

Decision No. **ON0107-2022**

**IN THE MATTER**

of the Sale and Supply of Alcohol Act 2012

**AND**

**IN THE MATTER**

of an application by **Amy-Jane Elizabeth Frater** for an on-licence pursuant to s.100 of the Act in respect of premises situated at **53 Pebblebrooke Road, Mangawhai, Kaipara District** known as **“The Cow Shed Restaurant and Farm Shop”**

**Before The Kaipara District Licensing Committee**

Chair: Mr Mark Farnsworth

On call: Licensing Inspector – Fiona Poyner

**DECISION (ON THE PAPERS)**

This is an application by Amy-Jane Elizabeth Frater for an on-licence in respect of premises situated at 53 Pebblebrooke Road, Mangawhai, Kaipara District and known as “The Cow Shed Restaurant and Farm Shop”. The general nature of the business to be undertaken is that of a BYO restaurant.

The application was received on 13 September 2022 with the public notifications placed in the Kaipara Lifestyler on 20 September 2022 and again on 11 October 2022 thereby contravening section 36(b) of the Sale and Supply of Alcohol Regulations 2013. The applicant had placed an order for two advertisements however in error the Kaipara Lifestyler omitted to place the second advertisement, despite being requested by the applicant to do so.

As no objection or notice of desire to be heard has been received, I am prepared to waive the error in advertisement pursuant to Section 208 of the Act. In my opinion no one has been disadvantaged by the advertisement error. Accordingly, I shall deal with the matter on the papers.

I am satisfied as to the matters to which I must have regard as set out in s.105 of the Act and I grant the applicant a BYO restaurant style on-licence authorising the consumption of alcohol on the premises. On-licence 03/ON/017/2022 may issue immediately.

**DATED** at Mangawhai this 9th day of December 2022.



Mark Farnsworth MNZM

Chair

**Kaipara District Licensing Committee**