Decision No. **/2014**

IN THE MATTER of the Sale and Supply of Alcohol Act 2012

AND

IN THE MATTER of an application by **S.P 10 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 S.P 10 Limited** in order to carry on the sale and supply of alcohol at premises known as **Waipu Four Square**, situated at **43 The Centre, Waipu,** under authority of licence (**02/OFF/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 31 May 2011 and intends on taking over the business on the 20th October 2014. The off licence (02/OFF/012/2014) issued to McWilson Co Limited is currently in force until 26 August 2015.

The applicant is a private company incorporated on 31 May 2011. The director is Steven John Price.

The duty managers will be Noeline Patricia Calder (02/CERT/123/2014) and Alison Clare McAulay (002/GM/118/2009), both are currently the duty managers for Waipu Four Square.

Steven John Price intends on applying for a manager's certificate, once he has accumulated sufficient experience to become an additional certificated duty manager for the premises.

The Police, in a report dated 22 September 2014, have raised no objections to the application.

No variation to the conditions of licence is sought. The existing conditions of off-licence (02/0FF/012/2014) issued to McWilson Co Limited under the Sale of Liquor Act 1989 continue to apply.

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

The applicant company has provided a letter from the building owner (landlord) giving consent to the sale of alcohol. On the basis of this document, 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:

a) Drinking water is to be freely available to customers while alcohol is being supplied free as a sample on the premises.
b) During the currency of the temporary authority the company shall make application for an off licence.
c) The Temporary Authority shall expire on 20th January 2015

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

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Chairman
Whangarei District Licensing Committee
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