

Decision No. GREYDLC116/2021

IN THE MATTER

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

AND

IN THE MATTER

of an application by **BRIAN JOSEPH BLACKMAN** to s.138 of the Act for an on-site Special Licence in respect of licenced premises situated at Shakespeare Street, Greymouth known as the "The Grey United Tennis Club"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Brian Joseph Blackman has made application for a special licence to sell and supply alcohol for an event being held by The Grey United Tennis Club called "West Coast Association Annual Vets Tournament".

The event is for 23 and 24th October 2021 and the hours sought are 2pm until 6.30pm, each day.

This event is for a Senior Tennis Tournament which is age restricted to 35yrs plus. An estimated 50 people aged between 35 and 80 years of age are expected to attend.

The premises are not currently licenced and are owned by the Tennis Club, on Council leasehold land.

The main entry is from Shakespeare Street.

Specials licences have previously been issued to the applicant with no reported incidents.

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 17 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 13 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 not been the case for this application with the failure to apply in the prescribed time appearing to be 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.

DECISION

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by Brian Joseph Blackman for a Special Licence for a senior tennis tournament to be held at the Grey United Tennis Club with the following conditions:

Conditions:

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

Saturday 23 and Sunday 24th October 2021

Between 2.00pm and 6.30pm

2. The premise be classed as undesignated for the licence period and is shown on the plan provided with the application.
3. The following steps must be taken to ensure that the provisions of this Act relating to the management of the premises concerned are observed:
Brian Blackman is to be on duty throughout the licence periods.
4. 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 restriction on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
5. Food must be available for consumption on the premises.
6. Low and non-alcoholic beverages must be available.
7. Drinking water is to be provided free of charge from a water cooler prominently situated on the premises.
8. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licenced premises.
9. Noise is to be monitored at all times by Committee members.
10. Members of the public not participating in the events are to be excluded from the premises when the games have finished.
11. Display of licence is to be at the principle entrance to the premise.
12. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

The Premises area as set out on the plan submitted with the application and date stamped 6 October 2021. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

Previous special licences held by the applicant have raised no concerns.

Substantive food options and low and non-alcoholic drinks will be available throughout the event.

The Inspectors report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent and he does not oppose the application.

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

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 Committee is satisfied under section 213(2) of the Act that the applicant, supported by the Tennis Club Committee Members will manage the conduct of the sale of alcohol pursuant to the licence and therefore agrees to exempt the holder of this special licence from the requirement to appoint a manager.

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.

DATED at GREYMOUTH this 14th day of October 2021


Rachel M Van der Geest
Chairperson/Commissioner

