

Decision No. GREYDLC072/2019

IN THE MATTER

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

AND

IN THE MATTER

of an application by the **IDAWAY HOLDINGS LIMITED** for the renewal of an On Licence pursuant to section 127 of the Act in respect of premises situated at the 26 Hart Street, Blackball known as "Formerly the Blackball Hilton"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The application by the Idaway Holdings Limited in respect of premises situated at 26 Hart Street, Blackball known as "Formerly the Blackball Hilton".

This application was duly notified and no opposition or notice of desire to be heard has been received. Accordingly, as empowered by Section 134 of the Act, the Committee will deal with the matter on the papers.

The Committee is satisfied as to the matters to which it must have regard to as set out in Sections 105, 106 and 131 of the Act.

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 applicant company is suitable to operate a licensed premise.

The principle entrance is off Hart Street, the main street in Blackball.

The Committee is of the view that refusing to renew the licence would not increase the amenity and good order of the neighbourhood by more than a minor extent.

Neither the Medical Officer of Health, Inspector, nor the Police have 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 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.

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.

CONDITIONS OF LICENCE

1. Liquor may be sold only on the following days and during the following hours:
 - a. Monday to Sunday 8am to 3am the following day (8am 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.
 - b. At any time on any day to any person who is for the time being living on the premises.
2. No liquor 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.
3. The bar premise is designated as supervised with the restaurant, outdoor garden area and sitting area in front of hotel as undesignated.
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.
5. 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 or on restaurant tables.
6. Low-alcohol beverages must be available for sale and supply on the premises.
7. 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.
8. Provide patrons assistance with, or information about other alternative forms of transport from the licensed premises.

9. 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.
10. 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.
11. 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 renewal application should be granted, pursuant to the conditions set out above.

DATED at GREYMOUTH this 28 day of June 2019



Alan T O'Connell
Chairman/Commissioner

