

Decision No. 24045 ✓

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by IAN JAMES FRASER for an off-licence pursuant to s.29 of the Act in respect of premises situated at 50 Clyde Road, Browns Bay, North Shore City known as "Browns Bay Liquor"

BEFORE THE LIQUOR LICENSING AUTHORITY

Chairman: District Court Judge J P Gatley

Members: Mr R J S Munro

Mr J W Thompson

DECISION

This is an application by Ian James Fraser for an off-licence in respect of premises situated at 50 Clyde Road, Browns Bay, North Shore City, known as "Browns Bay Liquor".

The application is in respect of premises in which the principal business is the sale of liquor and results from a change of licensee. The premises are currently operating under a temporary authority granted by the North Shore District Licensing Agency.

The application was duly advertised and no objection or notice of desire to be heard has been received. Accordingly, we deal with the matter on the papers.

We are satisfied as to the matters to which we must have regard as set out in s.35 of the Act and we grant the applicant an off-licence pursuant to s.29.

The licence may issue immediately.

The applicant's attention is drawn to s.48 of the Act obliging the holder of an off-licence to display:-

1. A sign attached to the exterior of the premises, so as to be easily read by persons outside each principal entrance, stating the ordinary hours of business during which the premises will be open for the sale of liquor AND



2. A copy of the licence, and of the conditions of the licence, attached to the interior of the premises so as to be easily read by persons entering through each principal entrance.

The entrance from Clyde Road is designated as the principal entrance.

The licence will be subject to the following conditions:

- (a) No liquor shall be sold or delivered on any Sunday or on Good Friday or Christmas Day.
- (b) Liquor may be sold or delivered only on the following days and during the following hours:
- Monday to Saturday 9.00 am to 11.00 pm
- (c) The licensee shall ensure that the provisions of the Act relating to the sale and supply of liquor to prohibited persons are observed and shall:
- (i) Display appropriate signs adjacent to every point of sale detailing the statutory restrictions on the sale and supply of liquor to minors and the complete prohibition on sales to intoxicated persons; and
- (ii) Have available for vendor staff forms of the kind anticipated by s.172 of the Act, enabling such staff to require customers to declare in writing that they are of the required age.

DEFINITION OF LICENSED PREMISES

In terms of Reg. 10 of the Sale of Liquor Regulations 1990 the sale or delivery of liquor is authorised in or from the premises generally. The premises, located at 50 Clyde Road, Browns Bay, North Shore City are more precisely identified in a plan date stamped as received by Tribunals Division on 26 October 1995.

DATED at WELLINGTON this *12th* day of *December* 1995


R Barber
Deputy Secretary

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