

# Notice of Decision



Decision No. 57/ON/487/2019

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by BA Ventures NZ Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 1224 Karaka Road, Waikari known as “Hurunui Hotel, Cafe & Functions“

**BEFORE THE Hurunui District Licensing Committee**

Chairperson: Councillor M Black

**DECISION (ON THE PAPERS)**

This is an application by BA Ventures NZ Limited for an on-licence in respect of premises situated at 1224 Karaka Road, Waikari, known as “Hurunui Hotel, Cafe & Functions“.

The general nature of the business to be undertaken is that of a Hotel, Café and Function Centre with the hours authorised for the sale of alcohol between Monday to Sunday from 8.00am to 1.00am the following day and outdoor licensed areas between Monday to Sunday 8.00am to 12.00 midnight.

BA Ventures NZ Limited is a new company registered on 9 November 2018. Adam Martin is the sole company director and shareholder.

On 28 February 2019, BA Ventures NZ Limited’s ownership of the property was finalised.

The Hurunui Hotel is a historic building that has held licences to sell alcohol for 150 years.

The applicant proposes to operate the Hurunui Hotel with a restaurant and provide accommodation. The building (commonly known as the ‘Stables’) is now being used as a café. The function centre will be utilised for events such as weddings, family and community celebrations and events.

**Hurunui Hotel** – The main bar and ‘Nook’ are to be designated as supervised from 9.30pm

The Pool room is undesignated

The beer garden is the smoking area

**Café** - All food and alcohol service is by staff from the hotel

Alcohol may be sold at the café when functions are hosted from there

Occupancy of the interior of the café is approximately 20 people

**Function Centre** – Previously called the ‘Blacksmiths cafe’ is only intended to be used for booked functions

There is a small bar in this area, for service of alcohol at events

Maximum number of guests at functions is approx. 90

**Outdoor licensed areas** – Garden 1 = Grass and paved area in front of the hotel

Garden 2 = Grass and veranda area to the East of the hotel

Garden 3 = Grass area in front of the café

Garden 4 = Grass and paved area between the hotel and the café/function centre

The application was duly advertised and no objection or notice of desire to be heard has been received.

In their reports, Medical Officer of Health, and District Licensing Inspector have raised no matters in opposition to this application.

The Police report received on 18 March 2019, opposed the application. The grounds for the opposition were:

*‘(j) Staff, systems and training*

*With the applicant applying for licensed hours from 8am to 1am and only appointing one Manager for the premises Police have concerns that the applicant will not be able to adhere to the conditions of the licence.*

*Police expect two managers as a minimum for a premises, especially a premises that is run as a Hotel, restaurant, function centre and has accommodation available.*

*Police emailed the applicant addressing concerns over staffing and the applicant replied saying he will be applying for his managers certificate, that they are not open all the time and if they don’t have a manager to work they will close the bar and restaurant.*

*Police feel this is unsatisfactory and the applicant from the get go should make sure he has sufficient staff.*

*Police oppose the application due to staff being insufficient. Should the applicant provide more information on how the premises is managed the opposition will be reviewed.’*

On 25 March 2019, the Police opposition was withdrawn. The report stated:

*‘On 22 March 2019 the applicant emailed an employment agreement for Warren Robinson who will work as a casual Duty manager at Hurunui Hotel.*

*On 25 March 2019 the Hurunui Licensing Inspector emailed to say that after a site visit on 22 March 2019 that applicant said that he has Warren Robinson and Dean Woods working as casual managers and at the time of the visit Mark Cadd was working. The applicant and his partner will get their managers certificates in the near future.*

*Based on the applicant and the Inspectors email Police wish to withdraw the opposition.'*

We are satisfied as to the matters to which we must have regard as set out in s. 105 of the Act and we grant the applicant an on-licence authorising the sale and supply of alcohol, to any person for consumption on the premises and to let people consume alcohol there.

The licence may issue immediately.

**Requirements on holders of on-licences**

The applicant's attention is drawn to ss. 51 to 54 of the Act where it is a requirement for all holders of an on-licence to ensure that:

- (1) at all times when the premises are open for the sale and supply of alcohol, there is available for sale and consumption on the premises, at reasonable prices, a reasonable range of non-alcoholic drinks.
- (2) at all times when the premises are open for the sale and supply of alcohol, a reasonable range of food is available for sale and consumption on the premises, in portions suitable for a single customer, at reasonable prices and within a reasonable time of being ordered.
- (3) ensure that, at any time customers are lawfully on the premises there is readily available free, comprehensive, and accurate information about the forms of transport from the premises that are available at that time.

The applicant's attention is drawn to ss. 56 and 57 of the Act obliging the holder of an on-licence to display:-

- (1) A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of alcohol ; AND
- (2) A copy of the licence, together with a statement of all conditions subject to which it is issued, attached to the inside of the premises so as to be easily read by people entering each principal entrance.

DATED at Amberley this 26 March 2019



Secretary

**Hurunui District Licensing Committee**