

Application

19/026/2019

IN THE MATTER

of the Sale and Supply of Alcohol Act 2012

AND
IN THE MATTER

of an application by
Taharoa Tourism Limited for
for the renewal of an on-licence
pursuant to section 127 of the Act

HEARING at the Waitomo District Council on 6 September 2019

WAITOMO DISTRICT LICENSING COMMITTEE

Chairperson: Mrs S Grayson

Members: Mr R Murphy, Mr R Johnson

APPEARANCES

Miss S Serau – Manager - Taharoa Tourism Limited

Miss R Hepi – Duty Manager - Taharoa Tourism Limited

Mr L Norris - Licensing Inspector

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

The application is adjourned and is to be set down for a further hearing after 26 September 2019.

REASONS

1. After hearing from the Manager for Taharoa Tourism Limited trading as Waitomo Caves Hotel and the Licensing Inspector at the hearing today, the licensing committee still has concerns about whether Taharoa Tourism Limited is a suitable applicant to hold an on-licence and about whether the company has adequate staff, systems and training to comply with the conditions of the licence and the Sale and Supply of Alcohol Act 2012.
2. In particular, the Manager Miss Serau (who is a Duty Manager and who trains other staff) and Ms Hepi (a Duty Manager) were both not clear about the meaning of the supervised designation. The confusion about the designation was also reflected in a sign that the licensing committee observed during the site visit that stated that the restaurant was a 'Supervised Area' and that this meant "Person/s under the age of 15 years MUST BE SUPERVISED AT ALL TIMES BY

A PARENT/GUARDIAN”.

3. Miss Serau was not familiar with many aspects of the application, including the fact that a designation change was requested without asking for a variation. Miss Serau only started work at the premises a few months ago and did not fill out the renewal application. Miss Serau admitted she was nervous at the hearing. This probably reflected in her attempts to describe how the SCAB Intoxication Tool could be used by staff to assess intoxication and what the designations actually mean.
4. There were no directors or senior executive staff members at the hearing. The Licensing Inspector raised a concern that the company did not appear to have adequate oversight of the operation of the licensed premises. This was reflected in the fact that the company had failed to comply with several licence conditions and obligations under the Act. While a number of concerns raised by the Inspector have now been rectified, there still appears to be a flaw in the staff training systems.
5. The licensing committee would like to give Taharoa Tourism Limited one further opportunity to attend the hearing and provide evidence to prove that the company is actively managing the licensed premises to ensure that all staff are properly trained and supervised. It is highly recommended that:
 - a) Additional training is provided for all bar staff by an experienced external provider.
 - b) A company director/s and or a senior executive staff member attends the next hearing to provide evidence regarding how the licensed premises is actively managed to ensure compliance with the Act and licence conditions at all times.

Dated this 8th day of September 2019



Sara Grayson
Commissioner