

**DECISION NUMBER 1416/2022**

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

**AND**

**IN THE MATTER** of an application pursuant to section 136 of the Sale and Supply of Alcohol Act 2012 by **BAY FOODIES LIMITED** for a Temporary Authority in respect of the premises at 1/192 Hastings Street, Napier South, Napier and currently known as 'Mexicali Fresh'.

**BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE**

Commissioner

Mr S G Hylton \_\_\_\_\_

**DECISION**

**1. Introduction**

This is an application by **BAY FOODIES LIMITED** for a Temporary Authority in respect of the premises situated at 1/192 Hastings Street, Napier South, Napier and currently known as 'Mexicali Fresh'.

The application comes about from a change of ownership and is required to allow the applicant to continue trading while the application for a new licence is processed

by the Licensing Committee. This is the **first** Temporary Authority made by the applicant against the licence. The applicant takes possession of the premises on 20 December 2021.

## 2. Application

The application is made against on-licence **030/ON/1387/2019** which has an expiry date of 8 March 2022.

The application was not advertised and no objection or notice of desire to be heard has been received under section 103 of the Act. Accordingly we deal with the matter on the papers in accordance with sections 136 and 202(1) of the Act.

In considering the application for temporary authority the committee had regard to the object of the Act and reports furnished by Police and Inspector.

## 3. Reporting Agencies

The following reports were received under the Act.

**Police Report** – No opposition from Police.

**Licensing Inspector Report** – The inspector notes that the applicant is a private company with one director and three shareholders.

The inspector concludes that the application is complete and meets the criteria of the Sale and Supply of Alcohol Act 2012. The inspector recommends that the licence be issued subject to standard conditions.

I concur with the inspector's assessment.

## 4. Decision

Accordingly the application for a Temporary Licence is **Approved**, valid for 3 months from the date it takes effect or when the Substantive Licence Application lodged by the applicant is determined, whichever is the sooner.

The Temporary Authority can be issued **immediately** with the standard conditions pertaining to Temporary Authorities.

**DATED** at Napier this 10 day of January, 2022.

A handwritten signature in blue ink, appearing to be 'M. H. D.', written in a cursive style.

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Commissioner