

Decision No. **236/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

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

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Chairman: Councillor John Williamson
Member: Mervyn Williams
Member: Lee Andrewes

DECISION (ON THE PAPERS)

This is an application for a Temporary Authority Order by Leradiance Limited in order to carry on the sale and supply of alcohol at premises known as Waipu Cove General Store, situated at 893 Cove Road, Waipu Cove, under authority of licence (**002/OFF/8/2011**) currently in force.

Section 222 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 15 April 2014, and will take over the business on 11 July 2014. The off-licence (**002/OFF/8/2011**) issued to H.Q.F. Limited is current and due for renewal on 4 August 2015.

The applicant is a private company incorporated on 15 April 2014. Jingming Hou and Li Wang are both shareholders, and the former is the director of the applicant company. The duty manager will be Jingming Hou, who is a holder of a current manager's certificate (02/CERT/096/2014).

Mr. Hou and Ms Wang are New Zealand residents and have been living in New Zealand for the past 14 years.

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

The applicant company has provided a signed 'private sale and purchase agreement' dated 12 April 2014, until all the documents relating to the purchase of the business, including the lease, have been finalised by their solicitor (Mr Henry Feng).

DECISION

The committee has received reports on the application from the Police and the Licensing Inspector and neither has raised matters in opposition. Accordingly we deal with the matter on the papers without notice.

We are 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 which include a requirement relating to section 116 of the Act relating to free drinking water:

1. In addition to ensuring compliance with the conditions of the off licence the holder of the temporary authority must ensure that while alcohol is being supplied free as a sample on the premises, drinking water is freely at the location in the premises where the alcohol is being supplied.
2. during the currency of the temporary authority the applicant shall make an application for an off-licence; and
3. the temporary authority be issued for a three month period commencing 11 July 2014 and expiring on 11 October 2014.

DATED at Whangarei this 8th day of July 2014

Chairman
Whangarei District Licensing Committee
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