

**DECISION NUMBER**     **1418/2022**

**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 **WESTSHORE HOTEL  
LIMITED** for a Temporary Authority  
in respect of the premises at 85  
Meeanee Street, Westshore, Napier  
and currently known as 'The  
Westshore Beach Inn'.

**BEFORE THE NAPIER DISTRICT LICENSING COMMITTEE**

Commissioner

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

**DECISION**

**1. Introduction**

This is an application by **WESTSHORE HOTEL LIMITED** for a Temporary Authority in respect of the premises situated at 85 Meeanee Street, Westshore, Napier and currently known as 'The Westshore Beach Inn'.

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.

**2. Application**

The application is made against on-licence **030/ON/0356/2020** which has an expiry date of 17 September 2023.

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 two directors/shareholders.

The Inspector notes a letter from the applicant's solicitor explaining the effect of a current lease arrangement around the Hotel's property between his client (landlord and proposed applicant) and current licensee. This is in lieu of the normal Sale and Purchase agreement a DLC would receive with such application.

I concur with the Inspector that this solicitor letter suffices in terms of explaining necessary right, title, estate etc to allow a temporary Authority to be granted.

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 to take effect from 25 January 2022, when the applicant takes possession, with the standard conditions pertaining to Temporary Authorities.

**DATED** at Napier this 20 day of January, 2022.



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Commissioner

Napier District Licensing Committee