

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by MARVAN HOLDINGS LIMITED for an on-licence pursuant to s.7 of the Act in respect of premises situated at 76 Victoria Street, Christchurch City known as "Asko Espresso"

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 Marvan Holdings Limited for an on-licence in respect of premises situated at 76 Victoria Street, Christchurch City, known as "Asko Espresso". The general nature of the business to be undertaken will be that of a restaurant.

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.13 of the Act and we grant the applicant an on-licence authorising the sale and supply of liquor, for consumption on the premises, to any person who is present on the premises for the purpose of dining.

The licence will not issue until the Authority has received confirmation from the District Licensing Agency that all relevant clearances have been obtained. The applicant is not entitled to sell liquor until the licence issues. Unlicensed sales can result in imprisonment for up to three months or a fine of \$20,000 (ss.114(2), 151 and 152 of the Act refer).

The applicant's attention is drawn to s.25 of the Act obliging the holder of an on-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 into the cafe is designated as the principal entrance.

The licence will be subject to the following conditions:

- (a) The licensee shall have available for consumption on the premises, at all times when the premises are open for the sale of liquor, a reasonable range of non-alcoholic refreshments:
- (b) Liquor may be sold only on the following days and during the following hours:


Monday to Sunday 7.00 am to 1.00 am the following day

- (c) Food shall be available for consumption on the premises at all times when the premises are open for the sale of liquor in accordance with the menu submitted with the application for a licence or variations of that menu of similar range and standard.

THE LICENSED PREMISES

In terms of Reg. 7 of the Sale of Liquor Regulations 1990 the sale or supply or consumption of liquor is authorised in the cafe and outdoor area of the premises generally. The premises, located at 76 Victoria Street, Christchurch are more precisely identified in a plan date stamped as received by Tribunals Division on 24 October 1996.

DATED at WELLINGTON this *5th* day of *November* 1996


R Barber
Deputy Secretary

