

Notice of Meeting:

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

Date: Tuesday 27 May 2025
Time: 1.30 pm
Venue: Dunningham Suite, 4th floor, Dunedin Public Library, 230 Moray Place, Dunedin

Sandy Graham
Chief Executive Officer

District Licensing Committee
On-Licence Suspension Request – The Bog Irish Bar
PUBLIC AGENDA

MEMBERSHIP

Chairperson	Colin Weatherall
Members	Karen Elliot Adrian Cheyne
Senior Officer	Kevin Mechen, Secretary, District Licensing Committee
Governance Support Officer	Lynne Adamson

Lynne Adamson
Governance Support Officer

Telephone: 03 477 4000
Lynne.Adamson@dcc.govt.nz
www.dunedin.govt.nz

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 FENZ APPLICATION TO SUSPEND ON-LICENCE FOR THE BOG IRISH BAR, 387 GEORGE STREET, DUNEDIN – FROM SECRETARY, DISTRICT LICENSING COMMITTEE

Department: Civic

APPLICATION DESCRIPTION

Respondent's Name:	Gurbani Club Limited
Site Address	387 George Street, Dunedin
Trading Name:	The Bog Irish Bar
Style of Licence	On-licence
Application Number	ON-14-2024
Date received by Council	13 May 2025

EXECUTIVE SUMMARY

- 1 This is an application by Fire and Emergency New Zealand (FENZ) for the suspension of on-licence no. 069/ON/35/2024 for the premises situated at 387 George Street, Dunedin, and known as "The Bog Irish Bar". The applicant is made pursuant to section 286 of the Sale and Supply of Alcohol Act 2012 (the "Act").
- 2 After receiving advice, the licensee may not be complying with their approved Fire Evacuation Scheme, the Community Risk Manager of FENZ undertook an inspection and found two of the three exits from the premises locked. A copy of the report outlining the failures was sent to the licensee.
- 3 About a week later, Police undertaking a monitoring visit of the premises found the exits still locked.
- 4 FENZ believe the licensee has failed to comply with the requirements to ensure the escape of patrons in the event of a fire.

APPLICANT

- 5 The applicant in this matter is Fire and Emergency New Zealand. They are responsible for ensuring compliance with the Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018.
- 6 One of the requirements is that some premises are required to maintain an approved evacuation scheme. In this matter, because of the occupancy of the premises, they are required to have fire egress points that are unimpeded.
- 7 The Community Risk Manager, acting on information received, visited “The Bog Irish Bar” on 29 April 2025 and found two of the three exit doors inoperable because they were pad-bolted and locked. When he spoke to the duty managers, they were unaware of the evacuation scheme for the premises.
- 8 An email was sent to the Respondent detailing the visit and requirements of the evacuation scheme and this was copied to the Police Alcohol Harm Prevention Unit.
- 9 On 8 May 2025 FENZ were advised by Police that a monitoring visit on 2 May 2025 found the fire exits to be locked and/or blocked.
- 10 FENZ believes the Respondent has failed to comply with the requirements relating to the escape of people in the event of a fire and therefore lodged the application for suspension.

RESPONDENT

- 11 The Respondent, Gurbani Club Limited has two directors/shareholders, Jasleen Saluja and Karandeep Singh. They have equal shares in the business.
- 12 The licence for the premises, 069/ON/35/2024, was issued on 23 October 2024. They have another premises in Dunedin.

SECTION 286

- 13 Section 286 of the Act allows for the suspension of a licence for non-compliance with public health or fire precaution requirements. Application for suspension can be made by a Medical Officer of Health or any person appointed a FENZ inspector under section 166 of the Fire and emergency New Zealand Act 2017.
- 14 The licensing committee must give notice in writing calling the licensee to appear before them to show why their licence should not be suspended.
- 15 If, at the conclusion of the hearing, the Committee is satisfied that the licensee has failed to comply with the relevant legislation relating to public health and/or fire precaution requirements, it may order the licensee to do all such things as may be necessary to meet those requirements within any reasonable time it may specify, and, in the case of default, may suspend the licence until those requirements have been met.

CONCLUSION

- 16 An application for the suspension of the licence has been made by FENZ after they identified serious safety concerns at this premises.
- 17 Despite the Respondent being sent a report after the inspection, no action was taken and the Police found the doors still locked/blocked the following weekend.
- 18 This raises concerns about the safety of patrons in the event of an emergency so the matter is referred directly to the Committee.
- 19 The hearing will provide an opportunity for the Respondent to satisfy the Committee they have made appropriate changes at the premises and staff have been trained for emergency situations.

Signatories

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

Attachments

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BEFORE THE DUNEDIN CITY COUNCIL LICENSING COMMITTEE

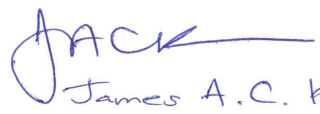
IN THE MATTER	Of the Sale and Supply of Alcohol Act 2012
IN THE MATTER	Of an application by Fire and Emergency New Zealand for Suspension of licence for non-compliance with fire precaution requirements pursuant to section 286 of the Act in respect of premises situated at 387 George Street Dunedin, known as The Bog Irish Bar.
BETWEEN	Fire and Emergency New Zealand <u>Applicant</u>
AND	Gurbani Club Limited <u>Respondent</u>

EVIDENCE OF JAMES ARTHUR CAMPBELL KNAPP

If it pleases the Committee:

1. I, James Arthur Campbell KNAPP, Community Risk Manager for Fire Emergency New Zealand (FENZ), make application for the suspension of the on-licence for The Bog Irish Bar ('the premises') located at 387 George Street, Dunedin.
2. I am a FENZ inspector, appointed on 19 September 2022, pursuant to Section 166 of the Fire and Emergency New Zealand Act 2017.
3. I have carried out fire safety inspections on a range of buildings, including licenced premises and other relevant buildings in Dunedin and elsewhere in Otago.
4. On Tuesday 29 April 2025, beginning at about 11:15 a.m., I entered, and carried out a fire safety inspection of, the premises.
5. Before and after the inspection, I spoke to 2 employees of the Respondent. Neither was familiar with the approved fire evacuation scheme and the procedure for fire evacuation.
6. During the inspection, and while the premises was open to the public, I found that 2 of the 3 ground floor fire exits were inoperable as they were pad-bolted and locked. I asked that they be unlocked immediately and remain unlocked while the premises is open to the public.
7. Following the inspection, I completed a 1-page report with my findings. A copy of my report is attached as Exhibit A.
8. I also emailed and hand-delivered a regulatory compliance education letter to the premises on Wednesday 30 April 2025. In the interests of public safety, I copied the email to Police Dunedin Alcohol Harm Prevention Unit (Dunedin AHPU). A copy of the letter is attached as Exhibit B.
9. The report and letter highlighted non-compliance with relevant fire safety legislation. These issues include:
 - 9.1 Failure to maintain means of escape from fire; and
 - 9.2 Failure to have employees trained to assist any other occupants of the building to evacuate the building in a fire emergency in accordance with the evacuation procedure for the building.
10. On Thursday 8 May 2025 I was advised by Sergeant Steve JONES of Dunedin AHPU that members of Police had found fire exits at the premises to be locked and/or blocked during a hotel check on the night of Friday 2 May 2025.
11. As a result of my inspection and subsequent information from Police, I believe the respondent has failed to comply with the requirements relating to the escape of people in the event of fire. I therefore believe the safety of persons using the premises is likely to be endangered.

Signed:


James A.C. Knapp

Dated: Tuesday 13 May 2025



TASK SUMMARY (COMPLETED)

No target has been set for this task and business unit.

Building Inspection

4 [Print Task](#)

Any inspection of a building to check compliance with the Building Act and/or FS & Evac Regulations. Includes re-inspections.

Task Date : 29 Apr 2025

Scheduled Time : 11:30

Address : 387 George Street, Dunedin Central , **The Bog Bar Dunedin**

Notify : 8 days before task date, starting from 21 Apr 2025

Comments : S170(2)(b) entry and inspection, acting on information received from Dunedin alcohol partnership. Two fire exits found to be locked during opening hours. Two employees (duty managers) were unfamiliar with the approved evac scheme and emergency procedures therein. Corrective action required, education provided.

High Priority: ☒

Count For/Cost To : Otago - Community Risk Management

SUPPORT DOCUMENTS

[RD2 Site Data Collection Form](#)

PARTICIPANTS

Otago - Community Risk Management
ACMDR - James Knapp

TASK MEASURES

Complies with F.S. & Evac.
Building Regs and/or No
Building Act :

DEFICIENCIES

Locked exits or doors in escape route/s
Failure to train building staff in evacuation procedures

Created by **James Knapp** on 30 Apr 2025 13:45

Completed by **James Knapp** on 30 Apr 2025 13:45

<https://sms.fireandemergency.nz/TaskSummary.aspx?TaskID=20786671>

13/05/2025



Otago District Headquarters
PO Box 341
Dunedin 9054



30/04/2025

Gurbani Club Ltd / Karandeep SINGH
T/A The Bog Irish Bar Dunedin
387 George Street
Dunedin Central 9016

Dear Karandeep SINGH,

**OWNER AND TENANTS OF BUILDING MUST MAINTAIN MEANS OF
ESCAPE FROM FIRE FOR BUILDING; AND MUST HAVE EMPLOYEES
TRAINED TO ASSIST OCCUPANTS TO EVACUATE.**

As tenant of the hotel at 387 George Street Dunedin, you are required to maintain the means of escape from fire for the building. This is to make sure that:

- the means of escape are kept clear of obstacles at all times, and
- exit doors are unlocked and free from barriers or blockages so that the building's occupants can leave the building in the event of a fire emergency, and
- smoke-control and fire-stop doors are kept closed unless they are kept open in a way that complies with the building code, and
- stairwells and passageways are free of stored items and accumulation of waste.

Every tenant of a hotel must ensure that occupants who are employees of the tenant are trained to assist any other occupants of the building to evacuate the building in a fire emergency in accordance with the evacuation procedure for the building.

On 29 April 2025 Fire and Emergency received information from a partner agency that a fire exit at your premises may be locked. During our inspection on the same day, it was determined that two of the three designated fire exits from the ground floor were locked, and this would prevent a clear escape from fire in the building. Two employees who identified themselves as a Duty Manager or Manager had not been trained to assist other occupants to evacuate.

Failure by the owner or tenant of building to maintain means of escape from fire for building and failure to have employees trained to assist occupants to evacuate are offences against regulations 5 and 9 of the Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures, and Evacuation Schemes) Regulations 2018.

- **You must ensure that all fire exits remain unlocked and escape paths remain unobstructed during opening hours.**
- **You must ensure that employees are trained to assist any other occupants of the building to evacuate the building in a fire emergency.**

A record of this correspondence will be held on Fire and Emergency's records and may be taken into account if you fail to comply with this request.

If you have any questions, please don't hesitate to contact me on 027 2366092 or by email: OtagoRiskReduction@fireandemergency.nz.

Yours sincerely,



James Knapp
Community Risk Manager; FENZ Inspector

DUNEDIN DISTRICT LICENSING COMMITTEE
(Sale and Supply of Alcohol Act 2012)

NOTICE OF HEARING

NOTICE is hereby given that the Committee will hold a public hearing to consider the matter described below.

If the respondent does not appear in person or by Counsel, the matter may be heard and determined in their absence.

The venue for the hearing is:

Dunningham Suite
Level 4
Dunedin Public Library
230 Moray Place
Dunedin

Tuesday 27 May 2025, 1.30 pm

UNDER	of the Sale and Supply of Alcohol Act 2012
AND	
IN THE MATTER	of an application for the suspension of an on-licence pursuant to s. 286 of the Act held by the premises situated at 387 George Street, Dunedin, and known as "The Bog Irish Bar"
BETWEEN	Fire and Emergency New Zealand (Applicant)
AND	Gurbani Club Limited (the Respondent)

DATED at Dunedin this 15th day of May 2025


Kevin Mechen
Secretary
DUNEDIN DISTRICT LICENSING COMMITTEE



Sale and Supply of Alcohol Act 2012, section 286**286 Suspension of licence for non-compliance with public health or fire precaution requirements**

- (1) A Medical Officer of Health or any person appointed as a FENZ inspector under [section 166](#) of the Fire and Emergency New Zealand Act 2017 may apply to the licensing committee for the suspension of the licence if he or she has reason to believe that, because of the failure of the holder of any on-licence or club licence to comply with any requirements described in subsection (2), the health of persons using the premises is likely to be injured or their safety is likely to be endangered.
- (2) The requirements are those relating to public health or to the escape of people in the event of fire (whether in accordance with an evacuation scheme for public safety which meets the requirements of [section 76](#) of the Fire and Emergency New Zealand Act 2017 or by other means) other than requirements under the [Building Act 2004](#).
- (3) The licensing committee must give notice in writing to the licensee calling upon the licensee to appear before the committee at a time and place to be specified in the notice, being not earlier than 7 working days after the giving of the notice, to show cause why the licence should not be suspended.
- (4) If, after hearing the licensee (if he or she appears), the licensing committee is satisfied that the licensee has failed to comply with any requirement referred to in subsection (2), it may order the licensee to do all such things as may be necessary to meet those requirements within any reasonable time it may specify, and, in the case of default, may suspend the licence until those requirements have been met.
- (5) Despite subsection (3), if, in any case to which that subsection applies, the licensing committee is satisfied that, because of the licensee's failure to comply with any requirement referred to in subsection (2), the health of people using the premises to which the application relates is likely to be injured, or their safety is likely to be endangered, the committee must suspend the licence until it is satisfied that all things necessary or desirable to remedy the default have been done.
- (6) Without limiting subsection (3) and despite subsection (4), the licensing committee may, instead of suspending the licence, order the closure of any part of the premises accordingly for the undertaking of the necessary work if, in any case to which subsection (4) applies, the committee is satisfied—
 - (a) that the risk to the health or the danger to the safety of people using the premises has arisen from any circumstances beyond the control of the licensee or manager; or
 - (b) that the risk or danger can be averted by ordering the closure of part only of the premises.
- (7) If the work is not completed to the satisfaction of the committee within any period as the committee may allow, the committee must suspend the licence under subsection (4).
- (8) While any licence is suspended the premises must be treated as not being licensed premises.

Compare: 1989 No 63 [s 134](#)

Section 286(1): amended, on 1 July 2017, by [section 197](#) of the Fire and Emergency New Zealand Act 2017 (2017 No 17).

Section 286(2): amended, on 1 July 2017, by [section 197](#) of the Fire and Emergency New Zealand Act 2017 (2017 No 17).