

IN THE MATTER of the Sale of Liquor Act 1989

AND

IN THE MATTER of an application by CURRY 'N' SPICE COMPANY LIMITED for an on-licence endorsed pursuant to s.28 of the Act (B.Y.O.) in respect of premises situated at Shop 7, Manly Palms, Rawhiti Road, Manly, Whangaparaoa, Rodney District, known as "Curry 'N' Spice"

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 Curry 'N' Spice Company Limited for an on-licence to operate a BYO restaurant in respect of premises situated at Shop 7, Manly Palms, Rawhiti Road, Manly, Whangaparaoa, Rodney District, known as "Curry 'N' Spice". Section 28 of the Act makes special provision for endorsement of an on-licence so as to identify the premises as having a BYO licence.

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 and we grant the applicant an on-licence endorsed in terms of s.28.

The licence may issue when confirmation has been received from the District Licensing Agency that all relevant clearances have been obtained.

The applicant's attention is drawn to s.25 of the Act obliging the holder of an on-licence to display:

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 the carpark 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 food or hot beverages in which liquor is an ingredient, a reasonable range of non-alcoholic refreshments.
- (b) Liquor may be consumed on the premises by persons present for the purpose of dining only on the following days and during the following hours:

Monday to Sunday 11.00 am to 12.00 midnight

- (c) The licensee shall have available for consumption on the premises at all times when the premises are open, food of a similar standard to that described in the menu lodged with the application for a licence.

THE LICENSED PREMISES

In terms of Reg. 7 of the Sale of Liquor Regulations 1990, the consumption of liquor is authorised in the premises generally. The premises, located at Shop 7, Manly Palms, Rawhiti Road, Manly, Whangaparaoa are more precisely identified in a plan date stamped as received by Tribunals Division on 11 July 1997.

DATED at WELLINGTON this 9th day of October 1997



R Barber
Deputy Secretary

