

Decision No. GREYDLC140/2019

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012 (the Act)

AND

IN THE MATTER

of an application by **THE BLACKBALL INN & 08 CAFÉ ON HILTON** pursuant to s.100 of the Act for an OFF Licence in respect of premises situated at 8 Hilton Street, Blackball known as the "The Blackball Inn & 08 Café on Hilton Limited"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

This is an application by The Blackball Inn & 08 Café on Hilton Ltd for an Off Licence in respect of premises situated 8 Hilton Street, Blackball, known as the "The Blackball Inn & 08 Café on Hilton Limited."

The business is a Bar and café restaurant and has a current On Licence.

The applicant seeks the following days and hours: Monday to Sunday 10am to 10pm. These hours are within the default national maximum trading hours for an off-licence of 7am to 11pm. There is no Grey District Local Alcohol Policy in place.

The application was notified on the Council website and no objections were received from the public.

Neither the Police nor the Medical Officer of Health have raised any matters in opposition to this application.

DECISION

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by The Blackball Inn & 08 Café on Hilton Limited for an off licence in respect of premises situated at 8 Hilton Street, Blackball and subject to the following conditions:

1. Alcohol may be sold on, or delivered from, the premises for consumption off the premises, or supplied free as a sample for consumption on the premises, only on the following days and hours:

Monday to Sunday 10am to 10pm

2. No alcohol is to be sold on, or delivered from, the premises on Good Friday, Easter Sunday or Christmas Day or before 1pm on Anzac Day.
3. While alcohol is being supplied free as a sample, water is to be provided to patrons free of charge at the place where the samples are being supplied.
4. The whole of the off licence premises is designated as an undesignated area;

5. A properly appointed certificated or Acting or Temporary Manager must be on duty at all times, within the licensed area, when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed in the premises.
6. The Licensee must display:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons;
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol;
 - c. A copy of the licence attached to the inside of the premises so as to be easily read by people entering each principal entrance.
7. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

The premises are as set out on the plan submitted with the application and date stamped 31 October 2019. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The principle business carried on upon the premise is that of an over the bar off sales and therefore the premises are of a kind for which an off licence may be granted under section 32. The principle entrance is located directly off Hilton Street, Blackball.

Neither the New Zealand Police nor the Licensing Inspector express any concern about the suitability of the applicant nor do they oppose the granting of the application. No undertakings are sought by the agencies.

Accordingly the application is dealt with on the papers.

The Inspector has raised no concerns with the design and layout of the premises in regarding to minimising potential harm and/or ensuring a safe environment for patrons.

Grey District Council does not have a current LAP and the hours applied for are in line with the default hours as set by the Act.

DATED at GREYMOUTH this 10 day of *December*

2019

Alan T O'Connell

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Chairman/Commissioner

