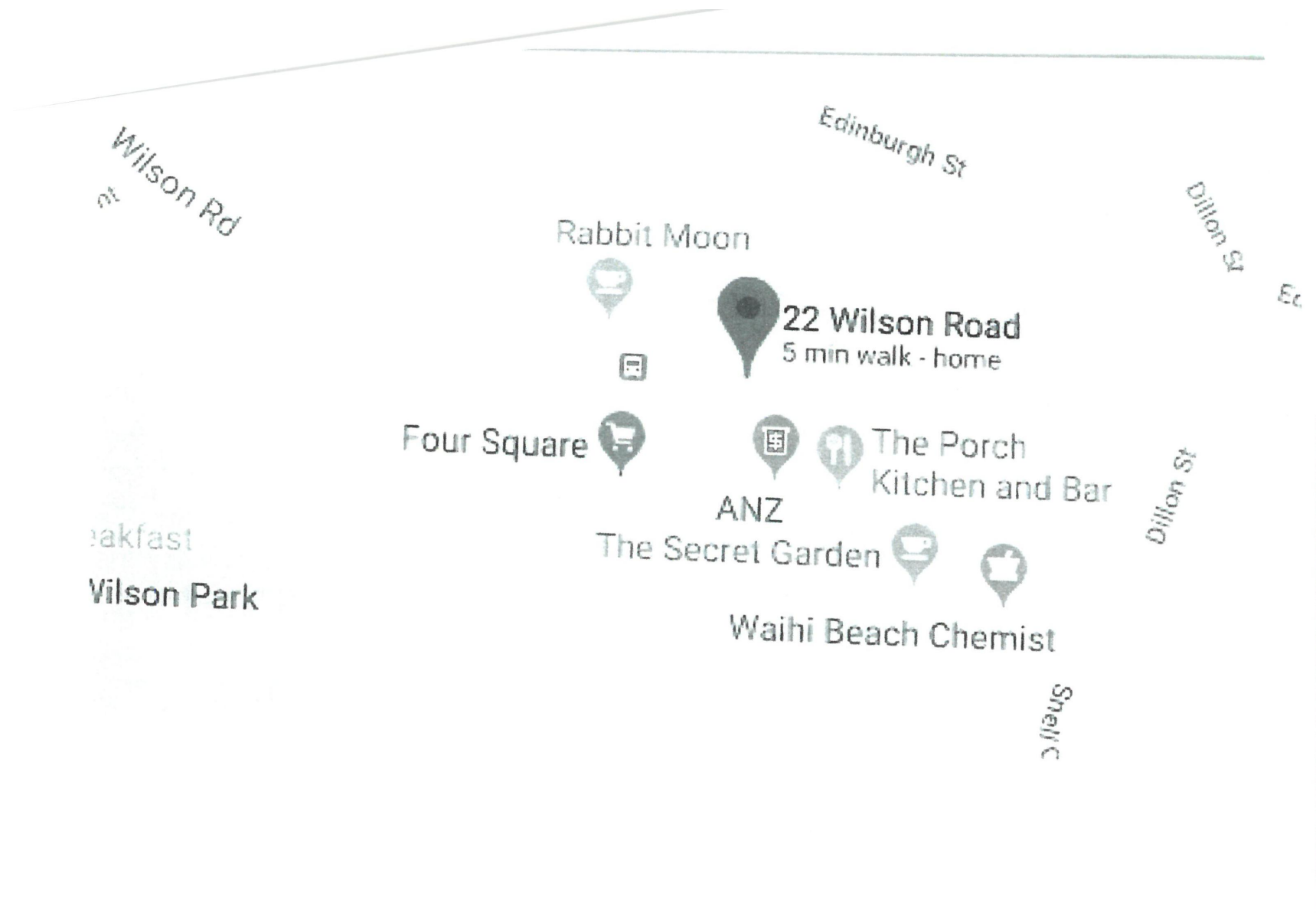
ABV above 14.33 % is generally described as spirits. That is why only bottle stores will sell the complete variety of alcoholic beverages.

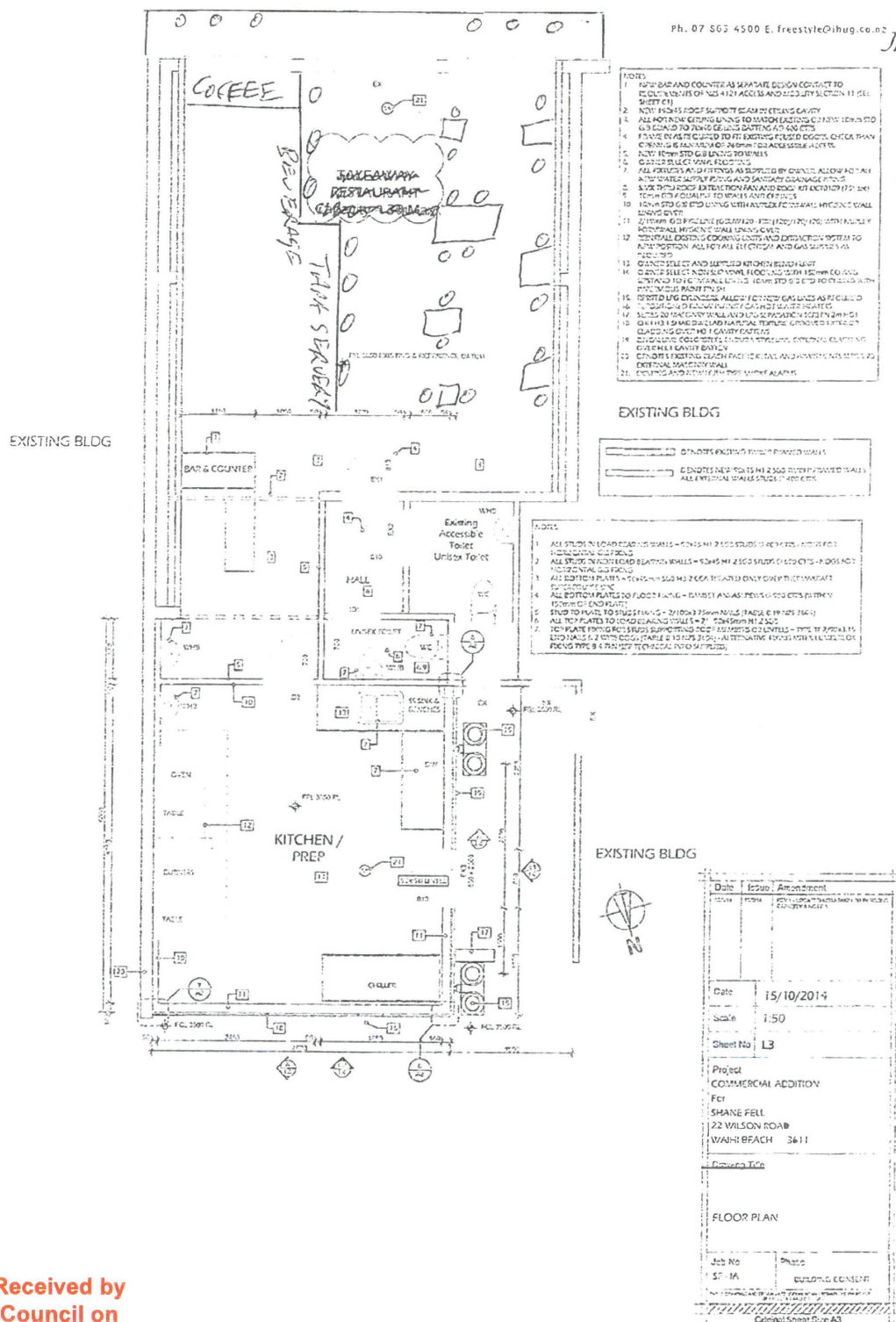
The bodily system that is most affected by the chemical impact of alcohol is the central nervous system.

EFFECTS OF ALCOHOL ON PEOPLE

Alcohol affects our body systems. Alcohol's direct action on the brain is as a depressant. It generally decreases the activity of the nervous system. One could ask how it could be a depressant if after one or two drinks a person tends to talk more and become more active. The answer is that alcohol can cause disinhibition, i.e. it depresses the cells and circuits in the brain that are normally inhibitory, causing you to have less inhibition.







Received by
Council on
13 November
2022



Certificate No. 022/CERT/7944/2020

Notice of Renewal of Manager's Certificate
Section 226, Sale and Supply of Alcohol Act 2012

To: **SUSAN MOANA SPIERS**


Your manager's certificate is renewed.

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 managers' certificates, this certificate expires on

01 August 2023

unless again renewed.

DATED at Tauranga on the 28th day of July 2020.


Secretary, District Licensing Committee
Western Bay of Plenty District Council





Managers Certificate – Form 18

Doc: M3253945 / 022.2018.00004017.001

Hauraki District Licensing Committee

Certificate No. 12/CERT/44/2022

Section 217, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012, **Bryce Alister Peter Bevin** is authorised to manage any licensed premises in respect of which a licence is in force.

Subject to the requirements of the Act relating to fees, and to the provisions of the Act relating to the suspension and cancellation of managers' certificates, this certificate continues in force—

(a) either—

- (i) until the close of the period for which it was last renewed; or
- (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but

(b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—

- (i) **until the close of the period of 3 years after the period for which it was last renewed; or**
- (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Dated at: Paeroa, this 8th day of August 2022

A handwritten signature in black ink, appearing to read 'P. Bevin'.

Delegated Secretary
Hauraki District Licensing Committee

Certificate Expiry: 27 June 2025

LA VIE EN ROSE CAFÉ AND TAPAS BAR WAIHI BEACH**HOST RESPONSIBILITY POLICY**

The management and staff of La Vie en Rose have a responsibility to provide an environment where alcohol is served and consumed responsibly.

- We always provide and actively promote a good range of food available for sale and menus are always visible
- We provide and actively promote a range of low-alcohol and non-alcohol drinks
- Iced water is attractively presented and available free of charge at all times
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for ID like a driver's licence, passport or 18+ Evidence of Age card.
- Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises and will be encouraged to take advantage of safe transport options.
- Our policy is zero tolerance for aggressive, coercive or violent behavior.
- We promote a range of transport options to get you home safely including a courtesy car, taxi calls and dial-a-driver options
- We encourage people to have a designated driver and provide a range of alcohol-free drinks
- We make sure all of these services are well-promoted and visible
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly

Please be our guest and take advantage of the services we offer. We pride ourselves on being responsible hosts.

Bryce Bevin – your host

LA VIE EN ROSE WAIHI BEACH MENU**ALL DAY TAPAS**

Manana (morning): patisserie – croissants, pan au chocolat, brioche, muffins, scones, bacon and egg English muffins, toast and jams and marmalade, fruit salads, juices, red and green smoothies, cereals and yoghurts,

All \$5-

Manana – tarde(morning - afternoon): lunch boxes, baguettes, rolls, sandwiches, wraps, quiche, pies, savouries, skewers, sweets and cakes, fresh fruit salads

\$7-

Mediodia – noche (midday – night):

All \$10-

Croque Monsieur (French toasted sandwich with ham, gruyere and fresh cream)

Tortilla Espanola de Patata (Spanish Potato Omelette)

Tortilla de Champignon (Mushroom Omelette)

Albondigas (Spanish meatballs)

Gambas al Ajillo (Spanish garlic shrimp)

Paella de mariscos, pollo, carne(Classic Spanish rice dish with seafood, chicken and lamb varieties)

Pulpo Gallego(Galician grilled octopus)

Boquerones en vinagre (Fresh sardines marinated in vinegar, oil and garlic)

Tigres o Mejillones Rellenos (Mussels stuffed, breaded and fried)

Patatas Bravas (Spanish potato bites in paprika aioli)

Calamares a la romana (Spanish fried squid rings)

Jamon chorizo y queso con pan (Spanish hams, chorizos and cheeses with baguette)

TECHNIQUES TO IDENTIFYING INTOXICATION LEVELS OF PATRONS

By observing the following the Duty Manager and serving staff can help to maintain a responsible drinking environment and help to distinguish those patrons that maybe reaching amber/orange or red light status.

- Speech
- Coordination
- Appearance
- Control of bodily functions
- Behaviour

TRAFFIC LIGHT SYSTEM

The traffic light system is a good tool to relate to the stages of intoxication.

GREEN LIGHT	Go ahead and serve
AMBER LIGHT	Watch and intervene in the service by providing water and promoting food
RED LIGHT	Alcohol service must be stopped and safe exit planned

Server intervention begins “as soon as the customers arrive” in a fully-licensed premise.

Server intervention starts as soon as a customer arrives, while they are still in the ‘green light’ zone. It is then escalated to the next level if you feel that the customer is drinking too fast or is out to get drunk.

Here are ways you can **slow down the consumption of alcohol.**

SERVER INTERVENTION AND SUBSTITUTION TECHNIQUES

The following are examples of some techniques and how they could help with limiting intoxication in a licensed premise.

SLOWING SERVICE.

Explanation:

By limiting the amount of alcohol that a patron can consume, will have an effect on the amount of alcohol present in the patron's system.

BEING BUSY ELSEWHERE.

Explanation:

Extending the time between drinks will help to decrease the amount of alcohol in a patron's system.

SELLING ALTERNATIVES

Explanation:

Selling alternative low/ non-alcoholic drinks will ensure less alcohol is in the patron's system.

The Duty Manager is considered the "Host" in a licensed premise.

SIX KEY CONCEPTS OF HOST RESPONSIBILITY

The following points would need to be included in your "Host responsibility policy" for your licensed premise:

- 1. Offer alcohol-free and low-alcohol drinks.**
- 2. Offer plenty of solid food.**
- 3. Serve alcohol responsibly.**
- 4. Do not serve unauthorised people.**
- 5. Follow the conditions of your licence.**
- 6. Make sure you offer an alternate form of transport to get them home safe.**

Staff training would be one way that you could implement a "Host responsibility policy" in your premises.

PROHIBITED PEOPLE, TECHNIQUES FOR DEALING WITH PROHIBITED PEOPLE

DEALING WITH PROHIBITED OR INTOXICATED PEOPLE

As part of your role as a Duty Manager you may also have to deal with an intoxicated person.

Some of the rules are:

- Do not embarrass your customer by talking to them loudly and in front of others.
- Be firm but show courtesy.
- Explain your situation and show concern about the customer's condition.
- Communicate with other team members and let them know the situation.
- Be alert and never touch a customer – be very aware of his/her body language.
- Support your staff's decisions.
- Use peer pressure from other customers to reinforce your position.
- Do not make it appear as if it is personal.
- Do not forget the Human Rights Act.
- Always mention any non-routine event in the log book.

TECHNIQUES FOR DEALING WITH PROHIBITED PEOPLE

The following six techniques would effectively deal with a prohibited person whilst maintaining customer and staff safety.

VERBAL COMMUNICATION

Clear and concise verbal communication, in a non- threatening manner will help to not escalate the situation.

USE OF SECURITY PERSONNEL/ LICENSED CROWD CONTROL

Security personnel are trained to deal with difficult situations and have skills to ensure that a prohibited person can be exited from the premises as smoothly as possible.

BODY LANGUAGE

Open and non-threatening body language will help to not intensify the situation.

POLICE INTERVENTION

Police are trained to handle difficult situations. They are also able to arrest or penalize a patron, if required.

LOG BOOK OR INCIDENT BOOK

A log book will help with communicating potential problem customers to the whole team who may work different shifts and it will also provide evidence of patterned behaviour.

TRESPASS NOTICE

Having a trespass notice in place against a customer, ensures that the customer is not allowed by law to enter the premises.

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- Iced water is attractively presented and available free of charge at all times
- It is against the law to serve alcohol to minors. If we are in doubt about your age, we will ask for ID like a driver's licence, passport or 18+ Evidence of Age card.
- Customers who are visibly intoxicated will not be served alcohol, will be asked to leave the premises and will be encouraged to take advantage of safe transport options.
- Our policy is zero tolerance for aggressive, coercive or violent behavior.
- We promote a range of transport options to get you home safely including a courtesy car, taxi calls and dial-a-driver options
- We encourage people to have a designated driver and provide a range of alcohol-free drinks
- We make sure all of these services are well-promoted and visible
- We maintain a training and management policy to give our staff the skills and support they need to do their job responsibly

Please be our guest and take advantage of the services we offer. We pride ourselves on being responsible hosts.

Bryce Bevin – your host

LA VIE EN ROSE WAIHI BEACH MENU

ALL DAY TAPAS

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Patatas Bravas (Spanish potato bites in paprika aioli)

Calamares a la romana (Spanish fried squid rings)

Jamon chorizo y queso con pan (Spanish hams, chorizos and cheeses with baguette)

Insalada Rusa (Spanish Cold Russian Salad)

Gazpacho (Cold Summer Soup from Andalucia)

Croquetas de jamon (Spanish ham croquettes)

Market produce varieties from time to time, olive oil, pan (bread) accompanies all plates.

Alcohol's action on the brain produces a number of behavioural effects. These effects are dependent upon:

1. How much and how fast alcohol is consumed.
2. The gender of the person.
3. The age of the person and tolerance levels.
4. Whether other drugs are being taken at the same time.
5. The previous drinking history of the individual.
6. The physical state of the person doing the drinking e.g. body weight.
7. The genetic background of the individual e.g. ethnicity.
8. The mood and psychological makeup of the individual at the time.
9. The environment where alcohol is taken.

Over 90% of the alcohol is processed by the liver for it to be eliminated from the body and this is done at a set rate of one standard drink per hour = 10 gms of alcohol per hour, given the same environment and same amount of alcohol. Two examples of varying effects of alcohol on people would be:

- Younger person compared with older person with the same body weight: Older person is more affected by alcohol as their metabolism is slower and their liver less effective.
- Men compared with women: Women will get intoxicated faster because, in general, women have more fat and less water in the body which will result in higher blood alcohol content (BAC) levels. Women absorb up to nearly 30% more alcohol into their bloodstream than men of the same height and weight who drink the same amount of alcohol.

FACTORS WHICH WILL HELP BRING DOWN THE BLOOD ALCOHOL CONTENT (BAC) LEVELS IN A PERSON WHO IS CONSUMING ALCOHOL

- Eating food, eating before drinking and while drinking
- Drinking slowly
- Drinking a smaller amount of alcohol

ALCOHOL ABSORPTION RATES IN PEOPLE

FACTORS IN ALCOHOL ABSORPTION

The following can reduce the **absorption rate of the alcohol in the blood stream**:

FOOD

Food, especially fatty foods, delays alcohol absorption by preventing it from making contact with the intestinal lining and diffusing it into the blood stream. That is why it is responsible practice to offer food before and during drinking by your customers.

WATER

The concentration of the drinks may have various effects on blood alcohol levels. The absorption rate of a drink depends on its strength. Alcohol is most rapidly absorbed when the concentration of the drink is between 10% and 30%. When the concentration of the drink is below 10%, its relatively low alcohol content slows down alcohol absorption by the body. Because of the larger volume of liquid consumed, the stomach empties more often, giving less time to absorb the alcohol. This shows that **diluting alcohol by increased amounts of water, decreases alcohol intoxication.**

CARBONATION

Co2 (carbon dioxide) works as a catalyst to speed up the absorption of alcohol. Therefore spirits mixed with soda or sparkling wines tend to have a quicker intoxication effect on people. **Carbonation increases pressure in the stomach, which helps force alcohol into the bloodstream via the stomach lining.** (Princeton University, n.d.)

INTERACTION OF DRUGS AND ALCOHOL

In medical terms, ethyl alcohol, or ethanol is the most popular psychoactive drug, and so if it is mixed with other drugs of the same or a different nature, unexpected things may happen.

Combining alcohol with other drugs - whether legal or illegal, will increase the effect of all the drugs in the body. The person will have higher and faster levels of intoxication and the mixing may cause adverse effects. It is not known how drugs will react when mixed together.

The combination of drugs with alcohol often leads to dangerous and unpleasant situations so it is advisable that as a Duty Manager you follow the golden rule "Do not serve a person if he or she is on medication".

Drugs could include the following:

Legal:	Aspirin/Sleeping pills/Tranquilizers/Prozac/Antidepressants/Antihistamines/Painkillers
Illegal:	P/ Speed/ Crank/ GHB/Ecstasy/Cannabis

LEGAL REQUIREMENTS, OFFENCES AND PENALTIES

Legal requirements, offences and penalties for the following groups of people:

MINOR

LEGAL REQUIREMENTS:

EXAMPLE ONE:	No service of alcohol to a minor/ underage person.
EXAMPLE TWO:	In a supervised environment a minor must be accompanied by their parent or legal guardian.

OFFENCE FOR NOT COMPLYING WITH LEGAL REQUIREMENT:

A licensee or manager of any licensed premises who sells or supplies alcohol, or allows alcohol to be sold or supplied, on or from the licensed premises to any person who is under the purchase age commits an offence.

PENALTY FOR NOT COMPLYING WITH LEGAL REQUIREMENT:

- a fine of not more than \$10,000
- the suspension of the licensee's licence for a period of not more than 7 days.

INTOXICATED PERSON

LEGAL REQUIREMENTS:

EXAMPLE ONE:	The licensee or a manager of any licensed premises who allows any person to become intoxicated on the premises commits an offence.
EXAMPLE TWO:	A manager of licensed premises who is intoxicated while on duty on the premises commits an offence.

OFFENCE FOR NOT COMPLYING WITH LEGAL REQUIREMENT:

A person who commits an offence against subsection (1) is liable on conviction.

PENALTY FOR NOT COMPLYING WITH LEGAL REQUIREMENT:

- A fine of not more than \$10,000: the suspension of the licensee's licence for a period of not more than 7 days.
- (2) A person who commits an offence against subsection (2) is liable on conviction to a fine of not more than \$4,000.

DISORDERLY PATRON**LEGAL REQUIREMENTS:**

EXAMPLE ONE:	Allowing disorderly conduct on licensed premises.
EXAMPLE TWO:	Allowing violent behaviour on licensed premises.

OFFENCE FOR NOT COMPLYING WITH LEGAL REQUIREMENT:

The licensee or a manager of any licensed premises who allows any violent, quarrelsome, insulting, or disorderly conduct to take place on the licensed premises commits an offence.

PENALTY FOR NOT COMPLYING WITH LEGAL REQUIREMENT:

A person who commits such an offence is liable on conviction to a fine of not more than \$10,000.

STAFF TRAINING, SUPPORT SYSTEMS

STAFF TRAINING

The following are aspects of staff training to maintain a safe drinking environment and to encourage Host responsibility in a licensed premise. Ensure staff:

- are aware of the Sale and supply of Alcohol Act 2012 and any subsequent amendments
- comply with the licence in respect of the premises
- follow the in-house Host responsibility policy
- conduct the premises to help with the reduction of alcohol abuse
- actively promote food, low and non-alcohol drinks and have alternative transport available.

STAFF SUPPORT SYSTEMS

Support systems for staff in licensed premises are imperative. They ensure that staff has the backing of their manager and guidance to handle difficult situations as and when they arise.

In order to create a safe and beneficial drinking environment and to adhere to host responsibilities, guidelines and support systems allow servers to have safeguards and support to understand and handle difficult situations, while still maintaining safety for themselves and other customers in the premises.

Examples:

- The availability of security staff, to assist servers/ staff if a difficult situation or patron arises.
- Back up - the Duty Manager supports the server's decision if the server chooses to suspend or delay the service of alcohol.

INTOXICATION

BEHAVIOUR INDICATING INTOXICATION

The dictionary meaning is "A state of losing control of oneself, getting excited or being affected by a poisonous substance."

The law is very clear and prohibits the sale of liquor to any intoxicated person. Under different sections there are penalties for non-compliance, discussed in previous pages.

For Duty Managers there are various indications to be aware of, in order to identify a customer who is intoxicated or is on his/her way to becoming intoxicated. These are:

1. They are drinking too fast.
2. They are careless with their money.
3. They debate about drink prices.
4. They debate the quality/strength of the drink served.
5. They are over friendly to others.
6. They are annoying others.
7. They lose track of their conversation.
8. They are letting cigarettes burn without smoking them.
9. They become detached and broody.
10. They are making judgmental comments on others or the establishment.

**5.2 DISTRICT LICENSING COMMITTEE HEARING – LL8766 – LA VIE EN ROSE WAIHĪ BEACH
– INTERNAL AND EXTERNAL REPORTS****File Number:** A5824260**Author:** Carolyn Irvin, Senior Governance Advisor**Authoriser:** Greer Golding, Governance Manager**EXECUTIVE SUMMARY**

The District Licensing Committee Hearing, set for Monday, 27 November 2023 at 9:30am, is to consider an application made by Bevin Limited, pursuant to section 127 of the Sale and Supply of Alcohol Act 2012, seeking to grant a renewal of the On Licence in respect of the premises situated at 22 Wilson Road, Waihī Beach, known as 'La Vie en Rose Waihī Beach'.

REPORTS

The following reports were provided to the District Licensing Committee:

1. Western Bay of Plenty District Council Alcohol Licencing Inspector's Report;
2. Police Report; and
3. Medical Officer of Health Report.