

Application	19/003/2021
<u>IN THE MATTER</u>	of the Sale and Supply of Alcohol Act 2012
<u>AND</u> <u>IN THE MATTER</u>	of an application by Food For Thought Waiuku Ltd for a temporary authority in respect of the premises situated at Hotel Access Road, Waitomo trading as The Tomo Bar & Eatery pursuant to section 136 of the Act

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The application for a temporary authority to carry on the sale and supply of alcohol pursuant to off-licence 019/OFF/004/2018 authorising the sale and supply of alcohol for consumption on the premises, to any person who is present on the premises is granted subject to the following conditions:
 - a) No second or subsequent temporary authorities will be issued in respect to the same premises and licensee unless a full license application has already been filed, or, in exceptional circumstances, with the prior approval of the Secretary of the Licensing Committee.
 - b) The temporary authority must be displayed next to the base licence attached to the interior of the premises so as to be easily read by persons entering through the principal entrance.
2. The temporary authority may issue immediately.
3. The temporary authority is granted for a maximum period of 3 months.

Reasons

1. This is an application by Food For Thought Waiuku Ltd for a temporary authority in respect of the premises situated at Hotel Access Road, Waitomo trading as The Tomo Bar & Eatery pending the issue of a new off-licence. Food For Thought Waiuku Ltd has recently purchased the business and takes possession on 22 February 2021. There is a current off-licence in force under the previous owner.

Should the temporary authority be granted?

2. Section 136 provides that a temporary authority to carry on the sale and supply of alcohol can be granted to any person who has an interest in the premises where an off-licence is in force for a period of up to 3 months. The purpose of this section is to give a new owner time to apply for a new off-licence.
3. The Liquor Licensing Inspector and Police have assessed the suitability of the applicant to hold a temporary authority and have no objection to the application.
4. The licensing committee is satisfied that Food For Thought Waiuku Ltd has sufficient certificated Duty Managers to ensure compliance with the Sale and Supply of Alcohol Act 2012.
5. The Temporary Authority is subject to clause 7(ii) of the Waitomo District Local Alcohol Policy which requires that every temporary authority will be subject to a condition that *no second or subsequent temporary authorities will be issued in respect to the same premises and licensee unless a full licence application has already been filed, or, in exceptional circumstances, with the prior approval of the Secretary of the Licensing Committee.*
6. Therefore, the temporary authority is granted for a maximum period of 3 months pursuant to section 136(1) of the Sale and Supply of Alcohol Act 2012 subject to the above condition and subject to the condition that the temporary authority must be displayed next to the base licence.

Dated this 19th day of February 2021



Sara Grayson
Commissioner
Waitomo District Licensing Committee