

Notice of Decision



Decision No. 57/ON/483/2019

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by Rogoz Holdings Limited for an on-licence pursuant to s.99 of the Act in respect of premises situated at 10 Mt Lyford Forest Drive, Mt Lyford known as "Mt Lyford Lodge"

BEFORE THE Hurunui District Licensing Committee

Chairperson: Councillor M Black

DECISION (ON THE PAPERS)

This is an application by Rogoz Holdings Limited for an on-licence in respect of premises situated at 10 Mt Lyford Forest Drive, Mt Lyford, known as "Mt Lyford Lodge".

The general nature of the business to be undertaken is that of a Hotel, with the hours authorised for the sale of alcohol between Monday to Sunday 11.00am to 2.00am the following day.

The following areas are designated as Supervised: The area immediately in front of the bar, The bar and lounge areas from 10.00pm. The outdoor areas may be used after midnight if there are functions such as weddings.

Rogoz Holdings Limited is a new company incorporated on 23 March 2018. Costinel Rogoz is the sole company director and the owner of Mt Lyford Lodge. Costinel (known as Cristi) and Karyn Jans are the company shareholders. They will be actively involved in the day-to-day management and operation of the lodge.

Rogoz Holdings Limited was issued a temporary authority on 16 May 2018. A second temporary authority was issued on 17 August 2018 and it expires on 18 November 2018. The second temporary authority was required due to Rogoz Holdings Limited not having lodged its application for an on-licence. Karyn Jans explained that they had misunderstood some of the requirements, e.g. that they had to ensure the evacuation scheme requirements were met before they lodged the application.

Four temporary authorities have now been issued for the premises. It is unusual for four temporary authorities to be required, however, the fourth temporary authority is necessary as there are unresolved building compliance issues. These have resulted in the Building Code Compliance Certificate being unable to be issued at this time. The impact of this is that

the on-licence application cannot be issued. Various options for resolving the issues associated with the fire protection system at the lodge have been discussed by Council building officers, fire protection specialists and the property owners. It is hopeful that a workable solution will soon be determined to a point where the on-licence application can be issued.

Building CoC was issued 7 May 2019.

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

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

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 8 May 2019

A handwritten signature in black ink, appearing to read 'A. Marchant', written over a horizontal line.

Secretary

Hurunui District Licensing Committee