

Decision No. GREYDLC028/2019

IN THE MATTER

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

AND

IN THE MATTER

of an application by the **BARRYTOWN SETTLERS HALL SOCIETY INCORPORATED** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at 6 Cargills Road, Barrytown known as "the Barrytown Hall"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The Barrytown Settlers Hall Society Inc has made application for a special licence to sell and supply alcohol in the club.

These events are held with the principal purpose of all the events being described as musically dramatic social events.

This Committee does not hold any other Liquor Licence. Special Licenses have been issued for previous events.

The dates for the musicals and socials being applied for are:

Thursday	21 March	Daniel Champagne Singer/guitarist
Saturday	30 March	Mosaic Capella choir Choral
Saturday	6 April	Paul Walker, Karen Pfeifer Anglo German folk
Thursday	18 April	Aro Mana, NZ folk
Wednesday	24 April	Sue Tkin Ktoo West Coast songs
Friday	17 May	Moonflower Christchurch acoustic blues
Sunday	26 May	Adam McGrath Country Blues
Saturday	22 June	Jenny Mitchell Singer/Songwriter
Wednesday	10 July	John Davis and Cicadas Folk group
Tuesday	1 October	Ponguru Maori Traditional Instruments
Tuesday	29 October	Greg Copland Slide guitar blues

The hours sought for the events are from **6pm until midnight.**

All of the proposed functions have an estimated number of between 12 and 75 people attending with a probable age distribution of people attending to be between the ages of 15 and 80 years old.

The purpose of these events is to raise money for the maintenance of the hall and increase the cultural amenity of the district.

REASONS FOR THE DECISION

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 15 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 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, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application.

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 being, pizzas, savouries and pies etc. will be available during each event. It is noted that 3 of the food listed with the application will be available hot or cold.
- Free water will be available at no charge throughout the events from both the bar.
- Tea/coffee is available for sale.
- Non alcoholic and low alcoholic beverages will be available.

We note that this application has only noted the one certified duty manager that being Mr Roger Ewer who is an experienced manager as well as support provided by committee members.

It is noted that the certified bar manager will hold full authority for the management and monitoring of alcohol consumption. The holder of this Special licence will defer to the bar manager should intervention be required.

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 that the hall has undergone some sound-proofing to mitigate problems, this is to be monitored by members throughout the events.

The principle front entrance is off Cargill Road, Barrytown with the premises being undesignated as per plan submitted.

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

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 Chairman, acting pursuant to the Sale and Supply of Alcohol Act 2012 grants an application by the Barrytown Settlers Hall Society Inc. for an on-site Special Licence for the premises at 6 Cargills Road, Barrytown for musical and dramatic performances and social events listed subject to the following conditions:

Conditions:

1. Alcohol may be sold under the licence only on the following days during the hours of 6pm to midnight for each of the 11 events:

Thursday	21 March	Daniel Champagne Singer/guitarist
Saturday	30 March	Mosaic Capella choir Choral
Saturday	6 April	Paul Walker, Karen Pfeifer Anglo German folk
Thursday	18 April	Aro Mana, NZ folk
Wednesday	24 April	Sue Tkin Ktoo West Coast songs
Friday	17 May	Moonflower Christchurch acoustic blues
Sunday	26 May	Adam McGrath Country Blues
Saturday	22 June	Jenny Mitchell Singer/Songwriter
Wednesday	10 July	John Davis and Cicadas Folk group
Tuesday	1 October	Ponguru Maori Traditional Instruments
Tuesday	29 October	Greg Copland Slide guitar blues

2. The premise be classed as undesignated for the licence period and is shown on the plan attached to this licence.
3. The appointed certificated manager Mr Roger Ewer must be on duty at all times when the premises are open for the sale and supply of alcohol.
4. 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
 - c. A sign prominently displayed at the premises, which identifies by name the manager for the time being on duty.
5. 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.
6. Food must be available for consumption on the premises.
7. Drinking water is to be provided free of charge from a water supply 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 levels are to be monitored at all times.
10. 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 28 February 2019. A note to this effect is to be made on the licence.

DATED at GREYMOUTH this 19 day of March 2019



Alan T O'Connell
Chairman/Commissioner

