

Decision No. GREYDLC 109/2023

IN THE MATTER

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

AND

IN THE MATTER

of an application by **WEST COAST THEATRE TRUST** for the renewal of an ON-Licence and variation pursuant to s.120 and s.127 of the Act in respect of premises situated at 2-8 Mackay Street, Greymouth and known as the “Regent Theatre and Ferrari’s Lounge Bar”

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The West Coast Theatre Trust has made an application for the renewal and variation of an ON-licence for premises situated at 2-8 Mackay Street, Greymouth and known as the “Regent Theatre and Ferrari’s Lounge Bar”.

The applicant is a trust, registered on 4 June 2020, number CC20666. The general nature of the business is that of a movie theatre and live show venue with an attached lounge bar offering food and refreshments.

The applicant holds a current ON-licence number 55/ON/73/2017 with licensed hours of Monday to Sunday 11am-1am the following day.

The premises are zoned commercial and this activity is permitted within this zone.

The principal entrance to the premises is from 2 Mackay Street, Greymouth.

The foyer, cinemas, auditorium and outdoor area are designated as undesignated, and the lounge bar is designated supervised.

A variation is applied for to change the licensed hours to Monday to Sunday 10am-1am the following day and to change the designation of the lounge bar area to undesignated.

DECISION

The District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by the West Coast Theatre Trust for the renewal and variation of an ON-licence in respect of premises at 2-8 Mackay Street, Greymouth and known as the “Regent Theatre and Ferrari’s Lounge Bar”, subject to the following conditions:

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 1am the following morning.

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 for the purpose of dining.

3. Drinking water is to be provided to patrons free of charge from the bar.

4. The premise area is designated as undesignated as per the plan attached to the application.

5. 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 and low-alcohol beverages.

6. Food must be available for consumption on the premises, at all times when the premises are 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. Menus must be visible and food should be actively promoted.

7. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.

8. A properly appointed certificated or acting or temporary manager must be on duty 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 in the 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 for the 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.

11. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

The premises are as set out on the plan submitted with the application and date stamped 30 August 2023. A note to this effect is to be made on the licence.

REASONS FOR THE DECISION

The business carried out upon the premise is that of a movie theatre and live show venue with attached lounge bar and are of a kind for which an on-licence may be granted.

The applicant has operated their on-licence for a number of years without incident. The current manager of the theatre, Alison Grooby, held a managers certificate continuously from 2008 - 2019 and has over 10 years experience in the industry. She is involved in the day-to-day running of the business.

The variation to the hours, and designation of the lounge bar, are applied for due to a re-direction of the business, changing from a bar area to more of a cafe style area.

The Licensing Inspector details in her report that the applicant has the appropriate systems, staff and training to comply with the law, including four qualified duty managers.

The Licensing Inspector's report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent should this application, with the variations, be granted, and that the applicant is suitable to hold this licence. She does not oppose the application.

The Police and Medical Officer of Health do not oppose the application.

No undertakings are sought by the agencies.

This application was duly notified on Council website and no objections were received from members of the public.

Accordingly, I deal with the matter on the papers.

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 and it is satisfied as to the matters that it must have regard to as set out in sections 4, 105,106 and 131 of the Act.

DATED at GREYMOUTH this 4th day of October 2023

 

Rachel van der Geest
Chairperson/Commissioner