

Decision No. GREYDLC084/2019

**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 LIMITED** for a new On Licence pursuant to s.100 of the Act in respect of premises situated at 8 Hilton Street, Blackball known as "The Blackball Inn & 08 Café on Hilton"

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

This is an application by The Blackball Inn & 08 Café on Hilton Limited for an On Licence situated at 8 Hilton Street, Blackball known as The Blackball Inn & 08 Café on Hilton.

The applicant is a private company incorporated under the Companies Act 1993 on 19 December 2018.

The general nature of the business is that of a Café/Restaurant and Bar with applied licensed hours of Monday to Sunday 10am 11pm for dates 1 May through to 30 September. From 1 October to 30 April 10am to 11pm Monday to Thursday; and 10am to Midnight Friday to Sundays.

The principal entrance to the premises is the entrance from the front door from Hilton Street, Blackball

This application was duly notified on Council website with the last day for objections being 30 July 2019 and no objections were received from members of the public.

The applicant has provided a detailed menu of the options low alcohol and non-alcoholic refreshments are available.

Having considered the application, the application for a new on-licence is granted, on the conditions set out below, for the reasons set out in this decision.

The premises are set out on the plan submitted with the application, date stamped 10 July 2019.

**REASONS FOR THE DECISION**

The applicant is described in the Inspectors report as a company with the sole director shareholder being Mr Patrick John Kennedy and Ms Jane Frances Wells. She believes the applicant company is suitable to operate a licenced premise.

The inspector reports that the amenity and good order of the area has not been adversely affected and that the applicant has sound host responsibility practices.

The Police and Medical Officer of Health raise no matters in opposition.

The restaurant and bar is on the site of residential zoned land with the activity permitted within this zone. A Building and Planning certificate has been sought and issued for this activity.

The surrounding area is not located within a liquor ban area.

The floor plan shows the layout of the premises. All of the premise area is undesignated.

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.

Overall I am satisfied as to the matters to which we must have regard as set out in s.105 and s.106 of the Act.

Accordingly, I deal with the matter on the papers.

## **DECISION**

The District Licensing Committee Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012, approves an application by The Blackball Inn & 08 Café on Hilton Limited for a new ON licence for the premises at 8 Hilton Street, Blackball subject to conditions.

**The premises are as set out on the plan submitted with the application and date stamped 10 July 2019. A note to this effect is to be made on the licence.**

## **CONDITIONS OF LICENCE**

1. Alcohol may be sold or supplied for consumption on the premises only on the following days and during the following hours:  
**Monday to Sunday 10am to 11pm – 1 May to 30 September**  
**Monday to Thursday 10am to 11pm – 1 October to 30 April**  
**Friday to Sunday 10am to Midnight – 1 October to 30 April**
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 present on the premises to dine or is lodging on the premises.
3. The whole of the premise is designated as an undesignated 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.
5. Drinking water is to be provided to patrons free of charge from a water supply prominently situated on the premises.
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. 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.
9. Advice and assistance about alternative forms of transport is available to patrons from the licensed premises.
10. 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.
11. 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.

The licence will be in force for 12 months from the date of issue.

**DATED** at GREYMOUTH this 07 day of August 2019

  
 Alan T O'Connell  
 Chairman/Commissioner

