

Decision No. GREYDLC119/2019

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by **FAIRLIE HOLDINGS LIMITED** pursuant to s.138 of the Act for an off-site Special Licence in respect of licenced premises situated at Shantytown 312 Rutherglen Road rutherglen, Greymouth trading as the "Cheviot Vineyard"

**DECISION OF THE GREY DISTRICT LICENSING COMMITTEE**

The application for an off-site Special Licence authorising the sale of alcohol, for consumption somewhere else from the premises is granted.

The premises is situated at Shantytown in the Miners Hall, as set out on the plan accompanying the application.

The premises are designated as a supervised area, and accordingly individuals under 18 years of age may be present if accompanied by a parent or legal guardian.

The licence may issue immediately, subject to the conditions set out below.

**CONDITIONS**

The licence is subject to the following conditions:

1. Alcohol may be sold for consumption off the premises, only on the following days and hours:
  - a. Wednesday 6 November 2019  
Hours: 5.30pm to 10pm
2. Free drinking water to be provided and actively promoted if samples are being supplied.
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:  
Bronwyn Ann Harrison to be on duty throughout the licence period.
4. Alcohol is only to be sold and supplied from the stall as provided for in the floor plan submitted with the application, dated 9 October 2019.
5. Alcohol is not to be supplied free, as a sample, for consumption on the premises, at a time when the premises are not open for the sale of the licensee's alcohol for consumption somewhere else.

6. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
7. The licensee must display:
  - a. At every point of sale, signs detailing restrictions on the sale of alcohol to minors and intoxicated persons;
  - b. At the principle entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the hours during which the premises will be open for sale of alcohol;
  - c. A copy of the licence attached to the premises so as to be easily read by persons attending the premises.

**The Premises area as set out on the plan submitted with the application and date stamped 9 October 2019. A note to this effect is to be made on the licence.**

### **REASONS FOR THE DECISION**

This is an application by Fairlie Holdings Ltd trading as Cheviot Vineyard for an off-site Special Licence, in relation to wine to be held in the Miners Hall at Shantytown, 312 Rutherglen Road, Greymouth. The applicant has held similar licences and is knowledgeable of the Act.

A report has been provided by Licensing Inspector Lombaard supportive of the application. The Inspectors report indicates that the amenity and good order of the locality will not be adversely affected by more than a minor extent.

The Inspector, Police and Medical Officer of Health have raised 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.

In the absence of any objections, I will deal with the matter on the papers.

I note that the applicant is a wholesale of alcohol and therefore section 42 of the Act has been satisfied.

Food will be supplied onsite from a number of other stalls.

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

The nominated bar staff is Bronwyn Ann Harrison who has applied for similar licences before. The committee is satisfied under section 213(2) of the Act that Bronwyn Ann Harrison 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 purpose of the Sale and Supply of Alcohol Act 2012 (the Act) is to put in place system of control over the sale and supply of Alcohol (s3). The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s4).

In deciding whether to issue a licence the District Licensing Committee must have regard to the criteria in s105. Having considered this section, I am satisfied that the considerations fall in favour of the Special Licence being granted. There is nothing in the application which would suggest that the Applicant will supply alcohol in any way which would be inconsistent with the intention of the Act, or any other relevant legal requirement.

### **CONCLUSION**

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that a Special Licence should be granted pursuant to the conditions set out above.

**DATED** at GREYMOUTH this 4 day of November 2019



Alan T O'Connell  
Chairman/Commissioner

