

Notice of Meeting:

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

Date: Thursday 27 February 2025
Time: 10.00 am
Venue: Council Chamber, top floor, Dunedin Public Art Gallery, the Octagon, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee

St Kilda Tavern – Opposed On and Off Licence renewals application

PUBLIC AGENDA

MEMBERSHIP

Chairperson	Colin Weatherall
Deputy Chairperson	Katie Lane
Members	Karen Elliot
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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PART A REPORTS

REPORT FOR ON-LICENCE & OFF-LICENCE APPLICATIONS, "ST KILDA TAVERN", 2 PRINCE ALBERT ROAD, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Applicant's Name:	Kilda Hospitality Limited
Site Address	2 Prince Albert Road, Dunedin
Trading Name:	St Kilda Tavern
Style of Licence	Tavern On & Off-licences
Application Number	ON-22-2024 & OFF-10-2024
Date received by Council	06 November 2024

EXECUTIVE SUMMARY

- 1 This is a report for an application for a new on and off-licence for the premises situated at 2 Prince Albert Road, Dunedin, and known as the "St Kilda Tavern". The criteria found at section 105 of the Sale and Supply of Alcohol Act 2012 (the Act) apply to this application.
- 2 The applicant is seeking on-licence hours of Sunday to Thursday, 10.00 am to 12.00 midnight, and Friday and Saturday 10.00 am to 2.00 am the following day. They are seeking off-licence hours of Monday to Sunday, 10.00 am to 10.00 pm. These are the same hours as previous licences.
- 3 Public notification of the application did not attract any objections. However, all of the reporting agencies, the Police, Medical Officer of Health Delegate, and Licensing Inspector, have raised concerns and the Inspector has recommended the matter be heard by the Committee.

APPLICANT AND APPLICATION

- 4 The applicant, Kilda Hospitality Limited, has a single Director, Mr Darshpreet Singh and two Shareholders, Mr D Singh (95%) and Mr Rajinder Singh (5%). Mr D Singh is a Director and

Shareholder and several companies, two of which operate licensed premises in the North Island. Mr Singh's address is listed as being in Auckland.

- 5 The premises was first opened in 1873 and has been continuously licensed since it opened as a hotel and has been a tavern since 1970. It now has a large gambling area, a garden bar, and public bar. Off-licence sales take place over the bar. They are seeking a restricted designation for the gambling area and every bar to be designated a supervised area. Upstairs is a function area that may be turned into a dining area in the future.
- 6 The Applicant sought a 'Confidentiality Order' covering information requested by the Police. This was issued.

PUBLIC NOTICE

- 7 Public Notice of the application did not attract any objection.
- 8 The reporting agencies have raised concerns, mainly about the suitability of the applicant.

Medical Officer of Health Delegate

- 9 The Medical Officer of Health Delegate opposes the application for the following reasons:
 - a) S.105(1)(a) – object of the Act. The Applicant will have a limited presence at the premises and therefore concern that they will have little ability to uphold the objectives of the Act.
 - b) S.105(1)(b) – suitability of the Applicant. During the licensing interview, the Applicant was not able to fully articulate the SCAB intoxication tool and therefore raises doubts as to their knowledge to effectively manage a premises.
 - c) S.105(1)(j) – systems, staff, and training. The premises is situated in a high-deprivation area with multiple off-licences nearby. The irregular presence of the Applicant at the premises raises concerns about the day-to-day running of the premises in the vulnerable community.
 - d) S.105(1)(k) – other matters in agency reports. The Police and Licensing Inspector raised concerns relating to the Applicant's associations and their ability to manage multiple premises safely and responsibly.

Police

- 10 The Police oppose the application for the following reason:

S.105(1)(a) – object of the Act. The granting of an off-licence which allows people to purchase alcohol and take it into an area affected by alcohol-related harm is contrary to the object of the Act.

 - a) S.105(1)(b) – suitability of the Applicant. The Applicant owns a number of premises under different entities and obtained them all in a little over one year. During the interview the Applicant claimed he didn't really know the former owner but later admitted they were friends. The Police said they had proof the GST number on till receipts are linked to the former owners business.

- b) S.105(1)(g) – the provision of other services not related to the sale of alcohol, low and non-alcoholic refreshments, and food. This was not elaborated on in the report.
- c) S.105(1)(i) – amenity and good order of the locality. Police frequently attend incidents of violence, family harm, traffic offending and disorder in the area in which the premises is located. Alcohol is a contributing factor in the harms in the area which has a high deprivation rating. Alcohol purchased from the premises would be contributing to the harm in the area.
- d) S.105(1)(j) – systems, staff, and training. Details of training at the premises have not been provided. One of the duty managers listed on the application has not worked at the premises for some time. The Police are also concerned with the character and conduct of some of the staff listed on the application.

Licensing Inspector

11 The Licensing Inspectors concern is:

- a) S.105(1) – suitability of the Applicant. The Applicant has other premises, most of which are food focussed, but did not apply for the required Food Act 2014 registration when taking over the business. This raised concerns as to their experience in the hospitality sector and their ability to comply with other legislation.

12 Other concerns expressed by the Inspector include the rapid acquisition of businesses around the country, and the use of an agent when they hadn't been used when purchasing his other premises. the Inspector believes the Committee would benefit from hearing from the Applicant directly.

CONCLUSION

- 13 This application is for new on and off-licences for a long standing premises in South Dunedin.
- 14 The three reporting agencies have all opposed with the application with the suitability of the Applicant being a concern raised by all three agencies.
- 15 The Applicant has sought a 'Confidentiality Order' for the information sought by the Police.
- 16 This hearing will provide an opportunity for the parties to state their points of view.

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

Kilda Hospitality Limited has made application to the District Licensing Committee at Dunedin for the grant of an On Licence number ON-22-2024 in respect of the premises situated at 2 Prince Albert Road Dunedin and to be known as St Kilda Tavern

The general nature of the business to be conducted under the licence is Tavern.

The applicant seeks the licence on the following hours:

Sunday to Thursday 10.00 am to 12.00 midnight

Friday and Saturday 10.00 am to 2.00 am the following day.

First publication date: Saturday, 9 November 2024

Second publication date: Saturday, 16 November 2024

Objections Close 5:00 pm Friday, 13 December 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/alcobol-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

