

Decision No. GREYDLC034/2019

IN THE MATTER

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

AND

IN THE MATTER

of an application by **REEVES BROOKS LIMITED** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at 25-29 Boundary Street, Greymouth known as "Brooke Murphy's"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Reeves Brooks Limited has made application for a special licence to sell and supply alcohol outside of their on licence hours which is currently 12pm to 1am the following morning.

The dates and times for the events being applied for are:

Saturday 6 April 2019	9pm to 3am the following morning	Catch 22 live band
Saturday 13 April 2019	7pm to 3am the following morning	Easter Jam Night
Saturday 27 April 2019	9pm to 3am the following morning	The Upbeats live band

The proposed functions have an estimated number ranging between 70-120 people attending with a probable age distribution of people attending to be between the ages of 18 – 35 years old.

The main principle of entrance is from Boundary Street, Greymouth.

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 18 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 and explained as being unwell. 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 as provided in the menu submitted with the application.
- Free water will be available at no charge throughout the events from both the bar.
- Non alcoholic and low alcoholic beverages will be available.

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 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 Reeves Brooks Limited Inc. for an on-site Special Licence for the premises at 25-29 Boundary Street, Greymouth for events listed subject to the following conditions:

Conditions:

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


Saturday 6 April 2019	9pm to 3am the following morning	Catch 22 live band
Saturday 13 April 2019	7pm to 3am the following morning	Easter Jam Night
Saturday 27 April 2019	9pm to 3am the following morning	The Upbeats live band

2. The bar premise be classed as supervised for the licence period and café areas undesignated as per on licence.
3. The appointed certificated manager must be on duty at all times when the premises are open for the sale and supply of alcohol.

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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 on licence application and date stamped 21 November 2018. A note to this effect is to be made on the licence.

DATED at GREYMOUTH this 4 day of April 2019


Alan T O'Connell
Chairman/Commissioner

