

Decision No. GREYDLC 126/2021

IN THE MATTER

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

AND

IN THE MATTER

of an application by the **DUNOLLIE HOTEL (2019) LIMITED** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at 37 MacDougall Avenue, Dunollie known as the “Dunollie Hotel”

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

The Dunollie Hotel (2019) Limited has made application for a special licence to sell and supply alcohol to cover the Pike River True Tribute Bike Run.

The proposed event and hours applied for are as follows:

Saturday 13 November 2021	11am to 1am the following day	Pike River True Tribute Bike Run
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The Licence No. 55/ON/06/2019 hours are 11am to 1am Monday to Sundays with the premises bar area being supervised and other licensed areas undesignated and restricted as per the plan submitted with the application.

This event has an estimated number of 100 people attending with probable age distribution of people 30 years and above.

The main entrance way is from Argyle Street, Dunollie.

An additional area, being the hotel car park is to be licensed for this event to enable participants to view the motorcycles.

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 19 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. 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.

REASONS FOR THE DECISION

The applicant has provided host responsibility details which demonstrate that suitable measures will be undertaken with regard to the responsible sale or supply of alcohol and that harm will be minimised, including:

- free water will be available at no charge throughout the event
- Non and Low alcoholic beverages are available for sale
- Food will be available as per the Menu attached
- Minors and intoxicated persons will not be served alcohol
- A courtesy van will be available

The applicant will have a total of 5 staff on site during the event, including 2 Duty Managers. There will be regular checking of all licensed areas to ensure compliance with the Act.

The outside carpark area will be enclosed by an existing fence and rock barrier with vehicles used to block the boundary at the southern end of the area.

No alcohol will be served outside of the Hotel, with the carpark area to be for consumption only.

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 he does not oppose the application.

The Police and Medical Officer of Health raise 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.

The applicant is reminded that they must ensure noise does not become a nuisance for neighbouring properties and monitors the event vigilantly especially the outside area.

I am satisfied as to the matters to which we must have regard as set out in s.105 and 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 Dunollie Hotel (2009) Limited for an on-site Special Licence for the premises 37 MacDougall Avenue, Dunollie known as the Dunollie Hotel, for the following events subject to the following conditions:

Conditions:

The event and hours applied for are to be as follows:

Saturday 13 November 2021	11am to 1am the following day	Pike River True Tribute Bike Run
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1. Drinking water must be freely available at no charge to patrons.
2. Food as listed by the applicant to be available on the premises during this event.
3. Low and non-alcoholic beverages must be available for sale and supply from the bar at all times.

4. Noise levels to be monitored at all times by the duty manager.
5. A certificated manager must be on duty and on the premise 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 at the premises.
6. The Licensee must provide patrons assistance with, or information about alternative forms of transport.
7. The premise area is designated the same as the current on licence, with the outside car park area designated undesignated.
8. The licensee must take the following steps to ensure that the provisions of the Act relating to the sale or supply of alcohol to prohibited persons are observed: minors and intoxicated persons must not be served alcohol.
9. The licensee must display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the supply of alcohol to minors and the complete prohibition on sales to intoxicated persons.
10. All areas included in the licence are to be compliant with the act of the duration of the event.
11. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

The Premises area is as set out on the plan submitted with the application and date stamped 18 October 2021. A note to this effect is to be made on the licence.

DATED at GREYMOUTH this 8th day of November 2021



Rachel M Van der Geest
Chairperson/Commissioner

