

Decision No. **83/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Off The Hook Cafe
And Bar Limited** pursuant to s.136 of
the Act for a Temporary Authority order.

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

Deputy Chairman: Councillor Gregg Innes
Member: Lee Andrewes
Member: Mervyn Williams

DECISION (ON THE PAPERS)

This is an application for a Temporary Authority Order by Off The Hook Cafe And Bar Limited in order to carry on the sale and supply of alcohol at premises known as Off the Hook cafe and Bar, situated at Unit 1, 30 Rauiri Drive, Marsden Cove, Ruakaka under authority of licence (002/ON/9/2013) 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 is a private company incorporated on 10 December 2013. David James Alan Baker is the sole shareholder and director of the applicant company. He is the owner and operator of the business. The on-licence (002/ON/9/2013) issued to Waterline Restaurant and Bar Limited is currently in force and due for renewal on 22 September 2015. The applicant wishes to continue the business under a temporary authority.

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

The applicant company has provided an e-mail confirmation from the building owner (the landlord) giving consent to the management of the cafe. 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. The applicant will complete the requirements for an on-licence application once the lease agreement is finalised.

DECISION

The committee has received reports on the application from the Police and the Licensing Inspector and none have 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:

1. In addition to ensuring compliance with the conditions of the on licence the applicant must ensure that drinking water is freely available (free of charge) at the service counter while the premises are open for business.

2. The Temporary Authority shall expire on the 25 June 2014

DATED at Whangarei this 25th day of March 2014

Chairman
Whangarei District Licensing Committee