

APPLICATION	17/ON/006/2016
IN THE MATTER	of the Sale and Supply of Alcohol Act 2012
AND	
IN THE MATTER	of an application by Paramjit Singh on behalf of Rice and Spice Ltd for a licence to sell and supply alcohol (On License) pursuant to Section 127 of the Act in respect to premises situated at 223 Rosebery Street, Tokoroa and known as Rice and Spice.

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

QUORUM: Jenny Shattock QSM JP Chairperson

INTRODUCTION

Pursuant to Section 127 of the Sale and Supply of Alcohol Act 2012 Paramjit Singh on behalf of Rice and Spice Ltd has filed an application for the renewal of On Licence number 17/ON/006/2016. This application relates to premises located at 223 Rosebery Street Tokoroa and known as Rice and Spice.

- 1) The general nature of the business is that of a restaurant.
- 2) The applicant has sought no change to the current designation that being "Undesignated."
- 3) The Inspector has filed a comprehensive report pursuant to Section 103 (2) of the Act. The report is clear and covers off the provisions of Section 106 of the Act which relate to Amenity and Good Order.
- 4) Both the New Zealand Police and the Medical Officer of Health have reported without opposition to the application.
- 5) The Fire Service has no objections to the application.
- 6) The Territorial Authority Building Department and Planning Department provided certificates stating the application meets the requirements of the Building Code and Resource Management Act 1991.
- 7) The application was publicly notified in the South Waikato News on the 9th March 2016 and 16th March 2016. No public objections were received within the statutory timeframe following the public notification.
- 8) The current hours are
Monday to Sunday – 11:00am to 10:00pm.

DECISION OF THE DISTRICT LICENSING COMMITTEE AND REASONS

- 9) In deciding whether to renew a licence, the licensing authority or the licensing committee concerned must have regard to the following matters:
 - (a) the matters set out in paragraphs (a) to (g), (j), and (k) of section 105(1):

(b) whether (in its opinion) the amenity and good order of the locality would be likely to be increased, by more than a minor extent, by the effects of a refusal to renew the licence:

(c) any matters dealt with in any report from the Police, an Inspector, or a Medical Officer of Health made by virtue of section 129:

(d) the manner in which the applicant has sold (or, as the case may be, sold and supplied), displayed, advertised, or promoted alcohol.

- 10) The Inspectors report is both comprehensive and positive. It does not need to be restated, it covers the matters required including Amenity and Good Order. The Inspector reports that there is no reason to believe that the amenity and good order of the locality would be likely to be increased, to more than a minor extent, by the effects of a refusal to renew the licence.
- 11) There is nothing in the Inspectors report to suggest that the applicant has managed the Sale and Supply of Alcohol in an inappropriate manner during the currency of the On-Licence.
- 12) In this matter I believe that the criteria under Section 131 of the Act have generally been met given that:
- (i) The Inspector has provided a positive report
 - (ii) The relevant Agencies have reported without opposition,
 - (iii) The application has drawn No Objection from the public.
 - (iv) The Applicant has managed the Sale and Supply of alcohol appropriately during the currency of the licence.
- 13) I am satisfied as to the matters which I must have regard as set out in s.105 of the Act, and I am satisfied that the application meets the purpose and object of the Act. Accordingly, I grant the applicant a renewal of the underlying on licence 17/ON/006/2016 in respect of the premises situated at 223 Rosebery Street Tokoroa and known as Rice and Spice for a further period of 3 years. The licence may be issued upon payment of the annual fee with the following conditions:

CONDITIONS

- a) Alcohol may only be sold or supplied on the following days and during the following hours


Monday to Sunday – 11:00am to 10:00pm
- b) No alcohol may be sold on the premises on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day (except in the case of a licence endorsed under s.38 of the Act or when the Licensee holds a Special Licence for the premises).
- c) The whole of the premise is designated as “Undesignated.”
- d) Pursuant to s.53(a)(b) food of a range and style similar to that described in the application submitted must be available for consumption on the premises at all times when the premises are authorised to be open for the sale of liquor.

- e) The licensee shall have available for consumption on the premises, at all times when alcohol may be sold and supplied under the licence, a reasonable range of non-alcoholic refreshments and low alcoholic beverages including free access to water.
- f) A holder of a manager's certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold.
- g) One more staff member must become certified as a manager within the next 12 months.
- h) The South Waikato does not have a local alcohol policy
- i) A copy of this licence must be displayed at the principal entrance to the premises.

CONCLUSION

Having regard to the relevant provisions of the Sale and Supply of Alcohol Act 2012, I am satisfied that a new on-licence (17/ON/006/2016) should be granted pursuant to the conditions set out above.

DATED at TOKOROA this 27th day of August 2016



Jenny Shattock QSM JP
Chairperson
South Waikato District Licensing Committee