

Decision No. **263/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

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

BEFORE THE WHANGAREI DISTRICT LICENSING COMMITTEE

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

DECISION (ON THE PAPERS)

This is an application for a Temporary Authority Order by **Red Lake Farm Limited** in order to carry on the sale and supply of alcohol at premises known as **Sun Wah** situated at **13-15 Bank Street, Whangarei**, under authority of licence (02/ON/012/2014) 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 March 2014 and intends taking over the business on 28 July 2014. The on-licence (02/ON/012/2014) issued to A & J Hy Limited is currently in force until 12 March 2017.

No variation to the conditions of the licence is sought. The conditions of on-licence 002/ON/012/2014 issued to A & J Hy Limited under the Sale and Supply of Alcohol Act 2012 continues to apply.

Haosi Wu is the sole director and a shareholder and Xiaoying Wu is a shareholder of the applicant company. There are no matters which call into question the character and reputation of the director and shareholders of the applicant company.

The certificated duty managers who have been appointed in order to assist in managing alcohol sales and consumption are Monique Edith Somers (002/GM/115/2009) and Alex Cong Sau Hy (002/GM/17/2008).

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

The applicant company has provided a signed 'deed of lease' dated 24 June 2014 and a 'sale and purchase of a business agreement' dated 26 June 2014, giving consent to the sale. 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 makes 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:

- the temporary authority be issued for a three month period commencing on 28 July 2014 and expiring on 28 October 2014; and
- during the currency of this temporary authority the applicant shall make application for an on-licence.

DATED at Whangarei this 22nd day of July 2014

Chairman
Whangarei District Licensing Committee
14/62733