

Decision No. GREYDLC 145/2024

IN THE MATTER

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

AND

IN THE MATTER

of an application by **CAROLINE ROSE MARDON** pursuant to Section 136 of the Act for a temporary authority in respect of premises situated at 8 Hilton Street, Blackball and known as "The Blackball Inn & 08 Cafe"

BEFORE THE GREY DISTRICT LICENSING COMMITTEE

Meeting date: 26th November 2024

Committee: Mrs Rachel van der Geest
Mr Alan O'Connell
Mr John Canning

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

This is an application by Caroline Rose Mardon (the applicant) pursuant to Section 136 of the Act for a Temporary Authority Order (Temporary Authority) in respect of "The Blackball Inn & 08 Cafe" (the licensed premises) situated at 8 Hilton Street, Blackball.

DECISION OF THE GREY DISTRICT LICENSING COMMITTEE

The application for a Temporary Authority by the applicant in respect of licensed premises situated at 8 Hilton Street, Blackball to sell and supply alcohol from the premises is **granted**.

The Temporary Authority may be issued immediately and will expire three months from the date of issue.

CONDITIONS

The licensee must comply with the conditions set out in the base Off-Licence for the premises, licence number 55/OFF/03/2019.

REASONS FOR THE DECISION

A Temporary Authority was granted to the applicant for an on-licence for the same premises on 19 September 2024.

This is the first application for a Temporary Authority from the applicant in respect of premises situated at 8 Hilton Street, Blackball and known as "The Blackball Inn & 08 Cafe", in respect of the Off-Licence.

The Temporary Authority is sought to allow the continued sale and supply of alcohol following the lease of the business to the Applicant.

There is no opposition to the grant of a Temporary Authority from the Police and the Grey District Licensing Inspector is supportive of the Temporary Authority being granted.

The premises owners have provided a copy of a lease agreement and a signed letter dated 13 September 2024 confirming the applicant is leasing the business and giving consent to the applicant selling alcohol on the premises.

The Committee is satisfied in terms of section 136(1) of the Act that the applicant appears to have a right, title, estate or interest in the business conducted at the premises situated at 8 Hilton Street, Blackball.

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 licence 55/OFF/03/2019 should be followed.

CONCLUSION

Having regard to the relevant provisions to 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/OFF/03/2019.

DATED at GREYMOUTH this 26th day of November 2024



Rachel M van der Geest
Chairperson/Commissioner

55/OFF/03/2019

Off-licence

Sections 17 to 20, and 64, Sale and Supply of Alcohol Act 2012

Pursuant to the Sale and Supply of Alcohol Act 2012 (the Act), **The Blackball Inn & 08 Cafe on Hilton Ltd** (the licensee) is authorised to sell alcohol on the premises situated at **8 Hilton Street Blackball** and known as **The Blackball Inn & 08 Cafe on Hilton**, to any person for consumption off the premises and to supply alcohol free, as a sample, for consumption on the premises.

Conditions:

1. Alcohol may be sold on, or delivered from, the premises for consumption off the premises or supplied free as a sample for consumption on the premises only on the following days and hours:
Monday to Sunday 10.00am to 10.00pm
2. No alcohol is to be sold on or delivered from the premises on Good Friday, Easter Sunday, Christmas Day or before 1pm on Anzac Day.
3. When alcohol is being supplied free as a sample, water is to be provided free of charge at the place where the samples are being supplied.
4. The whole of the premises is an undesignated area.
5. A properly appointed certificated or acting or temporary manager must be on duty, within the licenced area, 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 in the premises.
6. The Licensee must ensure the following items are prominently displayed:
 - a. At every point of sale, signs detailing restrictions on the sale and supply of alcohol to minors and intoxicated persons.
 - b. At the principal entrance to the premises, so as to be easily read by people immediately outside the premises, a sign stating the ordinary hours of business during which the premises will be open for sale of alcohol.
 - c. A copy of the licence, and of the conditions of the licence, attached to the inside of the premises so as to be easily read by people entering each principal entrance.
7. The licence is subject to the payment of licence fees as required by the Sales and Alcohol (fees) Regulations 2013.

The Premise licensed area is set out on the plan submitted with the application and date stamped 14 November 2023. A note to this effect is to be made on the licence.

Duration:

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence continues in force—

- (a) either—
 - (i) until the close of the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 12 months after the day it was issued; but
- (b) if an application for the renewal of the licence is duly made before the licence would otherwise expire, either—
 - (i) until the close of the period of 3 years after the period for which it was last renewed; or
 - (ii) if it has never been renewed, until the close of the period of 4 years after the day it was issued.

Dated at Greymouth this 21st day of December 2023



A handwritten signature in black ink, which appears to read "Rouse".

**Group Manager Support
For Secretary**

Subject to the requirements of the Act relating to the payment of fees, and to the provisions of the Act relating to the suspension and cancellation of licences, this licence expires on:

11 December 2026

