

Notice of Meeting:

I hereby give notice that an ordinary meeting of the District Licensing Committee will be held on:

Date: Friday 15 November 2024
Time: 10:00am -
Venue: Council Chamber, top floor, Dunedin Public Art Gallery, the Octagon, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee
Opposed On-License Renewal for the Regent Theatre Trust
PUBLIC AGENDA

MEMBERSHIP

Chairperson	Katie Lane	
Deputy Chairperson		
Members	Cr Marie Laufiso	Cr Lee Vandervis
Senior Officer	Kevin Mechen, Secretary, District Licensing Committee	
Governance Support Officer	Lauren Riddle	

Lauren Riddle
Governance Support Officer

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Note: Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.

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1 APOLOGIES

At the close of the agenda no apologies had been received.

2 CONFIRMATION OF AGENDA

Note: Any additions must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

PART A REPORTS

REPORT FOR OPPOSED ON-LICENCE RENEWAL, "REGENT THEATRE", 17 THE OCTAGON, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Applicant's Name:	The Regent Theatre Trust of Otago
Site Address	17 The Octagon, Dunedin
Trading Name:	Regent Theatre
Style of Licence	On-licence
Application Number	ON-3317-2006
Date received by Council	21 August 2024

EXECUTIVE SUMMARY

- 1 This is a report for an application by The Regent Theatre Trust of Otago for the renewal of an on-licence for the premises situated at 17 The Octagon, Dunedin, and known as the "Regent Theatre". The criteria found at section 131 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- 2 The applicant does not seek any changes to the licence.
- 3 Public notice of the application did not attract any public objections. Neither the Police nor Medical Officer of Health raised any matters in opposition.
- 4 The Licensing Inspector, however, has concerns that the Applicant does not have the appropriate systems, staff nor training to comply with the legislation.

APPLICANT AND APPLICATION

- 5 The Applicant is a trust established in 1972 to preserve the Regent Theatre as a predominantly live performance venue for Dunedin. It also hosts film festivals and offers space for smaller functions/performances. When the theatre is being used, they utilise the services of volunteers.

- 6 The current hours on the licence are Monday to Saturday, 8.00 am to 2.00 am the following day, on such days and during such hours as the premises is being operated as an entertainment venue. The Applicant is not seeking any changes to these conditions.

PUBLIC NOTICE

- 7 Public notice of the application did not attract any objections.
- 8 Neither the Police nor Medical Officer of Health have raised any matters of concern.
- 9 The Licensing Inspector has raised some concerns and has requested the matter be heard by the District Licensing Committee to ensure their concerns have been addressed.
- 10 The matters raised in the Inspectors report include:
- a) The premises has been operating without a certified manager being appointed. This resulted in the Police issuing a ‘Graduated response Model’ warning. During the process, it became apparent the Trust was not maintaining the required ‘Register of Duty Managers’ as required by s232 of the Act.
 - b) While there are substantial food options available, there is a warning they may take some time (not quantified) to prepare. Intervals during performances are about 20 minutes long and this type of food cannot be taken into the theatre; this may be seen as discouraging the purchase of substantial food.
 - c) The volumes of wine served is also a concern. One can order either a ‘regular’ (185ml) or ‘large’ (250ml) pour. Assuming the wine is 12.5% ABV, the large pour is about 2.75 standard drinks which, when no substantial food can be taken into the theatre with the wine, close monitoring of the audience would be required.
- 11 The Inspector does not believe there are appropriate systems, staff or processes in place at the theatre which has lead to there being no certified managers. The ‘situation’ with the substantial food requirement may be considered contrary to the requirements of their licence.

CONCLUSION AND CONDITIONS

- 12 The Applicant in this matter has been warned for not having a certified manager appointed and are taking steps to have new managers appointed.
- 13 The availability of substantial food options for consumption during shows does need clarification to ensure compliance with the legislation.
- 14 The hearing will provide the Applicant the opportunity to assure they are taking appropriate steps to ensure compliance with the conditions of their licence.

Signatories

Author:	Kevin Mechen - Alcohol, Psychoactive Substances and Gambling Advisor
Authoriser:	

Attachments

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PUBLIC NOTICE

Section 101(a), Sale and Supply of Alcohol Act 2012

The Regent Theatre Trust of Otago has made application to the District Licensing Committee at Dunedin for the renewal of an on licence number ON-3317-2006 in respect of the premises situated at 17 The Octagon Dunedin and known as Regent Theatre

The general nature of the business conducted under the licence is Entertainment Venue.

The applicant seeks the licence on the following hours:

On such days and during such hours as the premises are being operated as an entertainment venue (whether live or not) but not other than on the following days and hours:
Monday to Saturday 8.00 am to 2.00 am the following day: EXCEPT THAT on the Thursday before Good Friday, and on Easter Saturday, and on Christmas Eve and on the day before Anzac Day, alcohol may only be sold between 8.00 am and 12.00 midnight.

First publication date: Saturday, 24 August 2024

Second publication date: Saturday, 31 August 2024

Objections Close 5:00 pm Friday, 27 September 2024

- The application may be inspected during ordinary office hours at the office of the Dunedin District Licensing Committee at 50 The Octagon, Dunedin, or on-line at <https://www.dunedin.govt.nz/services/licensing/alcohol-licence-applications>
- No objection to the issue of a licence may be made in relation to a matter other than a matter specified in section 105(1) of the Sale and Supply of Alcohol Act 2012
- Any person who is entitled to object and who wishes to object to the issue of the application may, not later than 25 working days after the date of the first publication of this notice, file a notice in writing of the objection with the Secretary of the Dunedin District Licensing Committee at 50 The Octagon, PO Box 5045, Dunedin 9058

APPLICATION FOR ON-LICENCE RENEWAL

Incomplete applications will not be processed

The application must be accompanied by the correct fee (see page 2).

The District Licensing Committee (DLC) will notify the public of this application via the Dunedin City Council website and the Otago Daily Times (the advertising cost is included in the application fee).

The contact person will be emailed a copy of the public notice to be displayed on the premises.

Please use separate pages to provide extra information where necessary.

If you have any questions while completing this form, please contact Dunedin DLC staff on 03 474 3481 or email dla@dcc.govt.nz.

Please read and complete the following checklist before submitting the application

- A copy of both the food and drinks menus
- Map showing location of 'sensitive' locations, e.g. schools, early childhood facilities, hospitals and churches
- Copy of host responsibility policy – for high risk premises please also include an alcohol management plan explaining how you will implement the points of the policy
- Letter of authorisation if a consultant is completing this form on your behalf

Office use only

Date received:

