

Decision No. GREYDLC062/2019

IN THE MATTER

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

AND

IN THE MATTER

of an application by **KELLS HOTEL (2004) LIMITED** for the renewal and variation of an On Licence pursuant to s120 & 127 of the Act in respect of premises situated at the 189-183 Bright Street, Cobden, known as "Kells Hotel"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The application is by Kells Hotel (2004) Limited in respect of premises situated at 179-183 Bright Street, Cobden known as "Kells Hotel".

While the licence renewal application was notified incorrectly because of a mistake in the application with the licence hours, a waiver was applied for the hours to remain unchanged and this was accepted without it needing to be re-advertised. Therefore the current days and hours remain Monday to Sunday 9am to 1am the following morning.

No opposition or notice of desire to be heard has been received.

Accordingly the committee deals with the matter on the papers.

REASONS FOR THE DECISION

The business carried on upon the premise is that of a hotel therefore the premises are of a kind for which an on-licence may be granted. The principle entrance is off Bright Street, Cobden.

This application was notified on Council website and no objections were received from members of the public.

Neither the Medical Officer of Health nor the Licensing Inspector expressed any concern about the suitability of the applicant nor have any of the agencies opposed the granting of the application. No undertakings are sought by the agencies.

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

The committee is satisfied as to the matters that it must have regard to as set out in sections 105,106 and 131 of the Act and the committee.

The Sale and Supply of Alcohol Act 2012 sets out the considerations which must be taken by the District Licensing Committee, when considering any application for a licence to sell alcohol.

There is no evidence before the Committee which would suggest that the applicant would manage the premises in any way which would contravene the requirements of the Act.

The Committee is satisfied that after reviewing the application with respect to the section 105 considerations, that the application for a renewal on-licence should be approved.

DECISION

The Grey District Licence Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, grants an application by Kells Hotel 2004 Limited for a renewal and variation of ON Licence in respect of premises situated at 181 Bright Street, Cobden, Greymouth known as "Kells Hotel" subject to conditions.

The premises are as set out on the plan submitted with the application and date stamped 18 April 2019. A note to this effect is to be made on the licence.

CONDITIONS

The licence is subject to the conditions listed as follows:

1. **Monday to Sunday 9am to 1am the following morning** (1pm to 12 midnight on the Thursday before Good Friday, Easter Saturday, Christmas Eve and the day before Anzac Day) to any other person who is present on the premises.
2. No alcohol is to be sold or supplied on Good Friday, Easter Sunday, Christmas Day or before 1.00pm on ANZAC Day to any person other than persons who are:
 - a. For the time being living on the premises whether as a lodger or an employee of the licensee or otherwise, or
 - b. Present on the premises for the purpose of dining
 - c. At any time on any day to any person who is for the time being living on the premises.
3. The bar premises and outdoor garden area are designated as supervised with the gaming area being classed as a restricted area.
4. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale of alcohol a reasonable range of non-alcoholic refreshments. Water is to be provided freely at no cost to patrons from either a water supply prominently situated on the premises or from across the bar.
5. Low-alcohol beverages must be available for sale and supply on the premises.
6. Food must be available for consumption on the premises at all times the premises is open for the sale of alcohol, in accordance with the example menu submitted with the application for this licence, or menu variations of a similar range and standard.

7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
8. The following other steps must be taken to promote the responsible consumption of alcohol:
 - a. All service staff must be trained in their responsibilities under the Sale and Supply of Alcohol Act 2012.
 - b. Evidence of age documents will be requested where appropriate.
 - c. The Licensee must ensure the provisions of the Act relating to the sale and supply of alcohol to minors and intoxicated persons are observed, and signage displayed detailing restrictions on the sale and supply of alcohol to such persons.
9. The Licensee must ensure the following items are prominently displayed:
 - a. A sign at the premises, so as to be easily read by patrons, stating the ordinary hours of business during which the premises will be open to sale of alcohol.
 - b. A copy of the licence, and of the conditions of the licence, attached to the premises so as to be easily read by persons attending the premises.
 - c. A sign prominently displayed at the premises, which identifies by which name the manager for the time being on duty.
10. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that an on-licence application should be granted, pursuant to the conditions set out above.

DATED at GREYMOUTH this 10 day of June 2019



Alan T O'Connell
Chairman/Commissioner

