

Decision Number **17/OFF/002/2020**

IN THE MATTER of the Sale and Supply of Alcohol Act
2012 ('the Act')

AND

IN THE MATTER of an application by **TWO BROTHERS
WHOLESALE LIMITED** for the
renewal of an off-licence pursuant to
s.127 of the Act in respect of premises
situated at 60 Chambers Street,
Tokoroa trading as "Thirsty Liquor
Tokoroa."

BEFORE THE SOUTH WAIKATO DISTRICT LICENSING COMMITTEE

Chairman: Murray Clearwater
Member: Arama Ngāpō
Member: Peter Schulte

HEARING at Tokoroa on 18 January 2021

APPEARANCES

Ms. Pervinder Kaur – for Two Brothers Wholesale Limited ("the applicant")
Mr Jaspreet Singh for Two Brothers Wholesale Limited ("the applicant")
Julie Smale – South Waikato Chief Licensing Inspector ("the Inspector") to assist
Mrs. Nicole Zeier- for the Medical Officer of Health ("MOoH") – in opposition
Ms. Erin Spence- Ministry of Business, Innovation & Employment (MBIE) Labour
Inspectorate summonsed by the Committee.

RESERVED DECISION OF THE COMMITTEE

Introduction

1. By an application dated the 25th of May 2020, the applicant has applied for the renewal of the off-licence 17/OFF/007/2017 issued in the name of TWO BROTHERS WHOLESALE LIMITED. It was duly advertised and reported on by the agencies.
2. One public objection was received, and adverse reports were received from the Police and the Medical Officer of Health.
3. The public objector was deemed not to have status when he was unable to satisfy the Committee that he was, or potentially would be, adversely affected by the operation of this licence, **and** because he refused to disclose the material he intended to rely on at the hearing.

4. It is a principle of natural justice that an 'accused person' has a right to know the case that is to be raised against him and that he has a reasonable opportunity to prepare a defence and answer that case. We are unsure why this objector thought the Bill of Rights Act 1990 provisions do not apply to him.
5. The Police opposition related to Taranjeet Singh who had incurred a drink drive convictions whilst being a director of the applicant company.
6. He was removed as a director in July 2020 but still retained a 50% shareholding in the company. Surprisingly, this satisfied the Police opposition, and it was withdrawn.
7. The MOoH opposed the renewal citing the DIC conviction incurred by Taranjeet Singh and the newspaper reports of alleged worker exploitation involving this applicant. Their final position was that of 'opposed' and they indicated that they intended to rely on the evidence that would be presented by the Labour Inspector, Erin Spence.
8. We note that Tokoroa is a vulnerable community with several social deprivation indicators well below the average for other New Zealand rural towns.

Preliminary Matter

9. The Committee had previously granted an interim confidentiality agreement pursuant to Section 203(5) of the Act regarding the non-publication of some of the contents of an Improvement Notice that has been served on Two Brothers Wholesale Limited by MBIE.
10. It was discussed, in chambers, and confirmed with the parties that the Improvement Notice would be anonymised by altering the employee names to read Worker A, Worker B etc. and that the dollar figures of the arrears required to be repaid were to be redacted.
11. The document had been amended to our satisfaction and the attached version is now part of the public record of this hearing. The contents of the schedules attached to the Improvement Notice remain suppressed from publication.
12. The reason/s for this confidentiality ruling was to protect the privacy of the workers who are not direct parties to this application.

Applicant's Evidence

13. Counsel for the applicant, Pervinder Kaur, opened the case for the applicant with a lengthy submission in which she impressed upon the Committee that her client was a suitable entity to be granted a renewal of licence.
14. She conceded that her client was the subject of a MBIE investigation and that an Improvement Notice had been served upon them.
15. She said that the Alcohol Regulatory Licensing Authority (ARLA) had found in **Wilkinson v Sharma & Sons (2009) Limited [2016] NZARLA 441**¹ that a breach of employment legislation might be relevant to the suitability of a licensee.
16. However, ARLA determined, in Sharma & Sons, that there needed to be a nexus established between the employment matters in question and the operation of the licensed premises in regard to the safe and responsible sale, supply and consumption of alcohol before suitability could be seriously challenged.
17. Ms. Kaur accepted, on behalf of her client, that this was a renewal application, not an enforcement application, and the onus of establishing suitability was reversed and was squarely on the applicant.
18. As we explain later in this decision, we believe we can distinguish the facts adduced in Sharma & Sons and the current case before the Committee.
19. Ms. Kaur then called Jaspreet Singh to support his application for renewal.
20. Mr Singh told us that he is now the sole director of Two Brothers Wholesale Limited and that his brother, Taranjeet, now spends his time that their un-licensed Bader Street Mini-Market in Hamilton, but still has a 50% shareholding in Two Brothers Wholesale Limited.
21. He said the company owns and operates 4 licensed premises in Tokoroa and Rotorua namely, Thirsty Liquor Tokoroa, Blackbull Liquor Tokoroa, Trees Tavern Tokoroa and Thirsty Liquor Ford Road, Rotorua.
22. He said he had 14 employees across the 4 stores. He produced two schedules attached to his evidence, one of 12 'current' employees and one with 11 terminated employees. Under cross-examination he conceded that 7 or 8 of the current employees list no longer work for him and he was tasked to produce an accurate list for the Committee to consider. The revised list was subsequently provided and showed only 8 certificated managers, including Jaspreet Singh, to cover 4 sites. This barely covers the available opening hours.

¹ Wilkinson v Sharma & Sons (2009) Limited [2016] NZARLA 441

23. He said, in sworn testimony, *"I believe we have sufficient staffing and adequate training systems in place to make sure that we manage our store according to the law."*²
24. Mr Singh then produced a blank Training Register saying they have recently produced a formal Staff Training Policy. He produced the 3 ¼ page Staff Training Policy that notably talks about having a Host Responsibility Policy. OFF-licensed premises should have a **Social** Responsibility Policy as they do not 'host' customers consuming alcohol **on site** as taverns and hotel do. We also note the Policy states at 2(a) *"If you see a customer that appears to be under 18 you must ask them for ID"*³
25. As we all should know, the Industry Standard is that **Any person appearing to be under the age of 25 will be asked for ID**. In fairness the policy does state this later, on page 3.
26. In regard to the employment law breaches he told us these were 'mistakes' and he regretted *"those mistakes"*⁴
27. He said a worker in the Rotorua Store had complained to the Labour Department in mid-2019.
28. That investigation found 10 areas of non-compliance around record keeping and failing to properly pay staff for work done, and not paying, or under-paying annual and statutory holidays entitlements as below.⁵

(a) Failure to identify the employer on employment agreements.

(b) Failing to include a description of the work to be done and the location of the work;

(c) Failure to keep ongoing and accurate records of holiday and holiday pay;

(d) Failure to keep wage and time record;

(e) Failure to provide employees with four weeks annual holiday;

(f) Failure to pay/correctly pay annual holiday;

(g) Failure to pay holiday pay on termination of employment;

(h) Failure to pay public holidays;

(i) Failure to pay employees time and a half for worked public holidays;

(j) Failure to provide alternative holidays.

29. As a result, the company was served with an Improvement Notice from MBIE. We discuss the Improvement Notice in depth elsewhere in this decision.
30. He has been tasked to provide additional information to the Labour Inspector and has to contact all current and past staff about the 'errors' and make reparations.

² Jaspreet Singh Brief of Evidence paragraph 16

³ Staff Training Policy page 2.

⁴ Jaspreet Singh Brief of Evidence paragraph 22

⁵ Jaspreet Singh Brief of Evidence paragraph 23

31. He is required to:
- a) ***communicate with all current employees to let them know about the errors that have occurred and that the payroll system is being amended;***
 - b) ***pay arrears of \$..... to affected employees;***
 - c) ***provide all current employees descriptions of the work to be performed as an appendix to their employment agreements;***
 - d) ***amend all employment agreements to show the correct place of work;***
 - e) ***amend time and wage records to meet the requirements of the Employment Relations Act 2000;***
 - f) ***amend holiday and leave records to meet the requirements of the Holidays Act 2003;***
 - g) ***identify all breaches under Holidays Act 2003 and provide entitlements where they have not been provided and calculate arrears for incorrectly calculated entitlements; and***
 - h) ***pay arrears (holiday pay related) to current and terminated employees.***
32. As at the hearing date, he has had two extensions of time already to complete these tasks and we were told by the Labour Inspector that if the information required was not provided in the next month, then enforcement action including penalties will be considered.
33. When closing the case for the applicant Ms. Kaur said her client was suitable to hold a licence. The main allegations had not been proved. Her client was committed to put things right and denied any deliberate attempt to circumvent the employment standards. She argued there was no evidence of staff fatigue and no (confirmed) breaches of the Sale and Supply of Alcohol Act.
34. Her client rejected the recommendation of a truncated renewal saying that would be unlikely to encourage more lawful employment relations with staff. She did say her client would engage to services of a business mentor should the licence be renewed.

Inspector's Evidence

35. In her report, dated 27 September 2020, and updated on 6 November 2020 the Inspector reported that the application was lodged before the expiry date of 27 June 2020.
36. Whilst not opposed to the renewal the Inspector recommended the application be determined at a public hearing due to the opposition from the MOoH. She also invited the Committee to determine whether the public objector had status or not.

Medical Officer of Health Evidence

37. Delegated Officer for the MOoH, Mrs. Nicole Zeier then spoke to her opposition.
38. She had questioned Jaspreet Singh during his Evidence in Chief and uncovered an apparent lack of current staff to cover the 4 active work sites. It appeared that eight of the 12 staff on the list provided no longer worked for the company. Another list was provided of 11 terminated employees.
39. Mr Singh told Mrs. Zeier that staff do not need a break if they are working alone for 3-4 hours. It is clear that he still does not understand, or follow, NZ employment law that says a 10-minute paid break must be provided to staff, in the middle of a period of work of 2-4 hours.
40. In closing Mrs. Zeier remained opposed to the renewal but said that if the Committee was minded to renew the licence, perhaps a truncated renewal of 18 months and reducing the operating hours, to reduce worker fatigue, might be worth considering. She also suggested that we could require 2 certificated managers to be on duty during busy times.

Further Considerations

40. The Committee decided to summon the Labour Inspector, Erin Spence, to hear from her, firsthand, about the nature of the complaint the department had received, her findings in relation to that complaint, and her view on the honesty, and the integrity, of the applicant.
41. Ms. Spence confirmed she was an authorised inspector having been appointed under Section 223 of the Employment Relations Act 2000, and that she was the investigating officer in relation to a complaint received against Two Brothers Wholesale Limited in 2019.
42. The allegations were that Two Brothers were not paying minimum wages to their employees, were not recording actual hours worked and that staff were working up to 60 hours a week but were instructed by the store manager to enter 40 hours on their timesheets.
43. Due to the lack of proper records and the reluctance of some employees to speak with the Inspector there was insufficient evidence obtained to support those allegations (to prosecution standard). What was found, however, were multiple breaches of several employment related standards.
44. Her findings were comprehensively detailed in an Improvement Notice served on the applicant on the 10th of August 2020.
45. There was multiple breaches of employment law and significant gaps in the payroll system and record keeping. Ms. Spence noted that these were “**systemic issues and will likely impact other employees.**” There was evidence that staff had been

deliberately rostered off on statutory holidays to avoid having to pay them penal rates.

46. Eight employees were selected to be tested and six were found to have arrears owing.
47. Ms. Spence told us that ***“These breaches have allowed the employer to operate in a capacity that undermines the concept of a ‘level playing field’ with other New Zealand workplaces.”***
48. She tasked Jaspreet Singh with a list of corrective actions, and he had until 10 November 2020 to complete those tasks. He has since had two extensions and sadly Ms. Spence believes he lacks the knowledge, skills and understanding to bring the business into a compliant state with NZ employment laws.
49. During questioning she added the role of the Labour Inspectorate was to ensure that every employer in New Zealand plays by the same set of rules and you cannot have one who undercuts the other employers and create greater profits for themselves.
50. In these situations, workers are at risk of process abuses and their health & safety comes in to play when they are not paid correctly for holidays or permitted to take welfare breaks.
51. ***“This results in unfair workplaces within the same industry”***, Ms. Spence told us.

Relevant legislation

52. Section 3 of the Sale and Supply of Alcohol Act 2012 (“the Act”) states the purpose of the Act as follows:
 - (1) ***The purpose of Parts 1 and 3 and the schedules of this Act is, for the benefit of the community as a whole, –***
 - (a) ***to put in place a new system of control over the sale and supply of alcohol, with the characteristics stated in subsection (2); and***
 - (b) ***to reform more generally the law relating to the sale, supply, and consumption of alcohol so that its effect and administration help to achieve the object of this Act.***
 - (2) ***The characteristics of the new system are that–***
 - (a) ***It is reasonable; and***
 - (b) ***Its administration helps to achieve the object of this Act.***
53. Section 4 states the object of the Act as follows:
 - (1) ***The object of this Act is that –***
 - (a) ***The sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and***
 - (b) ***The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.***
 - (2) ***For the purposes of subsection (1), the harm caused by the excessive or inappropriate***

consumption of alcohol includes –

- (a) *Any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and*
- (b) *Any harm to society generally or the community, directly or indirectly caused, or directly and indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).*

54. Section 131 of the Act provides the criteria that the licensing committee must have regard to in deciding whether to renew a licence as follows:

- (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, and 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.*

Criteria to be considered.

55 The Act provides that in deciding whether to renew a licence, the licensing committee must have regard to the matters contained in section 131 and 132 of the Act. These are:

Section 105(1)(a) The Object of the Act

56. Section 105(1)(a) of the Act requires that the licensing committee must have regard to the Object of the Act and decisions of higher courts have said that we must measure the other criteria for renewal against the background of helping to achieve the Object of the Act.

Section 105(1)(b) Suitability of the Applicant

57 Section 105(1)(b) provides that the applicant must be a suitable person to hold an off-licence. **In this regard, the suitability of the applicant is challenged by the MOoH due to the finding of employment law breaches by MBIE.**

Suitability has been defined in many forums.

In Page v Police (unreported) HC Christchurch AP 84/98 24 July 1998⁶, Panckhurst J stated:

“Section 13(1)(a) provides that the applicant for an on-licence (in this case an OFF Licence) must demonstrate his or her suitability. In other

⁶ Page v Police (unreported) HC Christchurch AP 84/98 24 July 1998

words what is required is a positive finding. That implies an onus on the applicant to demonstrate suitability.”

Panckhurst J continued:

“Such suitability is not established in a vacuum but in the context of a particular case”.

In New Zealand Police v Casino Bar No. 3 Limited CIV 2012-485-1491; [2013] NZHC 44⁷ the High Court treated suitability as a broad concept.

The assessment of it includes the character and reputation of the applicant, its previous operation of premises, its proposals as to how the premises will operate, its honesty, its previous convictions and other matters. It also includes matters raised in reports under s.11 of the Act. (our emphasis)

In Re Sheard [1996] 1 NZLR 751⁸ Holland J said :

“Obviously, the applicant’s past conduct will be very relevant to the consideration of suitability. The real issue is whether the evidence of that past conduct will indicate a lack of confidence that the applicant will properly carry out the obligations of a licensee.

And again...“The real test is whether the character of the applicant has been shown to be such, that he is not likely to carry out, properly, the responsibilities that go with the holding of a licence.”

The High Court in Christchurch Medical Officer of Health v J & G Vaudrey Ltd⁹ confirmed there is no presumption that a new licence or renewal of an existing licence will be granted: Thus, when the relevant body receives an application, they must consider it against s 105 in deciding “whether to issue a licence”. There is no presumptive position, and certainly no foregone conclusion. I think the reality of the position is that if the object of the Act cannot be achieved by the application, then it cannot succeed.

- 58 The Committee must undertake an evaluative approach and adopt a merits-based assessment of the application. We determine our position on the suitability of the applicant later in our decision.

Section 105(1)(c) Relevant Local Alcohol Policy

⁷ New Zealand Police v Casino Bar No. 3 Limited CIV 2012-485-1491; [2013] NZHC 44

⁸ Re Sheard [1996] 1 NZLR 751

⁹ Christchurch Medical Officer of Health v J & G Vaudrey Ltd

59 South Waikato District Council does not have a Local Alcohol Policy. There is nothing for us to consider.

Section 105(1)(d) The days and hours of operation of the licence

60 The current licensed days and hours are **Monday to Sunday 9.00am to 10.00pm**. They are unremarkable and within the default national maximum trading hours for off licences.

61 The applicant also advises that they seldom open at 9.00am, maybe only on Xmas Eve and New Year's Day Eve, days like that.

Section 105(1)(e) The design and layout of any proposed premises

62 The design and layout of the premises is also unremarkable and is fit for purpose.

Section 105(1)(f) Whether the applicant is engaged in or proposes on the premises to engage in, the sale of goods other than alcohol, low-alcohol refreshments, non-alcoholic refreshments, and food, and if so, which goods.

63 The applicant sells a small range of food and tobacco products.

Section 105(1)(g) Whether the applicant is engaged in or proposes on the premises to engage in, the provision of services other than those directly related to the sale of alcohol, low and non-alcoholic refreshments, and food, and if so, which services.

64 No other services are offered from the store.

Section 105(1)(j) Whether the applicant has appropriate systems, staff, and training to comply with the law

65 The applicant company has a number of certificated managers appointed to the 4 licensed sites they operate. We were provided with a list of 12 but it became apparent, during the hearing, that as many as 8 had left their jobs, or been terminated, and some new appointments had been made.

66 We made a request for an accurate list of actual certificated employees to be prepared and made available to the Committee.

67 As an appendix to his evidence Jaspreet Singh produced a blank Training Register/Record. It is one that is freely available from the Health Promotion Agency (HPA) website.

68 When asked why it was blank, he conceded that it was only after a recent conversation he had had with the Licensing Inspector that they had decided to formally conduct and record staff training sessions.

- 69 We find this extraordinary for such a high-risk business, of 5 years standing, to have not been conducting formal training sessions and recording staff training days and achievements.
- 70 Jaspreet Singh further advised that he, personally, had been conducting the training that they had allegedly been doing and he has not considered engaging a third partner trainer to upskill his staff. He conceded that he had no formal skills as a trainer.
- 71 From published research, we know that 20% of young people under the age of 18 say that they buy their own alcohol. A similar percentage of adults have said they have purchased alcohol while visibly intoxicated.
- 72 On that basis we think it is good luck, rather than good management, that Thirsty Liquor Tokoroa has not been caught out selling alcohol to a minor or an intoxicated person.
- 73 As we heard from the Labour Inspector, that the company had very little in the way of appropriate systems in place to comply with the law. MBIE found “severe” deficiencies in record keeping, staff rostering, provision for staff welfare breaks and adequate payment for hours worked, holiday pay and the taking of holidays.
- 74 When questioned, Jaspreet Singh conceded that he was the one responsible who should know the NZ laws and apply them fairly to his staff. The apparent high staff turnover was yet another indicator of an unhappy workforce and work environment.

Section 105(1)(k) Any matters dealt with in any report of the Police, an Inspector and the Medical Officer of Health under Section 129

- 75 Initially the Police opposed the application as one of the directors, Taranjeet Singh had recently incurred a DIC conviction. That opposition was withdrawn when Taranjeet Singh resigned as a director but continued on as a 50% shareholder of the business.
- 76 It is our understanding that it is the shareholders of a business that wield the power and dictate the direction of a company, not the directors. Directors do the bidding of the shareholders. We suspect little has changed in the management of Two Brothers Wholesale Limited by the technical removal of Taranjeet Singh as a director.
- 77 The MOoH opposed the application to renew the off licence. Their opposition was based on a newspaper story, dated 12 June 2020, that stated that the applicants were being investigated by the Labour Inspectorate of the Ministry of Business Innovation and Employment after allegations of worker exploitation had been made.
- 78 The MOoH believed the suitability of the applicants to continue to hold an OFF licence was very much in question.

79 The Inspector was not opposed to the renewal but was concerned with the employee abuse allegations and also whether or not that the objector had status to object or not.

Section 131 of the Act says we must also have regard to whether 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.

80 There was no evidence of public disorder, littering or graffiti presented to the Committee that this business had reduced the amenity and good order of the locality by more than a minor extent.

Reasons for the Decision

81 Section 3 of the Act requires us to act reasonably in the exercise of our duties with the aim of contributing to the achievement of the Object of the Act. We are also bound to comply with the procedures and provisions of this Act.

82 As this is a 'straight renewal,' 102(4) of the Act applies, and the grounds for an objection from a member of the public, may not relate to any other matter other than the suitability of the applicant.

83 But this does not restrain the Committee from fully examining the application to renew as there is no 'right of renewal' as determined in Vaudrey.

84 Counsel for the applicant raised the ARLA decision Wilkinson v Sharma & Sons in which the Authority concluded it had no evidence presented to them, **in that case**, of any nexus between the employment breaches and alcohol abuse.

85 With respect, we see several distinguishing features between Sharma & Sons and the matter before this Committee and in our view, there is a clear nexus between the employment standards breaches and the ability of the company, and its staff, to sell and supply alcohol safely and responsibly.

86 The first is that this application is for a **renewal** of an OFF Licence, not an enforcement application as it was in Sharma. The onus to establish suitability is reversed.

87 On the matter before the Committee, the applicant has the onus to establish its ongoing suitability to hold an alcohol licence.

88 There has been strong evidence presented to us of the deception and/or absence of record keeping, deliberately rostering workers off on statutory days to avoid paying penal rates, the non-payment holiday pay, overtime rates and over working and under recording of hours worked.

- 89 The MBIE investigation discovered a **systemic pattern** of illegal behaviours over the five years that were enquired into, and this gave Two Brothers Wholesale Limited an unfair advantage in the alcohol industry.
- 90 The findings have largely been accepted by the applicant, via its alter ego, Jaspreet Singh, and they are in the process, albeit slowly, of rectifying the deficiencies found by the Labour Inspectorate. However, he said they were ‘mistakes’ by his admin person who is no longer employed by the company. We prefer the evidence of the Labour inspector who said there was evidence of deliberate re-rostering to avoid penal payments and that the required employment standards had been willfully ignored for years.
- 91 When we questioned Erin Spence, the Labour Inspector, she believed that due to the “severe” lack of record keeping uncovered, there would most likely be other deficiencies that could not be detected. Her investigation was initiated following a complaint by one person on behalf of three workers. The other two workers declined to be interviewed, no doubt in fear of their ongoing status to live and work in New Zealand.
- 92 She added that the applicant was on its second extension of time to fulfill the tasks given and provide the requested information to MBIE. **She doubted the Jaspreet Singh has the skills or knowledge to operate compliantly under the employment related standards of New Zealand.**
- 93 When we spoke with Jaspreet Singh, we were surprised to discover that there had been no formal staff training undertaken, or recorded, for the last five years. This coupled with allegations that some workers were required to work 12 hour shifts and up to 4 hours alone without support or comfort breaks etc. the issue of worker distress and fatigue became evident.
- 94 The assessment of intoxication and the identification of minors requires skill, knowledge and commitment, let alone a clear and alert mind. The large turnover of staff and multiple outlets owned by the applicant further exacerbates our concerns.
- 95 We asked Mr Singh if he ever had, or would in the future, engage a third-party trainer to assist him with his business. He said no. We asked if he thought a business advisor would be worthwhile to assist him get the business up to speed. He said no, but his counsel advised, in closing, that he would be prepared to engage a business support adviser if the licence was to be renewed.

The Decision

- 96 As higher Authorities have often said, holding a licence to sell alcohol is a privilege, not a right, and must only be given to persons, and companies, of integrity who try to

operate **within the provisions** of the Act and other NZ legislation, as opposed to trying to find ways to get around them.

- 97 After standing back and cross-checking the evidence and submissions before us we have come to the inevitable conclusion that the applicant has not established its suitability to permit us to approve a renewal of the licence.
- 98 Upon that finding, we believe that if we were to approve a renewal it would not contribute to achieving the object of the Act in this vulnerable community of Tokoroa.
- 99 The application to renew the licence is refused.
- 100 Pursuant to section 135(2) of the Act the licence will expire 2 months from the date of this decision to allow the applicant time to dispose of the business and/or the current stock on hand.

DATED at TOKOROA this 28th day of January 2021.

A handwritten signature in black ink, appearing to read 'Murray Clearwater', written over a light grey rectangular background.

Murray Clearwater
Commissioner
For the South Waikato District Licensing Committee

NOTE

Sections 153 to 155 of the Act relating to the right to appeal this decision are in effect.

This decision shall have immediate effect i.e. the display and sale of alcohol must cease 2 months from the date of this decision even if an appeal is lodged unless a stay is sought and granted by an appellent body.

Attachments

1. Redacted Improvement Notice.
2. List of current staff including certificated managers.