

1965

VICTORIA

VICTORIAN LICENSING COURT
AND
LICENCES REDUCTION BOARD

REPORT AND STATEMENT
OF ACCOUNTS

FOR YEAR ENDING

30TH JUNE, 1965

PRESENTED TO BOTH HOUSES OF PARLIAMENT BY COMMAND OF HIS EXCELLENCY
THE GOVERNOR.

By Authority:

A C. BROOKS, GOVERNMENT PRINTER, MELBOURNE.

REPORT FOR YEAR ENDING 30TH JUNE, 1965.

We have the honour to furnish the Tenth Annual Report of the Victorian Licensing Court and Licences Reduction Board for the year ending the 30th June, 1965.

LEGISLATION.

Licensing (Dining Permits) Act 1964.—This Act made provision for the grant of Dining Permits to the holders of victuallers' licences to authorize the sale or disposal of liquor with meals to be supplied at the Exhibition Buildings during the Third Australian Industries Fair held from 4th March, to 20th March, 1965.

An Act on similar lines but limited to the holders of restaurant licences for the 1964 Fair had been passed the preceding year but no applicant applied for a permit. This was due to the fact that there was no restaurateur with the facilities to supply meals and also to the limitation of range of liquor.

The 1964 Act gave the right to victuallers instead of holders of restaurant licences.

Under the provisions of this Act, Dennis Hotels (Frankston) Pty. Ltd. the holder of a victualler's licence for the Pier Hotel at Frankston applied to the Court for a permit to supply liquor with meals in the Exhibition Building during the period of the Fair.

After hearing evidence the Court granted a permit under the following conditions :—

- (1) The area licensed under the permit to comprise the cafeteria, kitchen and cool and preparation rooms shown on a plan lodged with the Court.
- (2) Liquor to be served with *bona fide* meals to the value of 15s. between 12 noon and 3 p.m.
- (3) Liquor to be served with *bona fide* meals to the value of 25s. between 6 p.m. and 10.30 p.m.
- (4) No liquor to be served in cans and liquor served in bottles to be opened at the table in the presence of the customer.

Geelong (Kardina Park) Land Act 1965.—This was a special Act which authorized the Council of the City of Geelong as the Committee of Management of certain land, being the Kardina Park Football Ground, to grant leases of the land or any part thereof for sport or recreation or social activities or purposes connected therewith. The leases were to be for a term of not more than 21 years and subject to such conditions, covenants, exceptions and reservations as the Council thinks fit. There was a further condition requiring the consent of the Governor in Council if the term of the lease exceeded three years.

The Act was designed to give suitable tenancy to the Geelong Football Club Social Club in order to make application for registration under Part XII. of the Licensing Act. Registration of the club was subsequently effected on the 22nd June, 1965.

ROYAL COMMISSION ON LIQUOR.

During the year the Royal Commissioner, (Mr. P. D. Phillips, Q.C.) issued two Interim Reports. The second dealt with Hours and Conditions of Retail Trading in Alcoholic Liquor, and its main recommendations were —

- (1) Extension of hotel trading hours of 10 p.m. commencing not earlier than 10 a.m. providing for a twelve-hour trading day.
- (2) Power to authorize the Court to make such variations in the hours of trading during particular periods of the year in order to meet a demand for early service arising only from seasonal conditions of work or similar factors.
- (3) Provision for the supply of liquor with meals or as ancillary to substantial refreshments between 10 p.m. and 11.30 p.m. with an extra half hour's grace in which to consume liquor purchased during that period.
- (4) Permitting the use of bar-rooms for the service of liquor to persons who may be lawfully supplied with liquor during prohibited hours.
- (5) Extending the hours of licensed restaurants to 11.30 p.m. with an extra half hour's grace in which to consume liquor purchased during that period.

Remove the prohibition on the serving of beer ale or porter in licensed restaurants.

- (6) Providing for cabaret licences wherein liquor may be served with meals or ancillary to the supply of refreshments and entertainment between 8.30 p.m. and 3 a.m.
- (7) Authorizing by way of annual permit the consumption of liquor in unlicensed cafes and restaurants between 6 p.m. and 10 p.m. The liquor to be brought by the customer and not supplied by the proprietor.
- (8) To empower the governing body of any university or other institution of tertiary education to apply to the Governor in Council that the union of undergraduates or scholars be deemed to be a "club" within Part XII. of the Act although it might not comply in all respects with requirements under the Licensing Act relating to the registration of clubs.
- (9) Providing for a theatre licence wherein liquor could be served between 7 p.m. and 11 p.m. in theatres where "live" performances were regularly given.

HOTEL STANDARDS.

As stated before in assessing the standing of a hotel in the community there are two standards to consider, viz., the structure itself with its amenities and its maintenance and the quality of the service provided. The latter depends on a personal factor, viz., the licensee. With some 1,500 odd licensees in the State it is only to be expected that there will be a number who lack the capacity, the initiative and the necessary drive to see that the premises are maintained at the required standard and that the quality of the service is such as to give satisfaction to the customer. There are others who find that they are not adapted to hotel life or that the return is not up to their expectations and so lose heart. It takes time for the Court or its officers to become aware of their failings, and meantime the public are deprived of proper service. But whenever a complaint is made or the Assistant Supervisors ascertain this tendency to unfitness the Court is ever ready to exercise what powers it has to remedy the situation. However, the Court generally has to wait for the Annual Sittings when the renewal of the licence comes up for consideration to act.

Improvement and extensions on the structural side, however, pose many difficult problems and particularly in the metropolitan area. Leaving aside economic factors which in some cases deter owners from spending money on extensions the requirements of the town planning and traffic authorities are difficult to meet. The ordinary rule is that provision should be made for one car space for each 20 ft. of bar floor and one car space for each 60 ft. of lounge or beer garden area. It is obvious to comply with such a requirement in Melbourne proper is well nigh impossible, and in many suburbs the cost of obtaining the necessary car parking space is too high to justify the capital cost in relation to the return. It is to the credit of many owners that notwithstanding the limitations of space and considering the age of the structures they have sought to modernize their premises with extra amenities, improved toilet facilities, and generally to create more attractive atmosphere and greater comfort for patrons. We pointed out in earlier Reports that rigid insistence on enforcing orders in some cases could lead to the surrender of the licence although the hotel was serving a useful purpose in supplying the liquor requirements of the public. One notable case is that of the Busy Bee Hotel, and that licence has now been surrendered and is to be used for commercial purposes.

The trend in new hotel construction and the extension or modernizing of existing ones (where practicable) is on hotel-motel lines.

The increase in the number of motels throughout Australia, the majority of which are unlicensed either as hotels or restaurants indicates their popularity with the travelling public. This is probably due to the fact that the units are self-contained generally and have provision for parking at or near the unit's entrance. In addition, there are added amenities such as T.V., radio, and facilities for the guest to supply his own needs such as tea, coffee and light snacks.

Examples of the new construction are the 'Commodore', Shepparton, 'Village Green', Mt. Waverley, 'Commodore', Sandown Park, and of the changeover in alterations to existing hotels the 'Western', Warrnambool, and the 'Torrumbarry'. The plans and specifications lodged in pending applications for victuallers' licences are all in the motel design.

NEW HOTELS.

During the year two new hotels were completed and licences granted.

A conditional certificate issued on 18th August, 1964, to Hotel Waverley Pty. Ltd. for premises to be erected at the corner of Fern Tree Gully and Springvale roads, Mount Waverley, at an estimated cost of £102,000. It was duly completed on the 4th June, 1965. Permission was given to name the premises the "Village Green Hotel".

On the 16th March, 1965, a certificate issued to Kooroora Chalet Pty. Ltd., in respect of premises at Sites 3, 4 and 5, Alpine Village, Mt. Buller, conditionally on its spending some £30,000 in additions and alterations. The Company at the time was the holder of a restaurant licence for the premises. The work was subsequently completed, the restaurant licence surrendered, and the victualler's licence issued on the 8th June, 1965. Permission was given to name the premises the "Kooroora Chalet Hotel".

At the 30th June, there were seven applications for new victuallers' licences awaiting hearing. Two were first returnable on 31st May, 1965, and 28th June, 1965, and will be due for hearing within the next couple of months. The remaining five have been adjourned from time to time owing to litigation between rival applicants in challenging the validity of permits issued by the town planning authority. Two such applications, viz., Dorset Gardens Hotel Motel Pty. Ltd. for premises, Dorset-road, Croydon, and Valley Inn Hotel (Croydon) Pty. Ltd., for premises corner Mt. Dandenong and Dorset roads, Croydon, are urgent in the sense that a victualler's licence is undoubtedly required in the growing district of Croydon. Croydon Shire has an estimated population of 20,000 people and the only hotel in the Shire surrendered its licence on the 21st May, 1965. It was centrally situated in the main street and had a large licence fee—£9701—one of the highest in the State. It was bought by Woolworths for use as a department store.

The number of applications for approval of plans for alterations, extensions, &c., for the year was 271 apportioned as follows :—

—	Plans Approved.	Cost.
		£
Metropolitan areas	141	1,376,590
Country areas	130	737,786
	271	2,114,376

This represents an expenditure of £613,943 over the preceding year.

ORDERS, REVOCATIONS, CANCELLATIONS.

During the year it was found that lists of requirements prepared by Assistant Supervisors consequent on inspections of premises and furnished to owners and licensees were not receiving proper attention with the result that the Supervisor of Licensed Premises found it necessary to effect service of 87 orders (including 14 cleansing orders) an increase of 41 over the previous period.

Only two appeals were lodged. One stands adjourned and the other was modified to a minor extent. Because of non-compliance with cleansing orders the Court directed that four premises be closed until the orders were obeyed. In one case the premises remained closed for a period of over two months.

Licensees would be well advised to pay particular attention to the state of cleanliness of their premises as any neglect in this regard could have serious consequences.

Because of the non-compliance with the requirements of Orders served under the provisions of Section 131 and/or the unsatisfactory condition of premises, applications for the revocation of fifteen licences were lodged with the Court.

Eighteen applications for revocation issued in this and previous years were withdrawn when inspections disclosed that premises were in a satisfactory condition. Twenty-two applications stand adjourned.

Because of failure to complete works within the time specified for the carrying out of approved alterations, &c., two applications for cancellation of licences were lodged with the Court. This brought the number of current applications for cancellation to six. Works in respect of three premises were completed satisfactorily and the relevant applications for cancellation were withdrawn. Three applications stand adjourned.

COMPLAINTS.

Eighteen complaints, all relative to licensed victuallers' premises, were received during the year. Seven complaints were concerned with unsatisfactory conditions, five with non-supply of meals and accommodation, and five with poor management and service.

All complaints were thoroughly investigated and appropriate action taken.

HOTELS DESTROYED BY FIRE.

The Peterborough House Hotel at Peterborough was completely destroyed by fire on the night of 26th February, 1965.

On the 9th March, 1965, an application to rebuild the premises together with an application to use a temporary bar-room during such rebuilding was submitted to the Court. Permission was given to operate the temporary bar-room for a period of three months from that date; business to be wholly suspended from 26th June, 1965, to 30th September, 1965, when further consideration will be given to the proposals for rebuilding.

OPPOSED RENEWALS.

At the Annual Sitzings of the Court, 41 applications for renewal of licences were opposed on the following grounds :—

Victuallers' Licences—

Premises not up to standard(a)	..	..	..	..	10
Conduct unsatisfactory	..	..	..	..	2
Premises and conduct(b)	..	..	..	..	2
Illegal betting on the premises	..	..	..	..	22
Non-supply of meals	1

Australian Wine Licences—

Premises not up to standard(c)	1
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Billiard Table Licences—

Premises not up to standard(d)	1
Premises and conduct(e)	1
Conduct unsatisfactory	..	..	..	..	1

The following licences which were opposed were not granted renewal on grounds set out above :—

- (a) Tattersall's Hotel, Melbourne.
- (b) Sarsfield Hotel, Sarsfield (surrendered 31-12-64).
- (c) Australian Wine, Nullawill.
- (d) Billiard Table, Apollo Bay.
- (e) Billiard Table, Longwarry.

VICTUALLERS' CONDITIONAL CERTIFICATES.

Outstanding certificates authorizing the issue of victuallers' licences conditionally upon the premises being erected in conformity with approved plans and specifications are as follows :—

—	Certificate Issued.	Estimated Cost.	Remarks.
		£	
Murray Hotels Pty. Ltd., Mildura	3.11.55	90,000	Not commenced
Gabriel's Hotels Pty. Ltd., Melbourne	14.11.55	250,000	Not commenced
Mount Elephant Motel (Derrinallum) Ltd., Derrinallum	6.3.64	38,000	Proceeding
Hotel Houston Pty. Ltd., Preston	15.5.64	194,000	Proceeding
Doveton Hotel Holdings Pty. Ltd., Doveton	26.8.64	224,500	Proceeding
Commodore Hotel (Sandown Park) Pty. Ltd., Noble Park	15.9.64	140,000	Proceeding
Korfra Investments Pty. Ltd., Moorabbin	23.9.64	155,000	Proceeding
Premier Hotel Motel (Shepparton) Pty. Ltd., Shepparton	24.6.65	204,600	Not commenced

On 17th March, 1965, an application for a re-hearing was made in respect of a conditional certificate issued on 7th June, 1955, for a victualler's licence for premises at Boundary Bend.

The application was made by the holder of the certificate as the existing premises had been sold and the purchaser did not intend making any application for a licence.

The Court granted the re-hearing and refused the application for the licence.

Other than the procedure mentioned which must be instituted by the holder of a certificate for a licence, the Court cannot cancel a certificate. Although there is now no intention of Murray Hotels Pty. Ltd., or Gabriel's Hotels Pty. Ltd., completing the premises shown on the list of outstanding certificates both still have to be continually recorded as outstanding.

REMOVAL OF LICENCES.

Applications for permission to remove licences to other sites approved by the Court are set out in detail hereunder.

Applicant.	From.	To.
<i>Spirit Merchants' Licences.</i>		
Oakley Adams Pty. Ltd.	522 Little Collins-street, Melbourne	31 Agnes-street, Jolimont
Max Cohn and Co. Pty. Ltd.	115 William-street, Melbourne	Newton-street, Richmond
Massoni Wine Co. Pty. Ltd.	5 Rosherville-place, South Melbourne	29 Sutherland-street, Melbourne
Lindsay and Macallister	338 Flinders-lane, Melbourne	14 Corr's-lane, Melbourne
Mackenzie Tootell Pty. Ltd.	125A William-street, Melbourne	19-21 Malmsbury-street, Hawthorn
Gollin and Co. Ltd.	561-3 Bourke-street, Melbourne	58 Queen's Bridge-street, South Melbourne
Younghusband Ltd.	98-104 King-street, Melbourne	Elizabeth-street, Kensington
Harbottle and Co. Pty. Ltd.	14 Corr's-lane, Melbourne	28 Dodds-street, South Melbourne
<i>Spirit Merchants' and Grocers' Licences.</i>		
Major Self Service Pty. Ltd.	Lot 6, Bonwick-street, Fawkner	Lots 39 and 40, Bonwick-street, Fawkner
E. J. and O. M. McIntyre	642 Nepean Highway, Carrum	510-511 Station-street, Carrum
J. W. and C. L. Hill	246 The Broadway, Reservoir	278 The Broadway, Reservoir
J. R. and C. A. Way	401 Burwood-road, Hawthorn	651-3 Glenferrie-road, Hawthorn

An application by Seaview Wines (Vic.) Pty. Ltd. for permission to remove a spirit merchant's licence from 530 Sydney-road, Brunswick, to 716 Sydney-road, Brunswick, was refused. An application by Metropolitan Licensed Grocers Pty. Ltd., for permission to remove a spirit merchant's and grocer's licence from 73 Burwood-road, Hawthorn, to 546 Glenferrie-road, Hawthorn, was opposed and was withdrawn during the hearing.

APPLICATIONS FOR NEW LICENCES.

Applications awaiting hearing at the 30th June, 1965, are set out hereunder—

Victuallers' licences	..	..	..	..	..	7
Restaurant licences	..	..	..	..	..	15
Spirit merchants' and grocers' licences	..	..	..	..	..	69
Spirit merchants' licences	..	..	..	..	..	2

The various applications for new licences dealt with by the Court during the period under review (excluding applications withdrawn) are detailed in the list Appendix "A".

During the period the Court granted 283 transfers of licences, 21 applications for permission to transfer victuallers' licences within the statutory period of 24 months and 381 miscellaneous applications.

Details of all the various types of licences dealt with are set out in Appendix "B".

PACKET LICENCE.

An application for a Packet Licence by the Master of the twin screw motor vessel *Tambo Princess* being operated on the Gippsland Lakes stands part heard.

The vessel makes a five-day cruise from Bairnsdale on a round trip calling at Ocean Grange, Paynesville, Metung and Lakes Entrance. As the vessel reached the various stop-over places prior to 6 p.m. the applicant realized the limitations for the supply of liquor under Section 14 and applied for an adjournment to further consider the matter.

It is many years since a Packet Licence operated in Victoria. Inquiries show there are a number of such licences operating in Queensland in the tourist trade in Barrier Reef waters and two in New South Wales in respect of vessels. If the section were amended to provide for the sale on board during any actual passage of the vessel and in the course of a meal on hand while the vessel is in any port other than the port at which the passenger embarked, the applicant might feel disposed to proceed with the application.

LICENCES TERMINATED.

During the period under review eleven victuallers' licences were surrendered, five lapsed, and renewal in one case was refused. Four Australian wine and two restaurant licences were surrendered and one Australian wine, one spirit merchant's and grocer's and one vigneron's licence lapsed. Particulars of all licences terminated are set out in the Appendix "C". The reason for termination of the victualler's licence is set out in the footnotes to the Appendix.

COMPENSATION SITTINGS.

Details of claims heard in respect of licences surrendered and for which compensation was sought are set out in Appendix "D". The decision or award made in each case is indicated.

LICENCES IN EXISTENCE.

A schedule indicating each type of licence in existence on the 30th June, 1965, is set out in Appendix "E".

OFFENCES UNDER THE LICENSING ACT.

Returns from the various Courts of Petty Sessions disclose that convictions against licensees for offences under the Licensing Act were slightly in excess of the number for the previous period.

Particulars of the type and number of offences are as follows :—

Section 36	..	Failure to produce licence on demand	..	..	..	1
Section 38	..	Failure to keep outer door unlocked during currency of liquor with meals permit	..	..	..	1
Section 46	..	Unauthorized use of an additional bar-room	..	..	..	2
Section 47	..	Lodgers' Book not properly entered as required	..	..	..	1
Section 170	..	Unlawful supply of liquor during prohibited hours	..	..	..	35
Section 171	..	Unlawful supply of liquor on Sunday	..	..	..	11
Section 180	..	Persons found drinking liquor during prohibited hours	..	..	..	1
Section 181	..	Persons found on licensed premises during prohibited hours without lawful excuses	..	..	..	63
Section 185	..	Supplying liquor to persons under the age of eighteen years	..	..	..	1
Section 193	..	Permitting betting on licensed premises	..	..	..	1
Section 197	..	Permitting an unlawful game to be played on licensed premises	..	..	..	1
Section 198	..	Bar-room not locked during prohibited hours	..	..	..	42
Section 205	..	Failure to provide accommodation	..	..	..	1

HIGHEST LICENCE FEES, VICTUALLERS.

Metropolitan—

Prince's Bridge Hotel, Melbourne.
 Springvale Hotel, Springvale.
 Tower Hotel, Hawthorn.
 Rosstown Hotel, Carnegie.
 Club Hotel, Dandenong.
 Boundary Hotel, Bentleigh.
 Blackburn Hotel, Blackburn
 Oakleigh Junction Hotel, Oakleigh.
 Derrimut Hotel, Sunshine.
 Braybrook Hotel, Braybrook.

Country—

Grand Hotel, Mildura.
 Latrobe Valley Hotel, Morwell.
 Club Hotel, Morwell.
 Yallourn Hotel, Yallourn.
 Goulburn Valley Hotel, Shepparton.
 Australia Hotel, Shepparton.
 Moe Hotel, Moe.
 Club Hotel, Moe
 White Swan Hotel, Swan Hill.
 Carrington Hotel, Geelong.

SUPPER PERMITS.

Only three supper permits authorized by Section 38A were dealt with during the period. Of these one was refused, one was withdrawn and one was struck out. Only 39 of this type of permit are in existence throughout the State.

MOOMBA FESTIVAL, 1965.

P. B. Lynch and Co. Pty. Ltd., the holder of a victualler's licence, applied for temporary licences for five booths or bars, one of which was the Bistro type supplying meals for the final day, 8th March, 1965. On other days it sought a licence for one or more booths depending on the day.

The Licensing Inspector objected on the following grounds :—

- (a) That at a similar Moomba Festival at Alexandra Gardens liquor was sold to persons under the age of 18 years.
- (b) Liquor was disposed of in a manner which enabled it to be readily available to young persons.
- (c) The quiet of the place in which such premises are situate will be disturbed if a licence is granted.

In view of the huge crowds expected in the gardens on the final day, and the obvious difficulties of supervising and policing the booths, the Court refused the five applications relating to that day and asked the applicant to confer with the Licensing Inspector in respect to the other days and adjourned the remaining applications.

At the resumed hearing temporary licences were granted for one booth for seven days and for two booths on the 27th February, and 6th March, 1965, on the following conditions :—

- (a) No liquor to be supplied in cans at any booth on any day.
- (b) Bottled beer to be supplied only in the Bistro booth to patrons having a *bona fide* meal. Any such bottles to be served at the table at which the patron is seated and to be opened at the table in his presence.
- (c) At the two other booths only bulk or draft beer to be sold or disposed of.

CLUBS.

During the period under review ten clubs were granted registration and with the exception of the Glenroy Returned Servicemen's Club the grants were made subject to restrictions imposed by Section 247A limiting the club to sales of liquor for consumption only on the club premises. One club was refused registration. Details of the applications dealt with are set out in Appendix "F".

The Amstel Golf Club made application to remove from the present club premises at Notting Hill to a new site at Cranbourne and lodged plans of the proposed premises.

As the Licensing Act does not provide for the approval of a removal of a club registration conditionally upon the erection of suitable premises the Court had no alternative than to adjourn the application on 23rd December, 1964, pending completion of the premises according to plan before approving the removal.

During the period thirteen Sunday permits authorized by Section 256A were granted. One application was refused. At the Annual Sittings of the Court in November renewal of the permit granted to the Mooroopna Golf Club was refused owing to matters unsatisfactory to the Court being brought to attention. Subsequently, on the 7th June, 1965, when these matters had been rectified the Court regranted the permit.

The Secretary of the Box Hill Returned Servicemen's Club applied for registration under Part XII. of the Act and as the premises were situate in a "dry area" the Court ordered a vote of electors to be taken in a neighbourhood surrounding the proposed site of the premises under Section 57 (3) of the Act. The neighbourhood was delineated by the Court after consultation with the Chief Electoral Officer and there were 4,119 on the voters' roll. The Poll was fixed for the 10th July, 1965.

Since the numerical limitation of club registrations was removed by the 1954 Act there are now 275 registered clubs compared with 122 then.

PERMITS UNDER SECTIONS 38, 39 AND 184.

The number of applications for the various permits continues to grow and for this year were 32,545 compared with 29,023 last year and 25,512 for 1962-63.

A summary of these types of applications dealt with appear in Appendix "G".

CANTEENS.

The State Electricity Commission reports that at Kiewa the Bogong Canteen continued to operate successfully during the year; the patrons were orderly, well-behaved and appreciative of the facility provided.

Consumption of liquor and soft drinks consisted of—

Draught ale	2,530 gallons
Canned ale—	
Large	1,685 cans
Small	7,719 cans
Bottled ale and stout	4,989 bottles
Spirits	177 bottles
Wines	6 bottles
Cordials	22 bottles
Soft drinks	790 bottles

ADULTERATION OF LIQUOR.

During the period the Inspector of Liquor estimates that he tested 2,335 bottles of liquor when visiting 390 hotels and 40 licensed grocers' premises.

Fifteen bottles were found to contain adulterated liquor.

Three licensees were successfully prosecuted for the sale of adulterated spirits. The explanation of two licensees was accepted and warnings issued.

LICENCES PER HEAD OF POPULATION.

As it is just over ten years since the 1953 Licensing Act came into operation the following figures may be of interest :—

	31st December, 1954.		31st December, 1964.	
	No.	Per Head.	No.	Per Head.
Population	2,452,341		3,161,537	
Hotels	1,660	1,477	1,554	2,034
Clubs	125	19,618	272	11,623
Grocers	263	9,324	490	6,452

LICENSING FUND.

Total revenue for the financial year 1964-65 amounted to £3,804,802, an increase of £258,525 over 1963-64.

The balance to be transferred from the Licensing Fund to Consolidated Revenue at 30th June, 1965, after all statutory payments and cost of administration totalled £3,569,592, an increase of £250,180 over the previous year.

Total expenditure (including statutory payments) for 1964-65 amounted to £235,210 as compared with £226,865 for 1963-64, an increase of £8,345.

The increase was mainly due to additional rent for extra floor space and cost of alterations to the Court Offices payable to the Department of Public Works and the allowances to Licensing Inspectors, Licensing Police and witnesses, &c., payable to the Police Department also increased over the previous year.

The financial statement for the period covered by the Report is shown in Appendix "H".

PERSONNEL OF COURT.

His Honour Judge Fraser, the Chairman of the Court resumed duty on the 1st November after leave. During such leave, most of which was spent overseas, he had the opportunity of again reviewing licensing conditions in a number of countries, some of which he had not visited in 1959 when sent by the Government to report generally on liquor reform.

STAFF.

The Members of the Court again desire to place on record their appreciation of the work of the staff. Considering the number of applications of various kinds and the amount of correspondence which forms part of the applications, the margin of error in dealing with them and the other varied matters administratively, was negligible, and reflects credit on each member of the staff.

We also record our thanks to the Chief Secretary, the Under Secretary, the Chief Commissioner of Police and the Licensing Inspectors for their assistance and co-operation whenever requested. We also welcome Mr. McPartland as the Licensing Inspector attached to the Court and feel from the short experience we have had of his work that he will be a valuable officer in this Department.

A. M. FRASER, Chairman.

FRANCIS FIELD, Member.

R. J. ATCHISON, Member.

30th June, 1965.

APPENDIX "A".

LIST OF APPLICATIONS FOR LICENCES DEALT WITH BY THE COURT FOR THE PERIOD
1ST JULY, 1964 TO 30TH JUNE, 1965.

Nature of Licence.	Applicant.	Premises.	How Dealt With.	Date.
Spirit Merchant and Grocer ..	C. R. H. and A. J. Cross ..	A'Beckett-street, Inverloch ..	Refused ..	17.7.64
Billiard Table	K. R. Ollis	Cr. Rose-avenue and Plume-street, Norlane	Granted ..	22.7.64
Restaurant	N. Steen and R. A. Moore trading as "Eton Square Restaurant"	476 St. Kilda-road, South Melbourne	Granted ..	30.7.64
Restaurant	Tatra Development Pty. Ltd.	Mount Buffalo National Park ..	Granted ..	30.7.64
Spirit Merchant and Grocer ..	G. F. and J. M. Batty ..	5 Stortford-avenue, West Ivanhoe	Granted ..	11.8.64
Restaurant	Bim's Restaurant Pty. Ltd.	366 Albert-street, East Melbourne	Granted ..	12.8.64
Spirit Merchant and Grocer ..	H. S. Rounds on behalf of "Burn Brites Self Service"	22-24 Shaw-street, Doncaster East	Granted ..	12.8.64
Restaurant	High Tide Restaurant Pty. Ltd.	617 Nepean Highway, Carrum ..	Granted ..	14.8.64
Spirit Merchant and Grocer ..	A. B. Thomas trading as "Glen Iris Food Store"	1535-7 High-street, Glen Iris ..	Granted ..	14.8.64
Spirit Merchant and Grocer ..	R. A. and T. M. Davidson trading as "Yanakie Road House"	Foster-Tidal River-road, Yanakie	Granted ..	14.8.64
Spirit Merchant and Grocer ..	F. W., C. W., R. I. and E. M. Churchus	1608 High-street, Glen Iris ..	Refused ..	14.8.64
Restaurant	G. and G. Pantelimon trading as "Orana Restaurant"	139-141 Separation-street, North Geelong	Refused ..	18.8.64
Restaurant	Kingsway Motels Pty. Ltd.	9 Aberdeen-street, Geelong ..	Granted ..	18.8.64
Victualler	Hotel Waverley Pty. Ltd. ..	Cr. Ferntree Gully-road and Spring- vale-road, Mount Waverley	Granted ..	18.8.64
Spirit Merchant and Grocer ..	C. and S. Rosenbaum ..	2 Lawrence-street, South Blackburn	Granted ..	18.8.64
Spirit Merchant and Grocer ..	H. and H. V. Dymond ..	135 Millers-street, Thornbury ..	Refused ..	19.8.64
Victualler	Outlook Hotels Pty. Ltd. ..	Cr. Princes Highway and Olive-road, Doveton	Refused ..	26.8.64
Restaurant	G. Cizmesija and R. Pisera trading as "Tourist Cafe, Corryong"	Clarke's Building, Hansen-street, Corryong	Granted ..	26.8.64
Victualler	Doveton Hotel Holdings Pty. Ltd.	Cr. Princes Highway and Power- road, Doveton	Granted ..	26.8.64
Restaurant	Major City Motels Pty. Ltd.	66 McKillop-street, Geelong ..	Granted ..	1.9.64
Restaurant	Lake Tower Pty. Ltd. ..	Commodore Motel, 4 Queen's-road, Melbourne	Granted ..	1.9.64
Spirit Merchant and Grocer ..	J. Kimmer	13 Military-road, Avondale Heights	Granted ..	3.9.64
Spirit Merchant and Grocer ..	A. and L. Kozole	77 Wheatsheaf-road, Glenroy ..	Granted ..	4.9.64
Spirit Merchant and Grocer ..	Croydon Food and Supplies Pty. Ltd.	Main-street, Croydon	Granted ..	4.9.64
Spirit Merchant and Grocer ..	Bruno D'Anna on behalf of D'Anna Bros.	90 Wheatsheaf-road, Glenroy ..	Refused ..	4.9.64
Restaurant	Commodore Motel (Bendigo) Pty. Ltd.	181-193 View-street, Bendigo ..	Granted ..	11.8.64
Spirit Merchant and Grocer ..	Croydon Developments Pty. Ltd.	97 Main-street, Croydon ..	Granted ..	14.9.64
Restaurant	W. and E. Fuchs trading as "Fearn Lodge"	Fearn Lodge, Mt. Macedon ..	Granted ..	14.9.64
Victualler	Commodore Hotel (Sandown Park) Pty. Ltd.	Princes Highway, Noble Park ..	Granted ..	15.9.64
Spirit Merchant and Grocer ..	L. V. Warner and C. F. Whitelock	Lot 108, Station-street, Aspendale	Granted ..	16.9.64
Restaurant	F. A. Creighton Pty. Ltd. ..	The Green Jade, 306 Princes High- way, Bairnsdale	Granted ..	16.9.64
Restaurant	The Cave Restaurant Pty. Ltd.	8 Queen-street, Melbourne ..	Granted ..	18.9.64
Victualler	Korfra Investments Pty. Ltd.	Cr. South and Bigness roads, Moo- rabbin	Granted ..	23.9.64
Restaurant	Ruby Leong trading as "Golden Phoenix Res- taurant"	128 Exhibition-street, Melbourne	Granted ..	23.9.64
Spirit Merchant and Grocer ..	L. R. Schulz (Senior) on behalf of Schulz's Self Service	185 Middleborough-road, Box Hill South	Granted ..	30.9.64
Spirit Merchant and Grocer ..	A. and P. Gowenda ..	108 Middleborough-road, Blackburn	Refused ..	30.9.64
Spirit Merchant and Grocer ..	A. G. and M. L. Grogan	1897 Dandenong-road, North Clay- ton	Granted ..	1.10.64
Spirit Merchant and Grocer ..	M. and G. Felman ..	156 McKinnon-road, McKinnon ..	Granted ..	1.10.64
Restaurant	Riclee Pty. Ltd.	20th Floor, 435-55 Collins-street, Melbourne	Granted ..	2.10.64
Restaurant	Portland Motels Pty. Ltd. ..	White House Restaurant, cr. Dutton Highway and Leonard-street, Port- land	Granted ..	2.10.64
Spirit Merchant and Grocer ..	R. H. Wagstaff on behalf of Wagstaff and Son	103 Main-street, Pakenham East	Granted ..	7.10.64
Spirit Merchant and Grocer ..	J. R. C. Eimberts on behalf of Eimberts and Son	292B Springvale-road, Springvale ..	Granted ..	7.10.64
Spirit Merchant and Grocer ..	I. and B. Brodziak ..	Battista Arcade, 303 Springvale- road, Springvale	Refused ..	7.10.64
Spirit Merchant and Grocer ..	L. and F. Self Service Pty. Ltd.	341 Springvale-road, Springvale ..	Refused ..	7.10.64

APPENDIX "A"—continued.

Nature of Licence.	Applicant.	Premises.	How Dealt With.	Date.
Spirit Merchant and Grocer ..	Victorian Poultry Farmers Co-operative Society Ltd.	310 Springvale-road, Springvale ..	Refused ..	7.10.64
Restaurant	Carroll Smith Pty. Ltd. trading as "Cellar 250 Restaurant"	250 Victoria-parade, East Melbourne	Granted ..	27.10.64
Spirit Merchant and Grocer ..	Robert Mackay and Sons Pty. Ltd.	Springvale-road, Springvale South	Granted ..	27.10.64
Spirit Merchant and Grocer ..	J. Kluska on behalf of The Tuckertorium	83 Tucker-road, Moorabbin ..	Refused ..	28.10.64
Victualler	Princes Hotel Holdings Pty. Ltd.	Cr. Seaford-road and Dandenong-road, Seaford	Refused ..	28.10.64
Restaurant	Plaza Lanes Pty. Ltd. ..	Cr. Elmer and High street, Northcote	Refused ..	16.2.65
Spirit Merchant and Grocer ..	A. C. and I. M. Wall ..	67 Blackburn-road, Tallyho ..	Granted ..	19.2.65
Restaurant	Daragar Pty. Ltd. ..	100-102 Bourke-street, Melbourne	Granted ..	23.2.65
Restaurant	Banmar Trading Co. Pty. Ltd. trading as "The Stagecoach Inn"	23 Queen's-road, Melbourne ..	Granted ..	2.3.65
Victualler	Kooroora Chalet Pty. Ltd.	Sites 3, 4 and 5, Alpine Village, Mt. Buller	Granted ..	16.3.65
Spirit Merchant and Grocer ..	F. D. and J. F. Wood ..	80 Grange-road, Alphington ..	Granted ..	17.3.65
Restaurant	O. and A. Zambelli ..	34 Punt-road, Prahran ..	Granted ..	23.4.65
Spirit Merchant and Grocer ..	A. G. and J. M. Spence ..	84-86 Railway-avenue, Ringwood East	Granted ..	23.4.65
Spirit Merchant and Grocer ..	J. V. and D. J. Grist ..	9 Branditt-avenue, Shepparton ..	Granted ..	27.4.65
Spirit Merchant and Grocer ..	J. A. and J. E. McCutcheon	90 Strathmerton-road, Reservoir ..	Granted ..	29.4.65
Spirit Merchant and Grocer ..	C. V. Eddy and J. M. Mathieson	619 Hawthorn-road, East Brighton	Granted ..	30.4.65
Restaurant	Leon's Bistro Pty. Ltd. ..	352-4 Chapel-street, South Yarra	Granted ..	30.4.65
Spirit Merchant and Grocer ..	H. J. and S. Szmekura and L. and O. Barlow	111 Brighton-road, Elwood ..	Granted ..	1.6.65
Spirit Merchant and Grocer ..	A. and M. Buttigieg ..	Harrington-square, West Altona ..	Granted ..	9.6.65
Spirit Merchant and Grocer ..	S. Italia ..	15 Somers-parade, Altona ..	Refused ..	9.6.65
Restaurant	R. F. McCallum, C. H. Bridgford and G. J. Henke trading as "Frying Pan Inn"	Sites 30 and 31, Fall's Creek ..	Granted ..	16.6.65
Restaurant	Coonara Springs Restaurant Pty. Ltd.	Coonara-road, Olinda	Refused ..	24.6.65
Restaurant	H. H. T. and H. L. Lohe trading as "Hunter's Lodge"	Dorset-road, Croydon	Granted ..	24.6.65
Victualler	Premier Hotel Motel (Shepparton) Pty. Ltd.	Cr. Benalla-road and Florence-street, Shepparton	Granted ..	24.6.65
Spirit Merchant and Grocer ..	Permewans (Horsham) Pty. Ltd.	Cr. Ward and Pynsent streets, Horsham	Granted ..	30.6.65

APPENDIX "B".

APPLICATIONS TO THE VICTORIAN LICENSING COURT.

Licence.	Transfers.				Dispensation from Provision of Section 104.				Miscellaneous Applications.			
	Granted.	Refused.	With-drawn.	Struck-out.	Granted.	Refused.	With-drawn.	Struck-out.	Granted.	Refused.	With-drawn.	Struck-out.
Victuallers ..	226	5	16	9	21	..	..	..	260	1	1	1
Spirit Merchants and Grocers ..	46	..	3	..	..	..	..	..	45	..	2	..
Australian Wine ..	3	..	..	..	..	..	..	..	8	..	..	..
Billiard Table ..	..	..	..	..	..	..	..	..	4	..	..	..
Clubs .. ..	..	..	..	..	..	..	..	..	18	..	..	..
Brewer ... ..	..	..	..	..	..	..	..	..	..	..	..	..
Spirit Merchants ..	1	..	..	..	..	..	..	..	12	..	..	..
Restaurants ..	7	..	..	..	..	..	..	..	34	..	..	..
Railway Refreshment Rooms ..	..	..	..	..	..	..	..	..	..	..	..	..
Vigneron .. ..	..	..	..	..	..	..	..	..	..	..	..	..
	283	5	19	9	21	..	..	..	381	1	3	1

APPENDIX "C".

LICENCES TERMINATED—PERIOD 1ST JULY, 1964 TO 30TH JUNE, 1965.

VICTUALLERS' LICENCES.

Date.	Licensing Area.	Hotel and Location.	How Terminated.
24.8.64	Central Metropolitan ..	Victorian Horse Market Hotel, Melbourne*	Surrendered as from 29th August, 1964
27.8.64	Bairnsdale ..	Murdoch's Hotel, Morwell* ..	Surrendered as from 29th August, 1964
2.11.64	Ballarat ..	Junction Hotel, Kyneton* ..	Surrendered as from 7th November, 1964
18.11.64	Benalla ..	Benalla Hotel, Benalla* ..	Surrendered as from date
30.11.64	Ballarat ..	McIvor Hotel, Maryborough* ..	Surrendered as from 7th December, 1964
18.12.64	Central Metropolitan ..	Tattersall's Hotel, Melbourne†	Surrendered as from 31st December, 1964
21.12.64	Bairnsdale ..	Sarsfield Hotel, Sarsfield ..	Surrendered as from 31st December, 1964
21.12.64	Wangaratta ..	Wilby Hotel, Wilby† ..	Surrendered as from date
31.12.64	Northern Metropolitan ..	Inverness Hotel, Oaklands Junction§	Lapsed—licence fee not paid
31.12.64	Central Metropolitan ..	City Club Hotel, Melbourne* ..	Lapsed—application for renewal withdrawn
31.12.64	Bendigo ..	City Club Hotel, Bendigo* ..	Lapsed—no application for renewal
31.12.64	Bendigo ..	Queen's Hotel, Bendigo* ..	Lapsed—licence fee not paid
4.2.65	Central Metropolitan ..	Hunt Club Hotel, Melbourne†	Renewal refused
15.3.65	Hamilton ..	Railway Hotel, Casterton* ..	Surrendered as from date
15.3.65	Eastern Metropolitan ..	Croydon Hotel, Croydon* ..	Surrendered as from 20th March, 1965
29.3.65	Central Metropolitan ..	Busy Bee Hotel, Melbourne* ..	Surrendered as from date
30.6.65	Central Metropolitan ..	Devon Hotel, Melbourne* ..	Lapsed—balance of licence fee not paid

* Sold or required for commercial purposes.

† Unwillingness or inability to comply with Orders or to bring to required standard.

‡ Uneconomic to continue as an hotel.

§ Acquired by Commonwealth Government for Tullamarine Jet Airport.

OTHER LICENCES.

Date.	Licensing Area.	Licence.	Location.	How Terminated.
3.7.64	Southern Metropolitan ..	Restaurant ..	Kabana Restaurant, 202-3 Beach-road, Black Rock	Surrendered as from date
24.8.64	Southern Metropolitan ..	Australian Wine ..	3 Fitzroy-street, St. Kilda ..	Surrendered as from date
21.12.64	Southern Metropolitan ..	Australian Wine ..	120 Beach-road, Sandringham ..	Surrendered as from the 31st December, 1964
31.12.64	Southern Metropolitan ..	Spirit Merchant and Grocer	332-4 Clarendon-street, South Melbourne	Lapsed application for renewal withdrawn
31.12.64	Bendigo ..	Australian Wine ..	Nullawil ..	Lapsed—no application for renewal
31.12.64	Wangaratta ..	Vignerons ..	Cosgrove ..	Lapsed—no application for renewal
9.3.65	Central Metropolitan ..	Australian Wine ..	693 Rathdowne-street, Carlton ..	Surrendered as from date
15.6.65	Mildura ..	Australian Wine ..	Boundary Bend ..	Surrendered as from date
8.6.65	Shepparton ..	Restaurant ..	Kooroora Chalet, Sites 3 and 4, Alpine Village, Mt. Buller	Surrendered on grant of a Victualler's licence

APPENDIX "D".

SUMMARY OF CLAIMS FOR COMPENSATION DEALT WITH FOR THE PERIOD 1ST JULY, 1964 TO 30TH JUNE, 1965.

Date.	Licensing Area.	Hotel and Location.	Compensation Awarded.		
			Owner.	Occupier.	Total.
			£	£	£
16.12.64	Southern Metropolitan ..	Royal Hotel, Dandenong ..	Nil	..	Nil
16.12.64	Bairnsdale ..	Currajung Hotel, Currajung ..	1,000	Nil	1,000
16.12.64	Central Metropolitan ..	Victorian Horse Market Hotel, Melbourne	Nil	Nil	Nil
16.12.64	Bairnsdale ..	Murdoch's Hotel, Morwell ..	Nil	Nil	Nil
16.12.64	Ballarat ..	Junction Hotel, Kyneton ..	Nil	Nil	Nil
16.12.64	Wangaratta ..	Benalla Hotel, Benalla ..	Nil	Nil	Nil
21.5.65	Ballarat ..	McIvor's Hotel, Maryborough ..	Nil	Nil	Nil
21.5.65	Bairnsdale ..	Sarsfield Hotel, Sarsfield ..	500	100	600
21.5.65	Hamilton ..	Railway Hotel, Casterton ..	1,555	..	1,555
21.5.65	Eastern Metropolitan ..	Croydon Hotel, Croydon ..	..	275	275
21.5.65	Central Metropolitan ..	Busy Bee Hotel, Melbourne ..	Nil	Nil	Nil

APPENDIX "D"—*continued.*SUMMARY OF CLAIMS FOR COMPENSATION DEALT WITH FOR THE PERIOD
1ST JULY, 1964 TO 30TH JUNE, 1965—*continued.*

AUSTRALIAN WINE LICENCES.

Date.	Licensing Area.	Location of Premises.	Award to Occupier.
			£
16.12.64	Ballarat	96 High-street, Maryborough	500
16.12.64	Central Metropolitan	618-20 Collins-street, Melbourne	75
16.12.64	Northern Metropolitan	358 High-street, Northcote	Nil
16.12.64	Southern Metropolitan	3 Fitzroy-street, St. Kilda	Nil
16.12.64	Central Metropolitan	441 Spencer-street, West Melbourne	Nil
21.5.65	Southern Metropolitan	120 Beach-road, Sandringham	100
21.5.65	Central Metropolitan	693 Rathdowne-street, Carlton	Nil

APPENDIX "E".

LICENCES IN EXISTENCE AS AT 30TH JUNE, 1965.

Area.	Hotels.	Clubs.	Spirit Merchants and Grocers.	Spirit Merchants.	Australian Wine.	Railway Refreshment Room.	Vigneron.	Billiard Table.	Brewer.	Restaurant.
Central Metropolitan	143	40	29	31	2	..	..	4	2	26
Eastern Metropolitan	127	33	112	5	7	1	..	..	1	14
Northern Metropolitan	127	7	37	6	5	..	..	1	1	2
Southern Metropolitan	130	60	94	8	5	..	..	2	..	19
Western Metropolitan	132	26	58	4	3	..	..	4	..	3
	659	166	330	54	22	1	..	11	4	64
Bairnsdale	69	12	14	1	..	..	..	3	..	3
Ballarat	123	18	22	2	..	1	..	3	1	..
Bendigo	141	9	16	2	1	3	..	1	..	1
Geelong	81	15	21	1	1	2	..	7	1	2
Hamilton	85	7	20	..	1	3	..	2	..	..
Mildura	54	15	12	2	2	2	1	6	..	2
Shepparton	77	7	12	1	1	2	..	..	..	2
Wangaratta	105	8	17	1	..	3	1	5	..	4
Warragul	68	13	16	..	3	2	8	3	..	..
Warrnambool	90	5	14	..	..	1	..	3	..	1
Total	893	109	164	10	9	19	10	33	2	15
Grand Total	1,552	275	494	64	31	20	10	44	6	79

APPENDIX "F".

LIST OF APPLICATIONS FOR CLUB REGISTRATION DEALT WITH BY THE COURT
FROM 1ST JULY, 1964 TO 30TH JUNE, 1965.

Club.	Premises.	How Dealt With.	Date.
Mulgrave Country Club	Cr. Wellington and Jells roads, Mulgrave	Granted	31.7.64
Victorian Buffalo Club G.L.E.	277 Flinders-lane, Melbourne	Granted	4.8.64
West Heidelberg Returned Servicemen's Club	180 Bell-street, West Heidelberg	Refused	14.8.64
Red Cliffs Golf Club	Cr. Ginquam-avenue and Twenty-second-street, Red Cliffs	Granted	10.9.64
The Mordialloc Ex-Servicemen's Club	2-6 Centreway, Mordialloc	Granted	14.9.64
Glenroy Returned Servicemen's Club	186 Glenroy-road, Glenroy	Granted	18.9.64
Seymour Golf Club	Goulburn Valley Highway, Seymour	Granted	25.9.64
Rye Returned Servicemen's Club	Nelson-street, Rye	Granted	2.10.64
Numurkah Golf Club	Tunnock-road, Numurkah	Granted	27.10.64
Coburg R.S.L. Club	Hunt-street, Coburg	Granted	3.6.65
Geelong Football Club Social Club	Kardinia Park, Geelong	Granted	22.6.65

APPENDIX " G ".

SUMMARY OF EXTENDED MEALS PERMIT AND LIQUOR PERMIT APPLICATIONS DEALT
WITH BY THE VICTORIAN LICENSING COURT FOR THE FINANCIAL YEARS
1963-64 AND 1964-65.

Period and Area.	Extended Permits—Liquor with Meals. Section 38 (3).			Permits Unlicensed Premises, Section 39 (6).			Permits Public Halls, Section 184 (5).		
	Granted.	Refused.	Withdrawn.	Granted.	Refused.	Withdrawn.	Granted.	Refused.	Withdrawn.
<i>1st July, 1963 to 30th June, 1964—</i>									
Country Licensing Areas ..	1,386	1	3	517	..	..	5,484	3	18
Metropolitan Licensing Areas..	4,499	5	13	787	4	6	16,229	26	42
Total	5,885	6	16	1,304	4	6	21,713	29	60
<i>1st July, 1964 to 30th June, 1965—</i>									
Country Licensing Areas ..	1,720	..	4	261	1	4	6,519	..	11
Metropolitan Licensing Areas..	4,810	2	6	1,261	3	4	17,893	18	28
Total	6,530	2	10	1,522	4	8	24,412	18	39

APPENDIX "H".

THE LICENSING FUND.
FINANCIAL YEAR 1964-1965.

1963-64		Receipts.		1963-64		Expenditure.	
£	£	£	£	£	£		£
330,736	..	Balance brought forward ..	330,736	79,816	Salaries and Expenses, Court, Board and Offices ..	84,007	
10,051	..	Interest on Government Stock ..	10,051	65,080	Allowances to Licensing Inspectors, Licensing Police, Witnesses, &c. ..	70,020	
15,442	..	Licensing Court Fees ..	15,905	56,244	Annual payment to metropolitan and country municipalities (Act 6293, Section 290 (1) (a)) ..	55,944	
17,422	..	Fines ..	16,078	2,725	Compensation payments for surrenders and deprivations ..	2,050	
1,055	..	Sales of Confiscated Liquor ..	475	23,000	Annual payments to Police Superannuation Fund (Act 6293, Section 290 (1) (b)) ..	23,000	
33,919	..	Liquor Licence Fees—	32,458	3,319,412	Liquor Referendum ..	189	
2,593,789	..	Victuallers ..	2,739,064	330,736	Transfer to Consolidated Revenue (Act 6293, Section 291) ..	3,569,592	
3,361	..	Railway Refreshment Rooms ..	3,574		Balance Licensing Fund (including investments in Government Stock (£311,000)) ..	330,736	
17,471	..	Restaurants ..	24,074				
633,973	..	Spirit Merchants and Grocers ..	724,411				
7,083	..	Australian Wines ..	5,388				
743	..	Brewers ..	795				
82	..	Vignerons ..	60				
167,719	..	Clubs ..	184,308				
26,814	..	Temporary Victuallers ..	25,626				
3,451,035	..		3,707,300				
	..	Permits—					
9,999	..	Extra Bars ..	10,420				
	..	Liquor with meal permits on licensed premises ..					
	..	extension of liquor with meal permits on licensed premises ; permits for special occasions on unlicensed premises ; permits to public halls, Sunday permits ; non-intoxicating liquor and billiard table permits.	43,657				
40,245	..	Billiard Table Licences ..	54,077				
50,244	..	Fees—Extended Annual Sittings ..	790				
786	..		126				
242	..						
3,877,013	..		4,135,538	3,877,013		4,135,538	

NOTE : All amounts have been adjusted to the nearest £.