

Decision No.

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by Insert **Homma Enterprises 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 **Homma Enterprises Limited** in order to carry on the sale and supply of alcohol at **Wheat Cafe**, situated at **40 Dyer Street, Whangarei** under authority of licence **(02/ON/004/2014)** 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 25 August 2014 and intends on taking over the business on the 29th September 2014. The on licence (02/ON/004/2014) issued to Bronscar Limited is currently in force until 11 March 2015.

The applicant is a private company incorporated on 25 August 2014. The shareholders are Ross Macdonald and Julie Maree Macdonald. The latter is the director.

The current duty manager (02/CERT/018/2014) for Wheat Café & Catering (Bronscar Limited), Charlene Gail Hutchinson, will remain as the duty manager under the new ownership (Homma Enterprises Limited).

Julie Macdonald, who is the applicant company's director, will eventually be a duty manager once she is certificated. Ms Macdonald's LCQ training was scheduled for 29 September 2014 and she intends to apply for a Manager's Certificate after gaining her LCQ qualification.

No variation to the conditions of licence has been sought. The existing conditions of on licence (02/ON/004/2014) issued to Bronscar Limited continue to apply. Since the licence was issued under the new Act, no additional conditions are required.

The Police, in a report dated 12 September 2014, have raised no objection to the granting of this temporary authority application.

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

The applicant company has provided a 'sale and purchase agreement'.

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:

- a) During the currency of the temporary authority the company shall make application for an on licence.
- b) The Temporary Authority shall expire on 29th December 2014

DATED at Whangarei this 30th day of September 2014

Chairman
Whangarei District Licensing Committee
14/88968