

Decision No. **84/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **The Irish Kiwi
Company** 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 The Irish Kiwi Company in order to carry on the sale and supply of alcohol at premises known as Wildside Bar and Grill, situated at 47 Vine Street, Whangarei, under authority of licence (002/ON/4/2009) 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 August 2013, and took over the business premises on 15 September 2013. The on-licence (002/ON/4/2009) issued to Tasktrain Hotels Limited is currently in force.

The applicant is currently operating under their second temporary authority issued on 11 December 2013, which is due to expire on 26 March 2014.

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

The applicant company has previously provided a signed 'deed of lease' from the building owner (the landlord) dated 13 September 2013 giving consent to the occupation of the building. 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. Moreover, the applicant on 17 March 2014 has made application for a new on-licence, which is currently being processed and this is the reason why a further temporary authority is required.

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) while the premises are open for business at the bar counter.

2. The Temporary Authority shall expire on the 26 June 2014

DATED at Whangarei this 25th day of March 2014

Chairman
Whangarei District Licensing Committee