

Matamata-Piako District Licensing Committee



IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER

of an application by **Pilot on Canada Street** for a **temporary authority** pursuant to section 136 of the Act in respect of a premises situated at 46 Canada Street, Morrinsville and known as Pilot on Canada Street.



Licence Number: **13/TEMP/007/2019**
Underlying Licence: 13/ON/011/2018
File number: 162.2019.1508.1

BEFORE THE MATAMATA-PIAKO DISTRICT LICENSING COMMITTEE

Committee

Chairperson: Councillor Adrienne Wilcock

Members: Denis Taylor
Ross Murphy
Neil Goodger

DECISION ON THE PAPERS

This is an application for a temporary authority to carry on the sale and supply of alcohol under an existing on-licence in respect of a premises situated at 46 Canada Street, Morrinsville known as Pilot on Canada Street. The premises is a Tavern and has a current on-licence with an expiry date of 1 November 2019. A renewal of this on licence has been applied for and is currently processing.

The reason for the temporary authority is due to the business changing ownership. The takeover date is 18 October 2019.

Balkrishna Limited has two directors. Kaushal Sevak and Amit Kumar. Kaushal is currently working as a business intelligence specialist. He is the owner of a Grocery Shop, Omakau Supermarket (trading as) which holds an off licence. He has owned that shop for the past two and a half years. He also owned a franchised restaurant Nando's in Mt Wellington. That premise held an on licence. Kauhal owned that premises for four years. Amit is employed as a Regional Managers in the engineering sector.

Neither director holds a Managers Certificate. Four current staff members hold a manager's certificate; they are to remain in the employment of the applicant.

A handwritten signature in black ink, appearing to be "Jm".

No matters in opposition to this temporary authority have been raised by the Inspector or by the Police.

We are satisfied as to the matters to which we must have regard and we grant the applicant a temporary authority to carry on the sale and supply of alcohol under the existing licence.

Section 136(4) of the Act requires the Committee, on making an order, to impose any conditions that the Act requires an on or off-licence to be issued subject to, may impose any conditions that the Act enables the licence to be issued subject to and may impose any other reasonable conditions it thinks fit. Sections 112, 116 and 117 of the Act detail compulsory and discretionary conditions of the licence in force.


The temporary authority is subject to the following conditions in addition to the existing conditions of the licence in force:

- a) It is a condition of this Temporary Authority that the holder must comply with all the conditions of the current on-licence, and the provisions of the Sale and Supply of Alcohol Act 2012.
- b) That an application for an on-licence be made within two months of the date of issue.
- c) 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.
- d) The holder of a managers certificate or a properly notified manager shall be on duty and on the premises at all times alcohol is sold. If a duty manager is not present, then there shall be no alcohol sales and a notice displayed advising the public of this fact.

The applicant's attention is drawn to s.136(5) of the Act which states that the person authorised by this order has the same duties, obligations, and liabilities, as the holder of the underlying on-licence concerned.

The certificate can be issued immediately.

Dated at Te Aroha this 4th day of October 2019


Adrienne Wilcock
Chairperson
Matamata-Piako Licensing Committee

