

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

AND

IN THE MATTER of an application by Majha Holdings Limited for a temporary authority to carry on the sale and supply of alcohol pursuant to s.136 of the Act in respect of premises situated at 46 Main Street HUNTLY known as "Blackbull Liquor Huntly".

BEFORE THE WAIKATO DISTRICT LICENSING COMMITTEE

DECISION

[1] I have before me an application by Mahaj Holdings Limited for a temporary authority in respect of premises situated at 46 Main Street HUNTLY known as "Mahaj Holdings Limited".

[2] The application for the temporary authority is the second such application made by this applicant.

[3] The applicant has sought this temporary authority on the grounds that they have purchased the business, and wish to continue to trade within the conditions of the underlying licence for the premises whilst they work towards lodging an application for a substantive licence.

[4] The inspector had initially filed a report on the application with opposition to the granting of the temporary authority which was supported by the Police. The grounds for their opposition were concerns in regard to the ability of the applicant to meet the requirements of the Act namely to have a certificate holding manager on site and on duty during the hours the premise was open.

[5] Subsequent to the receipt of the report from the Inspector, I have received updated information that two applicants for manager's certificates that are to be employed by the applicant at this premise have been interviewed by the Inspectorate and that reports recommending the issuing of certificates will be forthcoming for a decision by the Committee. It is advised that the original concerns will be mitigated when these certificates are issued.

[6] I note the applicant through their legal counsel had argued that they were able to meet the requirements of the Act in regard to having managers on duty prior to the passing of the interviews mentioned above.

[7] do not believe it is appropriate or reasonable to create the situation whereby the applicant is unable to trade in these updated circumstances.

[8] It is to be made very clear to the applicant that until the new managers receive their certificates and after that time as well, that they are obligated to ensure compliance with the Act and based on their assertions of their ability to do that, any such breach may well result in firstly an application for breach going to the Authority but also that such a breach may well be considered in regard to suitability when any substantive licence application for the premise is dealt with.

[9] I am satisfied as to the matters to which I must have regard, and I am satisfied that the application meets the Purpose and Object of the Act, accordingly, I grant the temporary authority.

[10] This temporary authority authorises the applicant to carry on the sale and supply of alcohol with the same conditions contained within the underlying licence number 14/OFF/22/2021.

[11] The temporary authority is issued for the period not exceeding three months and may issue to take effect immediately.

[12] A copy of this temporary authority is to be displayed alongside a copy of the underlying licence within the premises.

DATED at Auckland this 9th day of August 2024.



A handwritten signature in black ink, appearing to read "A Baker".

Andrew Baker
Commissioner
Waikato District Licensing Committee