

Decision No. GREYDLC 107/2021

IN THE MATTER

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

AND

IN THE MATTER

of an application by the **SUPERBRAIN PRODUCTIONZ LIMITED** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at 1 Mawhera Quay, Greymouth known as “the town square”

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Superbrain Productionz Limited has made application for a special licence to sell and supply alcohol at 1 Tainui Street, Greymouth, more commonly known as the “Left Bank Art Gallery” to be held on Friday 8th and Saturday 9th October 2021.

The Proposed hours of 7pm – 9.30pm.

The events are described as a “Theatre Performance” – (The Vagina Monologues) with Food and wine included in the ticket.

This is a ticketed event with an estimated number of 40 people with probable age distribution of 18 plus years old, attending.

The main principle entrance way to the premises is from the Town Square in the shared Tainui Street.

The applicant is a company with shareholders being Jamie Lorene Mosher and Cary Lee Lancaster. Lancaster has over 30 years experience in running music and theatre events.

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 has not been met, there being only 19 working days between the time of application and the proposed event. Section 137(2) of the Act allows 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. This has been the case for this application where the failure to apply in the prescribed time was not a matter of neglect or omission. However, the secretariat and inspector, with the co-operation of Police and the Medical Officer of health, have been able to complete the required reports at short notice. We are satisfied that the neglect or omission was not wilful, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application

REASONS FOR THE DECISION

The applicant has undertaken in their application to provide the following measures with regard to responsible sales or supply of alcohol and that harm will be minimised:

- Food in the form of Grazing Tables will be available throughout the event.
- Free water will be available at no charge throughout the event with signage to show where.
- Non alcoholic and low alcoholic beverages will be available.

It is noted that there is no certified bar manager and as such, the holder of the special license will hold full authority for the management and monitoring of alcohol consumption.

The Inspector's report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent and noise is to be monitored by members throughout the events. He does not oppose the application.

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

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.

I am satisfied as to the matters to which we must have regard as set out in s.142 of the Act.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by Superbrain Productionz Limited for an on-site Special Licence for premises situated at 1 Tainui Street, Greymouth for the "Theatre Performance" – (The Vagina Monologues) subject to the following conditions:

Conditions:

1. Alcohol may be sold under the licence only on the following days during the following hours:

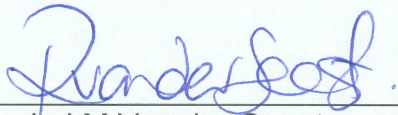
Friday 8 and Saturday 9 October – 7pm to 9.30

2. The premise area be classed as supervised for the licence period and is shown on the plan attached to this licence.
3. The licensee must display signage as follows:
 - a. At every point of sale detailing restriction on the sale and supply of alcohol to minors and intoxicated persons;
 - b. A copy of the licence attached to the premises so as to be easily read by persons attending the premises; and

4. The licensee must have available for consumption on the premises, at all times when the premises are open for the sale and supply of alcohol, a reasonable range of non-alcoholic and low-alcoholic beverages.
5. Food must be available for consumption on the premises.
6. Drinking water is to be provided free of charge from a water supply prominently situated on the premises.
7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licenced premises.
8. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

The premises are as set out on the plan submitted with the application and date stamped 13 September 2021. A note to this effect is to be made on the licence.

DATED at GREYMOUTH this 29th day of September 2021



Rachel M Van der Geest
Chairperson/Commissioner

