

Decision No. GREYDLC 085/2022

**IN THE MATTER**

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

**AND**

**IN THE MATTER**

of an application by the **JBR ENTERPRISES LIMITED** pursuant to s.138 of the Act for an on-site Special Licence in respect of premises situated at 745 Taylorville Road, Taylorville known as the "Bucks Head Tavern"

**BEFORE THE GREY DISTRICT LICENSING COMMITTEE**

JBR Enterprises Limited has made an application for a special licence to sell and supply alcohol for 12 upcoming events at premises situated at 745 Taylorville Road, Taylorville, known as the "Buck's Head Tavern".

The events to be held are music events and include four christmas functions.

JBR Enterprises Limited is an incorporated company, number 3500332. David John Kennedy is a shareholder of the company and is the duty manager at the Bucks Head Tavern.

The general nature of the business is that of budget accommodation and is not currently licenced.

The principal entrance is off 745 Taylorville Road, Taylorville.

All of the proposed events have an estimated number of 40 people attending with a probable age distribution of 25 to 70 years old.

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 first proposed event on 25th September 2022. 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 is the case for the event on 25th September 2022, with the failure to apply in the prescribed time appearing to not 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 for the event on 25th September. We are satisfied that the neglect or omission for that event was not wilful, so pursuant to section 208 of the Act waive the requirement relating to the prescribed time for lodgement of the application.

The proposed days and hours applied for are as follows:

DAY	EVENT	NATURE OF EVENT	HOURS
Sunday 25 September 2022	Band Night	Live music with Rick	3pm to 10.30pm
Friday 14 October 2022	Music Night	Live Music with Jenny Burns	3pm to 10.30pm
Saturday 5 November 2022	Band Night	Live music - Shakey Ground	12pm to 10.30pm
Friday 18 November 2022	Band Night Xmas function	Live Music with Rick	3pm to 10.30pm
Saturday 19 November 2022	Band Night Xmas function	Music with Geoff Ten Gallon Fats	3pm to 10.30pm
Friday 2 December 2022	Band Night Xmas function	Music	3pm to 10.30pm
Saturday 3 December 2022	Band Night Xmas function	Music	3pm to 10.30pm
Monday 26 December 2022	Band Night	Music with Geoff Ten Gallon Fats	12pm to 10.30pm
Saturday 7 January 2023	Band Night	Music with Geoff Ten Gallon Fats	12pm to 10.30pm
Saturday 14 January 2023	Band Night	Music with KVH	12pm to 10.30pm
Saturday 21 January 2023	Band Night	Music with Freedom Alley	12pm to 10.30pm
Saturday 4 March 2023	Band Night	Brewery Hill Band	12pm to 10.30pm

The bar and outdoor beer garden are designated as supervised, as per the plan provided.

### **DECISION**

The Grey District Licensing Committee Chairperson, acting pursuant to the Sale and Supply of Alcohol Act 2012 **grants** an application by JBR Enterprises Limited for an on-site special licence for the premises at 745 Taylorville Road, Taylorville known as the “Bucks Head Tavern” for 12 events, subject to the following conditions:

### **Conditions**

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

<b>DAY</b>	<b>EVENT</b>	<b>NATURE OF EVENT</b>	<b>HOURS</b>
Sunday 25 September 2022	Band Night	Live music with Rick	3pm to 10.30pm
Friday 14 October 2022	Music Night	Live Music with Jenny Burns	3pm to 10.30pm
Saturday 5 November 2022	Band Night	Live music - Shakey Ground	12pm to 10.30pm
Friday 18 November 2022	Band Night Xmas function	Live Music with Rick	3pm to 10.30pm
Saturday 19 November 2022	Band Night Xmas function	Music with Geoff Ten Gallon Fats	3pm to 10.30pm
Friday 2 December 2022	Band Night Xmas function	Music	3pm to 10.30pm
Saturday 3 December 2022	Band Night Xmas function	Music	3pm to 10.30pm
Monday 26 December 2022	Band Night	Music with Geoff Ten Gallon Fats	12pm to 10.30pm
Saturday 7 January 2023	Band Night	Music with Geoff Ten Gallon Fats	12pm to 10.30pm
Saturday 14 January 2023	Band Night	Music with KVH	12pm to 10.30pm
Saturday 21 January 2023	Band Night	Music with Freedom Alley	12pm to 10.30pm
Saturday 4 March 2023	Band Night	Brewery Hill Band	12pm to 10.30pm

2. The bar and outdoor beer garden are designated as supervised, as per the plan attached to this licence.
3. A certificated manager must be on duty and on the premises 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.
4. 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:
  - a. minors and intoxicated persons must not be served alcohol.
5. 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.
6. 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.

7. Food must be available for consumption on the premises on each occasion this licence is operated.
8. Drinking water is to be provided free of charge from a water supply prominently situated on the premises.
9. The licensee must provide information, advice and assistance about alternative forms of transport available to patrons from the licensed premises.
10. A courtesy van is available.
11. Noise levels are to be monitored at all times.
12. 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 30 August 2022. A note to this effect is to be made on the licence.**

### **REASONS FOR THE DECISION**

The applicant has held numerous special licences in the past with no concerns.

The applicant has provided in their application 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. These measures include:

- Food in the form of pies, cheese board, toasties and hummus and crackers will be available as per the attached menus, and the Christmas functions will be catered.
- Free water will be available at no charge throughout the event.
- Non-alcoholic and low alcoholic beverages are available for sale.
- A courtesy van is available.

There are two duty managers listed, Jan Flinn and David Kennedy. Kennedy is an experienced duty manager, and has been responsible for previous special licences at the premises.

The Licensing Inspector has no objections to the application and reports the applicant is suitable to hold this licence.

Police and the Medical Officer of Health have no objections to the application.

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.  
I am satisfied as to the matters to which we must have regard as set out in Sections 105 and 104 of the Act.

**DATED** at GREYMOUTH this 14th day of September 2022

 

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Rachel M van der Geest  
Chairperson/Commissioner