Decision No. **/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: Mark Vincent
Member: Paul Dimery

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 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 15 April 2014, and took over the business on 11 July 2014. The applicant has submitted an off licence application, which is currently being processed.

This application relates to a second temporary authority to enable the applicant company to continue to sell alcohol under an existing off licence (**002/OFF/8/2011**) issued to H.Q.F. Limited.

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 is Jingming Hou, who is a holder of a current manager's certificate (02/CERT/096/2014).

Police have raised no issues regarding the suitability of the applicant to hold a temporary authority.

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

The applicant company has previously 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 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 includes 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. the temporary authority be issued for a three month period commencing 11 October 2014 and expiring on 11 January 2015.

DATED at **Whangarei** this **30th** day of **September 2014**

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Chairman
Whangarei District Licensing Committee
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