

Decision No. GREYDLC 063/2023

IN THE MATTER

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

AND

IN THE MATTER

of an application by **LONG SHORT 2023 LIMITED** pursuant to Section 136 of the Act for temporary authority in respect of premises situated at 37 MacDougal Avenue, Dunollie and known as "The Dunollie Hotel".

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Meeting date: 9 June 2023

Committee: Mrs Rachel Van der Geest
Mr Alan O'Connell
Mr John Magee

Decision written by Mrs Rachel Van der Geest on behalf of the Committee.

This is an application by Long Short 2023 Limited (the applicant) pursuant to Section 136 of the Act for a Temporary Authority Order in respect of "The Dunollie Hotel" (the licensed premises) situated at 37 MacDougal Avenue, Dunollie.

This is the second application for a Temporary Authority with the first having expired on 6 May 2023.

An application for an On-Licence was submitted to the Grey District Council by the applicant on 11 April 2023. During the application process, it was discovered that there was not a current emergency evacuation plan in place for the premises.

A delay in communication between the applicant, the premises owner, Fire and Emergency New Zealand and the Council meant a new evacuation plan has not yet been issued.

This second Temporary Authority application is to enable the evacuation plan to be put in place and the On-licence application process completed.

DECISION OF THE GREY DISTRICT LICENSING COMMITTEE

The application for a Temporary Authority Order (Temporary Authority) by the applicant in respect of licensed premises situated at 37 MacDougal Avenue, Dunollie to sell and supply alcohol from the premises is **granted**. The Temporary Authority may issue from commencement date of 9 June 2023 and will expire on 9 September 2023.

CONDITIONS

The licensee must comply with the conditions set out in the base On-licence for the premises, licence number 55/ON/06/2019.

REASONS FOR THE DECISION

The applicant has previously held a temporary authority for the premises, issued on 6 February 2023.

While it is the responsibility to of the applicant to ensure all requirements of the application process are adhered to and followed up, the Committee believes that the mis-communication between all parties involved in this matter has led to the delay of the evacuation plan and has not necessarily been deliberate neglect or omission from the applicant.

However, as all parties are now aware of the situation it is the desire of this Committee that the new On-licence application is completed BEFORE the expiry date of this Temporary Authority or the suitability of the applicant may be called into question.

Fire and Emergency New Zealand have indicated a 30 day process for the evacuation plan.

The applicant holds a current managers certificate number 55/CERT/016/2020.

There is no evidence before the Committee that would suggest the applicant would manage the premises in any way that would contravene the requirements or intention of the Act, or would suggest a temporary authority should not be granted.

Section 136 of the Act provides the Committee with the ability to set any conditions that should apply to the premises operating under a Temporary Authority. In this case the conditions set out in the base on-licence (55/ON/06/2019) continue to apply.

It is noted that the current On-licence will expire on 30 September 2023.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012 the Committee is satisfied that a Temporary Authority Order should be granted, subject to the conditions set out in the licence 55/ON/06/2019.

DATED at GREYMOUTH this 9th day of June 2023



Rachel M Van der Geest
Chairperson/Commissioner