

Decision No. **311/2014**

IN THE MATTER

of the Sale and Supply of Alcohol Act
2012

AND

IN THE MATTER

of an application by **Zion Holdings 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 **Zion Holdings Limited** in order to carry on the sale and supply of alcohol at premises known as "**Tutukaka General Store**", situated at **260 Matapouri Road, Tutukaka**, under authority of licence (**002/OFF/14/2004**) 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 6 May 2013, and took over the business premises on 26 May 2014. The off licence issued to the partnership of Gregory Herbert Humphries and Dianne Jean Humphries is currently in force.

The applicant is a private company incorporated on 6 May 2013. Niti Kant Patel and Sneha Ben Patel are the directors and shareholders of the company.

The certificated duty managers are Sneha Ben Patel (002/GM/26/2013), Satpal Singh Mahal (002/GM/106/2012) and Niti Kant Patel (002/GM/39/2012).

The applicant has recently lodged an application for a new off licence.

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

The applicant company has provided a signed 'sale and purchase of a business' agreement dated 28 March 2014, a 'deed of lease' and a letter from the owner consenting to the sale of alcohol. On the basis of these documents the applicant has shown 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 commencing on 26 August 2014 and expiring on 26 November 2014 subject to the following condition:

- Drinking water is to be freely available to customers while alcohol is being supplied free as a sample on the premises.

DATED at Whangarei this 26th day of August 2014

Chairman
Whangarei District Licensing Committee
14/77084