

IN THE MATTER

of the Sale and Supply of
Alcohol Act 2012

AND

IN THE MATTER

of five applications by
BEAVER LIQUOR LIMITED
Pursuant to s.127 of the Act for
the renewal of off- licences in
respect of premises situated in
Queenstown, Frankton,
Arrowtown and Wanaka, and
known generally as "Bettys Liquor
Store"

BEFORE THE QUEENSTOWN DISTRICT LICENSING COMMITTEE

Chairman: Mr E W Unwin
Members: Mr L ACocks
Mr J M Mann

FINAL DECISION OF THE COMMITTEE

[1] These applications were originally heard at a public hearing which was held on 29th August 2016, which resulted in an interim decision dated 22nd September 2016 (QLDC 0031/16). In the interim decision we called for a new business plan from the applicant. The new plan and accompanying spreadsheet was duly presented on 26th October 2016. Because there were some misgivings about the plan, a second hearing was held on 1st December 2016. Following this hearing we issued a memorandum dated 5th December 2016 giving the company six months to establish that it can meet its legal obligation (the 85% threshold) in all five outlets. We suggested from 1st December 2016 to 31st May 2017 and asked to receive figures (audited or verified by McCulloch and Partners) from each store showing annual sales revenue of alcohol products for the six month period, as well as the percentage of such sales to total. We would then decide whether to make the interim decision final or whether to schedule a further public hearing.

[2] Mr Ferg Spary, Director of Beaver Liquor Limited provided figures in a letter dated 6th June 2017 showing that all five Betty's Liquor Stores now meet the legal obligation (the 85% threshold). This letter was accompanied by a letter from McCulloch + Partners confirming the percentage of total sales from alcohol sales for all five Betty's Liquor Stores.

[3] The Inspector has produced a supplementary report dated 13th June 2017, in which she summarised the application path to date and confirmed the figures provided by the applicant satisfy the request we made after the second hearing. She also explained the variation to licenced hours being sought which will have hours for all five premises as follows:

Monday to Sunday from 8.00am to 11.00pm

The Inspector has received no opposition to these trading hours and considers them appropriate.

[4] The Inspector also made us aware of the outcome of a Controlled Purchase Operation (CPO) undertaken on 3rd June 2017 where the duty manager at the Beach Street Betty's Liquor Store sold alcohol to a minor. The Police will be lodging a suspension application with the Authority for this store. As this incident will be dealt with by the Authority, we will not take it into account in our decision on this application.

[5] Now that we have been presented with the verified outcomes of a new business model resulting in sales of alcohol achieving the 85% threshold in all five outlets, we have decided to make the interim decision final without a further public hearing and approve the renewal of off licences OF197, OF198, OF199, OF201 and OF202 with trading hours of for Monday to Sunday from 8.00am to 11.0pm.

DATED at QUEENSTOWN this 28th June 2017



L. A. Cocks
Commissioner
Queenstown Lakes District Licensing Committee