

Decision No. GREYDLC 040/2021

IN THE MATTER

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

AND

IN THE MATTER

of an application by the **BLACKBALL WORKINGMENS CLUB AND MUTUAL SCHOOL OF ARTS** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at 19 Hart Street, Blackball known as the "Blackball Workingmens Club"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The Blackball Workingmens Club and MSA have made an application for a special licence to sell and supply alcohol for two events.

The first event is a music band with an estimated number of less than 100 people attending, with the probable age distribution of between 20-75 years of age. The band is from Christchurch and will play from 8pm to 12 midnight.

The second event is an extension of the club's Sunday licenced hours for ANZAC Day. There is an estimated number of less than 100 people attending, with the probable age distribution of between 20-75 years of age.

The proposed hours applied for are as follows:

Friday 16 April 2021	The Late Starters Band	5pm to 1am the following day
Sunday 25 April 2021	ANZAC Day	11am to 1am the following day

The Club Licence No. 55/CLUB/84/2015 hours are 10am to 1am Monday to Saturday and 11am to 10pm Sundays with the bar premise and outside area being designated as undesignated as per the plan provided.

We make the observation that applications for special licences are required by section 137 of the Act to be filed with the District Licensing Committee's secretariat at least 20 working days before the day on which the event concerned begins. In this case, that requirement appeared to not have been met, there only being 2 working days between the time of application and the proposed events.

Section 137(2) of the Act allow us to consider an application for a special licence that is filed inside 20 working days prior to the event if we are satisfied that the need for a special licence could not have been foreseen earlier. Investigation proved that the applicant had emailed the application to the Grey District Council on 15 March 2021 and due to specific circumstances, the email was automatically re-directed to the

Council's 'Spam' and was not received at Council by the appropriate office. After 14 days the email was subsequently deleted.

We are satisfied that the applicant had filed their application within the time-frame required by the Act, so pursuant to Section 208 of the Act, waive the requirement relating to the prescribed time for lodgement of the application.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by the Blackball Workingmens Club & Mutual School of Arts for an on-site Special Licence for the premises at Hart Street, Blackball known as the Blackball Workingmens Club, for a music night event and ANZAC Day Celebrations subject to the following conditions:

Conditions:

The hours applied for are to be as follows:

Friday 16 April 2021	The Late Starters - Band	5pm to 1am the following day
Sunday 25 April 2021	ANZAC Day	11am to 1am the following day

1. Drinking water must be freely available at no charge to patrons.
2. Food as listed by the applicant to be available on the premises on each occasion this licence is operated.
3. Low and non-alcoholic beverages must be available for sale and supply from the bar at all times.
4. Noise levels to be monitored at all times by the duty manager.
5. A certificated manager must be on duty and on the premise at all times when the premises are open for the sale and supply of alcohol and their full name must be on a sign prominently displayed at the premises.
6. A Courtesy van is available to patrons.
7. The premise area is designated as undesignated.
8. The principle entrance being the rear foyer area is designated as the principle entrance to the premises.
9. The licensee must take the following steps to ensure that the provisions of the Act relating to the sale or supply of alcohol to prohibited persons are observed:
 - a. minors and intoxicated persons must not be served alcohol.
10. The licensee must ensure that the provisions of the Act relating to the sale and supply of alcohol to prohibited persons are observed and must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
11. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

REASONS FOR THE DECISION

The applicant has provided in their application, host responsibility details which demonstrate that suitable measures will be undertaken with regard to responsible sale or supply of alcohol and that harm will be minimised. These measures include:

- Food availability, as per the attached menu
- Free water will be available at no charge throughout the events
- Non-alcoholic and low alcoholic beverages are available for sale

I am satisfied that the applicant has sufficient staff and adequate training to manage these events safely and in accordance with the Act.

The Licensing Inspector was unable to complete a report in the time since the application was discovered by Council, but she has advised that she offers no objections to the application.

Police have no objections to the application. Contact was unable to be made with the Medical Officer of Health who is absent on leave, although it is noted that this application is similar to previous licences to which there was no objection.

The application was not required to be publicly notified and no opposition or notice of desire to be heard has been received. Accordingly I deal with the matter on the papers.

The applicant has previously operated numerous Special Licences without incident or cause for concern to any of the agencies involved.

I am satisfied as to the matters to which we must have regard as set out in Sections 105 and 104 of the Act.

DATED at GREYMOUTH this 16th Day of April 2021

Rachel M Van der Geest
Chairperson/Commissioner

