

Decision No. **221/2014**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act  
2012

**AND**

**IN THE MATTER**

of an application by **Kamo Ale House Limited** for the renewal an on licence pursuant to s.127 of the Act in respect of premises situated at **567 Kamo Road, Kamo, Whangarei** known as **Kamo Ale House**

**BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE**

Chairman: Councillor John Williamson  
Member: Lee Andrewes  
Member: Mervyn Williams

**DECISION (ON THE PAPERS)**

This is an application by Kamo Ale House Limited dated 31 March 2014, for the renewal of an on licence (002/ON/002/2014) in respect of premises situated at 567 Kamo Road, known as the Kamo Ale House. The general nature of the business is that of a tavern.

The premises

Kamo Ale House is situated in the same building as The Kamo Hotel (*The Village Bar Company Limited*, 002/ON/001/2014) at 567 Kamo Road in Kamo. The Kamo Hotel is a licensed hotel which covers the upstairs accommodation, the restaurant and the corner bar. Kamo Ale House has held a tavern style on-licence with off sales across the sports bar since April 2010.

In September 2013, the licensee sought an extension on licensing hours to 1 am the following day on the days Sunday through to Thursday. The licensing authorities subsequently were satisfied that the licensee is able to adequately manage and control any potential adverse effects on adjacent residential houses. A replacement licence (002/ON/002/2014) was issued by the Alcohol Regulatory and Licensing Authority with extended hours being Monday to Sunday, 8.00am to 1.00am the following day.

Management of the premises

The applicant is a private company incorporated on 22 December 2009. The directors and duty managers are Lex Dianne Amitage (002/GM/15/2011), Valerie Jillian Rouse (002/GM/43/2010) and Gina Louise Tuckey (GM/007/662/04). The Village Bar Company Limited owns 100% shares of the business. Lex Dianne Amitage, Valerie Jillian Rouse and Gina Louise Tuckey are also the directors and shareholders of the company.

Public notice

The applicant publically notified the application in accordance with the Act, by placing two adverts in the Northern Advocate. The first notice was published on 8 April 2014 and the second on 15 April 2014. Notice of the application was also attached to the premises as required by the Act. No public objections were received.

Statement of compliance with Section 21A, Fire Services Act 1975

The applicant has provided a statement dated 31 March 2014 that the building in which the premises is situated is exempt from having to meet the requirements of an evacuation scheme.

The Fire Service, in a report dated 4 June 2014, raised no matters of concern about the renewal.

Section 131 Criteria for the renewal of licences

In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:

- (a) the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):*
- (b) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:*
- (c) any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made by virtue of section 129:*
- (d) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.*

DECISION

The committee has received reports on the application from the Police, the Medical Officer of Health and the Licensing Inspector and none have raised matters in opposition. The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly the committee deals with the matters on the papers.

The committee is satisfied as to the matters to which it must have regard as set out in s.131 of the Act and the committee renews the on licence for a further period of 3 years on the conditions presently attached to it and imposing the following additional condition, as required by Section 110 (2) (c) of the Sale and Supply of Alcohol Act 2012:

- Drinking water is to be freely available to customers while the premises are open for business at the bar counter.

**DATED at Whangarei this 24<sup>th</sup> day of June 2014**

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Chairman  
**Whangarei District Licensing Committee**  
14/52443