

Decision No. **GREYDLC 074/2022**

**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 an application for a special licence to sell and supply alcohol for 12 upcoming musical and dramatic events to be held at 6 Cargill Road, Barrytown.

The applicant is an incorporated society number 238297 and they do not currently hold an on-licence.

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 17 working days between the time of application and the first 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 is the case for this event, with the failure to apply in the prescribed time appearing not to be a matter of neglect or omission. 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 for those events 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 hours for each event are 6.00pm to 12.00am the following day and the days applied for are:

<b>DAY</b>	<b>EVENT</b>	<b>NATURE OF EVENT</b>
Thursday 2 November 2023	Greg Franco and the Fuzzies	Alternative rock
Sunday 12 November 2023	Sophia Bidwell and John Sanders	Folk music
Saturday 25 November 2023	Mary Glaisyer	Comedy

Wednesday 6 December 2023	Ben Salter	Eclectic rock
Thursday 28 December 2023	Ko Calla	Art rock
Sunday 31 December 2023	Dale Kerrigan and Koizilla	Fast rock
Thursday 11 January 2024	Newtown Rocksteady	Rock and roll
Wednesday 24 January 2024	Ren and Rob	Celtic rock
Sunday 11 February 2024	Mishra	Indian modern
Friday 23 February 2024	Good Habits	UK folk
Sunday 3 March 2024	Soaked Oats	Alternative folk
Saturday 23 March 2024	Genre Fluid	Alternative rock

There is an estimated number of between 20 and 80 people attending all the events, with a probable age distribution of 15 to 90 years of age.

The principal entrance is from 6 Cargill Road, Barrytown.

### **DECISION**

The Grey District Licensing Committee Chairperson, 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 known as "The Barrytown Hall" for the following events and subject to the following conditions:

### **CONDITIONS:**

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

<b>DAY</b>	<b>EVENT</b>	<b>NATURE OF EVENT</b>
Thursday 2 November 2023	Greg Franco and the Fuzzies	Alternative rock
Sunday 12 November 2023	Sophia Bidwell and John Sanders	Folk music
Saturday 25 November 2023	Mary Glaisyer	Comedy
Wednesday 6 December 2023	Ben Salter	Eclectic rock
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2. The premises will be classed as undesignated for the licence period and is shown on the plan attached to this licence.
3. An appointed certificated manager must be on duty at all times when the premises are open for the sale and supply of alcohol.
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:
  - 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.
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. Noise levels are to be monitored at all times.
11. Payment of the fee prescribed under the Sale and Supply of Alcohol (Fees) Regulations 2013.

**The premises licensed area is set out on the plan submitted with the application and date stamped 24 October 2023. 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 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 savouries, pies, sausage rolls and pizza segments will be available during the events.
- Free water will be available at no charge throughout the events from the bar area.
- Tea/coffee is available on request
- Non-alcoholic and low alcoholic beverages will be available.
- Committee members will be available to transport patrons home, or arrange accommodation.

There are two certified duty managers, Mr Roger Ewer who is an experienced manager and Miss Jaylene Ann Costello. Support will also be provided by committee members.

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, that the applicant is suitable to hold this licence and she 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.

I am satisfied as to the matters to which we must have regard as set out in s.142 of the Act.

Section 149(2) notes if a special licence issued is postponed to some other day, the licence is in force on the day on which the event or part takes place.

**DATED** at GREYMOUTH this 26th day of October 2023



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Rachel M van der Geest  
Chairperson/Commissioner