

Decision No. **312/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Buffet Star Limited**
pursuant to s.136 of the Act for a
Temporary Authority order.

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson
Member: Paul Dimery
Member: Mark Vincent

DECISION (ON THE PAPERS)

This is an application for a Temporary Authority Order by **Buffet Star Limited** in order to carry on the sale and supply of alcohol at premises **Tai Tong Restaurant and Takeaway**, situated at **206-212 Bank Street, Whangarei**, under authority of licence (**002/ON/5/2013**) currently in force.

Section 136 of the Act provides as follows:

A licensing committee may, on the application of a person who appears to the committee to have any right, title, estate, or interest in any premises, or any business conducted in any premises, for which an on-licence or off-licence is in force, make an order authorising the applicant (or some suitable person nominated by the applicant) to carry on the sale and supply of alcohol for a period, not exceeding 3 months, stated in the order.

The applicant

The applicant company was incorporated on 17 July 2014 and intends on taking over the business on 8 September 2014. The on-licence (002/ON/5/2013) issued to Tai Tong Co. Limited is currently in force until 10 November 2016. The applicant company has made application for their on licence.

Caihong Lin is the sole director and shareholder of the applicant company. The certificated duty manager who has been appointed in order to assist in managing alcohol sales and consumption is Eliza Wai Han Fan Lee (002/GM/58/2000). Michael James Lau is the general manager for the business and has applied for a manager's certificate.

Right, title, estate or interest in the premises/business

The applicant company has provided a 'sale and purchase agreement' and a letter from the building owner (landlord) giving consent to the sale of alcohol. On the basis of these documents the applicant has shown that they have an interest in the premises and are entitled to the grant of a temporary authority.

DECISION

The committee has received reports on the application from the Police and the Licensing Inspector and none have raised matters in opposition. Accordingly the committee deals with the matter on the papers without notice.

The committee is satisfied that the applicant has a right, title, estate or interest in the premises and make an order authorising the applicant to carry on the sale and supply of alcohol on the premises for a 3 month period subject to the following conditions including a requirement under section 110 of the Act relating to free drinking water:

- a) Drinking water is to be freely available (free of charge) while the premises are open for business at the bar and on the tables in the premises
- b) The Temporary Authority shall commence on 8 September 2014 and expire on 8 December 2014.

DATED at Whangarei this 26th day of August 2014

Chairman
Whangarei District Licensing Committee
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