

**LICENSING COMMITTEE**

<b>Application</b>	018-0233
<b><u>IN THE MATTER</u></b>	of the Sale and Supply of Alcohol Act 2012
<b><u>AND</u></b>	
<b><u>IN THE MATTER</u></b>	of an application by Shri Ganesh Shiv Sai Limited for a temporary authority in respect of the premises situated at 57 Maniapoto Street, Ōtorohanga trading as Thirsty Weta Bar & Eatery pursuant to section 136 of the Act

**DECISION OF THE ŌTOROHANGA DISTRICT LICENSING COMMITTEE**

1. The application for a temporary authority to carry on the sale and supply of alcohol pursuant to on-licence 018/ON/003/17 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 on the date that Shri Ganesh Shiv Sai Limited takes possession of the business. The possession date must be confirmed in writing by the solicitor for Shri Ganesh Shiv Sai Limited, to the Secretary of the District Licensing Committee.
3. The temporary authority is granted for a maximum period of 3 months.

**Reasons**

1. This is an application by Shri Ganesh Shiv Sai Limited for a temporary authority in respect of the premises situated at 57 Maniapoto Street, Ōtorohanga trading as Thirsty Weta Bar & Eatery pending the issue of a new on-licence. Shri Ganesh Shiv Sai Limited has recently purchased the business and was due to take possession today. However, due to Alert Level 4 and 3 COVID19 lockdown restrictions, this has been changed to 10 working days from the commencement of COVID19 Alert Level 2. There is a current on-licence in force under the previous owner and it is due to expire on 7 November 2020.

### **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 on-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 on-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 Shri Ganesh Shiv Sai Limited 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 Ōtorohanga 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 1st day of May 2020



Sara Grayson  
Commissioner  
Ōtorohanga District Licensing Committee