

Application

19/029/2022

IN THE MATTER

of the Sale and Supply of Alcohol
Act 2012

AND
IN THE MATTER

of an application by
Te Kuiti Supermarket Limited
for renewal of an off-licence
pursuant to section 127 of the
Act in respect of the premises
situated at 39 - 51 Rora Street, Te
Kuiti, known as Te Kuiti New World

DECISION OF THE WAITOMO DISTRICT LICENSING COMMITTEE

1. The off-licence 019/OFF/003/2017 in respect of the premises situated at 39 - 51 Rora Street, Te Kuiti, and known as Te Kuiti New World is renewed for a further period of 3 years. The licence may issue upon payment of the annual fee.
2. The conditions of the licence remain the same.

REASONS

The Application

1. This is an application by Te Kuiti Supermarket Ltd for the renewal of an off-licence in respect of the premises trading as Te Kuiti New World. This application was filed 20 working days before the expiry of the off-licence as required by section 127(2)(b).
2. The application was advertised, and no objections were received from members of the public. The Licensing Inspector, Police and the Medical Officer of Health have provided reports and do not oppose the application. Accordingly, the application is decided on the papers (s 202(1)).

Does Te Kuiti New World meet the criteria in section 105?

3. The object of the Act is to ensure that the sale and supply of alcohol is undertaken safely and responsibly, and the harm caused by excessive or inappropriate consumption of alcohol is minimised (s 4).
4. In deciding whether to renew an off-licence the licensing committee must have regard to sections 131 and 105 of the Act. Therefore this committee must consider the following questions within the framework of the purpose and object of the Act:
 - a) Is the applicant suitable?
 - b) Are the days and hours during which the applicant proposes to sell alcohol reasonable?
 - c) Is the design and layout of the premises suitable?
 - d) Does the applicant propose to engage in the sale of goods or provision of services other

than those directly relating to the sale of alcohol, low-alcohol refreshments, non-alcoholic refreshments and food?

e) Does the applicant have appropriate systems, staff and training to comply with the law?

f) Have the police, inspector and medical officer of health raised any relevant considerations?

g) Will the amenity and good order of the locality be increased by more than a minor extent by the effects of a refusal to renew the licence?

h) Has the applicant sold, displayed, advertised or promoted alcohol in a responsible manner?

i) Does the application comply with the Waitomo District Local Alcohol Policy?

5. The licensing committee is satisfied that Te Kuiti Supermarket Ltd meets the criteria in sections 131 and 105. Te Kuiti Supermarket Ltd is a suitable applicant to hold an off-licence. The company has demonstrated compliance with the Sale and Supply of Alcohol Act 2012.
6. The trading hours remain the same.
7. The licensing committee is satisfied that the premises has a suitable design and layout to meet the requirements of the Act. There are no changes proposed to the single alcohol area, which remains compliant with section 112(2).
8. The licensing committee is satisfied that Te Kuiti Supermarket Ltd has an appropriate Host Responsibility Policy and staff training programme. There are sufficient Duty Managers employed to ensure compliance with the Act. Te Kuiti Supermarket Ltd maintains a manager's register as required by section 232 of the Act.
9. The licensing committee is satisfied that the renewal of the off-licence will not reduce the amenity and good order of the locality by more than a minor extent. There have been no reports, from the Police or members of the public living in this community, of any nuisance, vandalism or noise problems associated with this premises in the past three years.
10. The licensing committee is satisfied that alcohol is sold, displayed, and promoted in a responsible manner and in accordance with the requirements of the Act.

Conclusion

11. Therefore, the application for the renewal of the off-licence is granted.

Dated this 21st day of October 2022



Sara Grayson
Commissioner
Waitomo District Licensing Committee

