

# AUCKLAND'S LOCAL ALCOHOL POLICY

Making it  
work for  
communities



# TOOLKIT

This toolkit has been developed to help and support informed decision making on Auckland's Local Alcohol Policy. An effective policy will reduce alcohol-related harms and help us fulfil our goal of being the world's most liveable city.

# AUCKLAND'S LOCAL ALCOHOL POLICY

## Making it work for communities

**Each year in New Zealand a third of all police apprehensions involve alcohol, half of serious violent crimes are related to alcohol and up to 75% of adult presentations to Emergency Departments on Thursday, Friday and Saturday nights are alcohol-related.**

- Two thirds of Aucklanders believe that the overall impact of drinking on life in Auckland is negative.
- Just over half think alcohol or other drugs are a problem in their area.
- 85% agree that there is a problem with youth and drinking

in Auckland.

- 74% think that alcohol is too easy for people to get hold of (Auckland Council, 2011).

The Local Alcohol Policy provides us with a useful tool to address these issues. Let's ensure that we make the most of this opportunity.

**Alcohol-related problems are affecting communities the length and breadth of New Zealand. The harm from alcohol disproportionately affects the most vulnerable in our society, and is placing an unacceptable burden on already overstretched health, police and social services. Auckland is no exception – we**

**have significant populations of young people, those living in socially deprived situations and other groups who hurt more when alcohol affects their lives.**

Alcohol misuse impacts on the whole community through ill-health, injuries and disability. It increases the risk of violence and

other crimes, educational failure and workplace absenteeism.

While alcohol use and associated problems are complex issues, with multiple factors at play, there are solutions.

The Sale and Supply of Alcohol Act 2012 provides an opportunity for our city to make changes that we know will have an impact.

## Availability Theory

**It's quite simple; the easier it is to get alcohol, the more people drink and vice versa. Having alcohol readily available in the community also signals the social acceptability of drinking, particularly to our young people.**

Over the last 30 years a large body of high quality and robust research has been gathered, telling us that making alcohol less available helps to reduce a range of issues related to the misuse of alcohol.

Against this backdrop of evidence,

central government's approach was to liberalise the availability of alcohol in NZ.

This was demonstrated most clearly with the introduction of the Sale of Liquor Act in 1989. This law allowed for unfettered proliferation of alcohol outlets, including allowing the sale of beer and wine in supermarkets, and relaxed trading hours. In the two decades following this the number of liquor outlets more than doubled and trading hours extending to 24 hours seven days a week.

Local authorities are now better placed to tackle alcohol-related problems through the development of a Local Alcohol Policy. Local Alcohol Policies were included in the new alcohol law to improve community input into licence decision-making and to reduce the availability and accessibility of alcohol. A good Local Alcohol Policy will reduce alcohol problems in our city and reduce the burden on our people.

***It is now time to make sure that Auckland's Local Alcohol Policy does the job it was intended to do, and that it not only reduces harm that is already happening but protects against harm occurring in the future.***

# The Relationship Between Alcohol Availability and Alcohol-related Harm

There is growing evidence, from both here and overseas, that highlights the relationship between the availability of alcohol (over both time and space) and alcohol-related problems, including violence, motor vehicle accidents, public disturbances,

injuries and binge-drinking.

All types of alcohol outlets contribute to these negative outcomes.

Inaction or continued increases in alcohol availability will increase these problems and incur

substantial costs to the community and public services.

Thus, measures that restrict the proliferation of alcohol outlets and limit the trading hours of licensed premises are essential components of any policy or strategy to reduce alcohol-related problems.

## What can be done to Reduce the Availability of Alcohol in Auckland?

The Sale and Supply of Alcohol Act 2012 marks a turn away from a liberalised approach to alcohol. It includes a number of mechanisms to better control and enforce the sale and supply of alcohol.

The Local Alcohol Policy is one of those mechanisms. Ideally a Local Alcohol Policy will build on other mechanisms contained in the new law such as the broader criteria to oppose liquor licence applications and default maximum national trading hours to reduce availability of alcohol and achieve positive

and measureable change in alcohol-related harm in Auckland.

How we do this is summarised in the following Action List.

### Action list

- ✓ Reduce the trading hours of licensed premises
- ✓ Reduce the number of licensed premises
- ✓ Restrict the location of licensed premises, particularly in relation to vulnerable populations and 'sensitive sites'
- ✓ Raise host responsibility standards by including a comprehensive package of discretionary conditions that are applied consistently across all licensed premises



## Call to Action

The Local Alcohol Policy provisions in the Sale and Supply of Alcohol Act 2012 provide us with a long awaited tool to reduce alcohol-related harm.

We must all work together to make the most of this opportunity.

Decision-makers, community representatives and individuals alike must ensure that the decisions made on Auckland's Local Alcohol Policy are informed. Then we will achieve a Policy that is fit for purpose, reflects the intent of the law and results in healthier, safer and more vibrant Auckland.

## A Summary of the Evidence

There are numerous studies that prove that reducing the availability and accessibility of alcohol in turn reduces the hurt and harm that comes from the misuse of it.

This toolkit provides you with a summary of the findings from the studies that are available.



If you require any further information on any of the issues discussed in this document please get in touch with Alcohol Healthwatch on (09) 520 7035 or visit our website [www.ahw.org.nz](http://www.ahw.org.nz)



# Reducing Trading Hours

## Evidence of the relationship between the trading hours of licensed premises and alcohol-related harm is robust and conclusive.

In 'Alcohol: No Ordinary Commodity' a group of internationally renowned alcohol policy researchers summarise the evidence by saying "There is strong and reasonably consistent evidence from a number of countries that changes to hours or days of trade have significant impacts on the volume of alcohol consumed and on the rates of alcohol-related problems." They go on to say that: "When hours and days of sale are increased, consumption and harm increase and vice versa."<sup>1</sup>

A New Zealand Ministry of Justice report shows that the expected rate of offending increases significantly for every hour that a premise remains open after midnight.

Evidence suggests that for every hour of earlier closing, the more alcohol-related

12.01am and 1am is	1.6 times greater
1.01am and 2am is	2.2 times greater
2.01am and 3am is	4.2 times greater
3.01am and 5am is	8.9 times greater than when premises close at 12am or earlier. <sup>8</sup>

harm will be reduced. This has recently been demonstrated in New Zealand with the introduction of Default Maximum National Trading Hours, through the Sale and Supply of Alcohol Act 2012. These and other changes came into force on 18th December 2013, and require all on-licences to close by 4am and off-licences to close by 11pm. In the ten weeks following, figures from the NZ Police reported a 22% drop in serious assaults causing injury, public place violence and disorder offences, compared to the previous year. In Central Auckland the drop was 11%. These reductions were largely attributed to the reduced trading hours.<sup>2</sup>

Numerous studies demonstrate significant reductions in violence and harms when trading hours are restricted.<sup>3</sup>

A study in Newcastle, Australia reported a 37% decrease in assaults, with no evidence of displacement to other neighbourhoods

or premises, when trading hours were restricted by two hours.<sup>4</sup> A five year follow-up study recently released shows that these results have been maintained.<sup>5</sup>

Other interesting findings from the Newcastle study include: reduced trading hours of on-licence premises resulted in customers entering the pubs and bars earlier, which reduced pre-loading at home. In some cases licensed premises increased their profits, as the money that was previously spent elsewhere was spent in their premises.

Closer to home in Timaru, a restriction of on-licence hours resulted in a 64% decrease in recorded violent incidents.<sup>6</sup>

A recent international study, which includes New Zealand as a research site, found that drinkers buying alcohol after 2am from on-licences were 2.9 times more likely to drink larger amounts than those purchasing prior to 2am. It also found that drinkers buying alcohol from off-licences after 10pm were also more likely to be larger consumers.<sup>7</sup>

Restrictions on both opening and closing hours have been found to reduce alcohol-related assaults, ambulance call-outs and emergency department presentations, and this applies to on and off-licensed premises.<sup>8</sup>

1. Babor et al (2010). *Alcohol No Ordinary Commodity: Research and Public Policy*. 2nd ed. Oxford University Press (p.45).

2. Tolley, A. (2014). *Changes to alcohol laws have immediate effect*. Media release. Accessed from: <http://www.beehive.govt.nz/release/changes-alcohol-laws-have-immediate-effect>.

3. Chikritzhs, T. N., and T. R. Stockwell. (2002). "The impact of later trading hours for Australian public houses (hotels) on levels of violence." *Journal of Studies on Alcohol* 63 (5): 591-599. Loxley, W. M., D. A. Gray, C. Wilkinson, T. N. Chikritzhs, R. G. Midford, and D. R. Moore. (2005). "Alcohol policy and harm reduction in Australia." *Drug and Alcohol Review*. 24 (6): 559-568. Chikritzhs, T. N., and T. R. Stockwell. (2006). "The Impact of Later Trading Hours for Hotels on Levels of Impaired Driver Road Crashes and Driver Breath Alcohol Levels." *Addiction* 101 (9): 1254-1264 and Chikritzhs, T. N., and T. R. Stockwell. (2007). "The Impact of Later Trading Hours for Hotels (public houses) on Breath Alcohol Levels of Apprehended Impaired Drivers." *Addiction* 102: 1609-1617 and Duailibi, S., Ponicki, W., Grube, J., Pinsky, I., Laranjeira, R., & Raw, M. (2007). The effect of restricting opening hours on alcohol-related violence. *American Journal of Public Health* 97, 2276-80. Stockwell T.R, Chikritzhs T.N. (2009). Do relaxed trading hours for bars and clubs mean more relaxed drinking? A review of international research on the impacts of changes to permitted hours of drinking. *Crime Prev Commun Saf*. 11:153-70.

4. Kypri, K., Jones, C., McElduff, P. & Barker, D. (2011). Effects of restricting pub closing times on night-time assaults in an Australian city. *Addiction*, 106(2):303-310.

5. Kypri, K., McElduff, P., & Miller, P. (2014). Restrictions in pub closing times and lockouts in Newcastle, Australia five years on. *Drug and Alcohol Review*. Doi: 10.1111/dar.12123.

6. NZ Police (2009). *Policing Fact Sheet: Licensed premises trading hours*. Prepared by: Organisational Performance Group, Police National Headquarters: Wellington.

7. Ministry of Justice (2013). *Risk based licensing fees. Identifying risk factors in the New Zealand Context*. Wellington.

8. Jones, C. Kypri, K., Moffatt, S., Borzycki, C., and Price, B. (2009). "The impact of restricted alcohol availability on alcohol-related violence in Newcastle, NSW." *Crime and Justice Bulletin*, No. 137.

## How can Auckland's Local Alcohol Policy be most effective?

### Set the following maximum trading hours for licensed premises in the Auckland region:

#### On-licences

- ▶ Inner City/Entertainment Areas: 10am – 2am with a mandatory one-way door policy from 12am.
- ▶ Suburban and rural areas: 10am – 12am with a discretionary one-way door from 11pm.
- ▶ Restaurants/Cafes/Function Centres/Clubs/Wineries and winery restaurants: 10am – 12am.
- ▶ Special licences: Trading hours should not extend beyond the default maximum national trading hours. These are 8am – 4am.

#### Off-licences

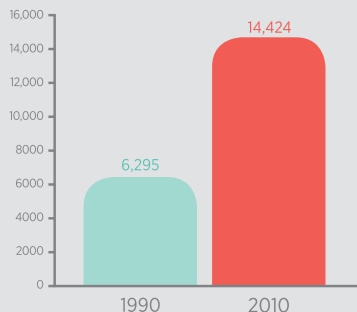
- ▶ 10am to 9pm for all off-licences. No exclusions for supermarkets.

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# Reducing the Number and Density of Licensed Premises

**Since the criteria for granting liquor licences were relaxed by the Sale of Liquor Act 1989, the number of liquor licences in New Zealand has more than doubled.**



Between 1990 and 2010 the number of places allowed to sell alcohol more than doubled – from 6,295 to 14,424.

There is a substantial body of evidence linking outlet density with heavy drinking among young people, and a range of alcohol-related harms.

Research consistently shows that where there are higher numbers and concentrations of alcohol outlets there are increased rates of alcohol-related problems such as assaults, adolescent drinking, domestic violence, drink driving, homicide, suicide and child maltreatment.<sup>9</sup>

Alcohol-related harm is associated with all types of licences.

Recently in Victoria, Australia, an analysis was undertaken to determine the effects of licensed outlet density on several measures including assault, domestic violence, chronic harms and high risk drinking in young people.<sup>10</sup> The analysis found there was a strong association between reported assaults and all three outlet types, general licences, on-licence and off-licence.

We also have local research on the impacts of alcohol outlet density.<sup>11</sup>

## Research conducted in Manukau found that:

- ▶ Higher numbers of both off- and on-licences were associated with a higher number of total police events.
  - Off-licence density is associated with higher levels of anti-social behaviours, drug and alcohol offences, family violence, property damage, traffic offences and motor vehicle crashes.
  - On-licence density is associated with higher levels of dishonesty offences and property damage.
- ▶ Higher concentrations of off-licences were found in areas with higher levels of social deprivation.
- ▶ Areas with a higher density of off-licence outlets had higher competition between those outlets,

leading to lower prices, longer operating hours including later weekend closing times.

An extension of this study looked at the impact of liquor outlets on communities across the North Island.<sup>12</sup>

## This study reported that:

- ▶ The most substantial positive relationships with violent offences were observed for bar and nightclub density, and supermarket and grocery store density.
- ▶ Other on-licence density and licensed club density also had significant positive relationships with violent offences, while other off-licence density had a marginally significant negative relationship with violent offences.
- ▶ In Auckland the impact of increased density of on-licensed clubs was found to be greater in Southern suburbs. For example in the suburbs of East Tamaki, Otara and Otahuhu, it was estimated that every additional licensed club was associated with more than four additional violent offences per year. Similar associations were also observed in surrounding suburbs and the area between Glen Eden and Avondale in West Auckland.

9. Michigan Department of Community Health (MCDH) Bureau of Disease Control, Prevention & Epidemiology. (2011). *The association of increased alcohol outlet density & related harms: Summary of key literature*. Michigan: MDCH. Accessed at: [http://www.michigan.gov/documents/mdch/Outlet\\_Density\\_Associated\\_Harms\\_Summary-3.10.2011\\_373894\\_7.pdf](http://www.michigan.gov/documents/mdch/Outlet_Density_Associated_Harms_Summary-3.10.2011_373894_7.pdf); & Livingston, M. (2008). 'A Longitudinal Analysis of Alcohol Outlet Density and Assault'. *Alcoholism: Clinical and Experimental Research* 32(6): 1074-1077; & Livingston, M. (2011). 'A longitudinal analysis of alcohol outlet density and domestic violence'. *Addiction* 106(5): 919-925.

10. Livingstone, M. (2008). A longitudinal analysis of alcohol outlet density and assault. *Alcoholism: Clinical and Experimental Research*, 32(6), 1074-1079.

11. Cameron, M.P., Cochrane, W., McNeill, K., Melbourne, O., Morrison, S., & Robertson, N. (2009). *The impact of liquor outlets in Manukau City – Summary Report-Revised*. Wellington: ALAC.

12. Cameron, M.P., Cochrane, W., Gordon, C., and Livingston, M. (2013). *The Locally-Specific Impacts of Alcohol Outlet Density in the North Island of New Zealand, 2006-2011, research report commissioned by the Health Promotion Agency, Hamilton: National Institute for Demographic and Economic Analysis, University of Waikato.*

## How can Auckland's Local Alcohol Policy be most effective?

- ▶ Introduce a regional cap on the number of licensed premises (on and off licences) in Auckland. This will allow for existing over supply to ease where it is occurring, and also prevent the problem developing elsewhere in Auckland.
- ▶ Introduce a sinking lid for all or specific types of licensed premises in areas that are identified as high risk/high stress. These would be areas where there is evidence of existing alcohol-related harm, community concern about the impact of alcohol and demographic and social conditions which increase the vulnerability of the population. There could be a process through which Local Boards could determine this on behalf of their communities.

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# Controlling the Location of Licensed Premises

**In Auckland's recent past, numerous communities have objected to liquor outlets being located close to community facilities and sensitive sites such as schools.**

There are good reasons for communities to be concerned about the effect of alcohol outlets on vulnerable populations, such as children and young people. Exposure to alcohol advertising has been shown to lower the age that young people start to drink and make it more likely for them to drink heavily.

After reviewing 13 longitudinal studies that reported on 38,000 young people, Anderson and others (2009)<sup>13</sup> found **consistent evidence to link alcohol advertising with the uptake of drinking among non-drinking youth and increased consumption among their drinking peers.** Anderson noted that these results were not surprising given the same conclusions were reached from reviews of the impact of tobacco and food marketing on young people.

Alcohol is not an ordinary commodity. Yet when children and young people observe the sale and promotion of alcohol alongside everyday products and services it helps to normalise alcohol in their minds, and encourages them to think that it is an ordinary product. Auckland has been found to provide an "alcogenic" environment, associated with higher levels of consumption among young people aged 12-19 years<sup>14</sup>. It is important

**THE CLUSTERING OF ALCOHOL OUTLETS ARE ASSOCIATED WITH INCREASED VIOLENCE, PUBLIC DISORDER, VANDALISM AND OTHER PROBLEMS.**

that the Local Alcohol Policy plays an active role in creating a safer environment for children and young people.

Participants at recent alcohol-related forums in Auckland have identified the following as "sensitive sites" in relation to the location of alcohol outlets; **alcohol and drug treatment services, urupa, prisons, hospitals/medical centres, youth centres, transport hubs, playgrounds and parks, places of worship and rest homes.**

Problems can also arise when alcohol outlets are situated in close proximity to each other. The clustering of alcohol outlets are associated with increased violence, public disorder, vandalism and other problems.

In the United Kingdom 'Saturation Zones' have been used to address outlet density. Saturation zones exist in England and Wales and limit the introduction of new licenses in areas that already have a high density of existing licences.

Operational saturation zones in the United Kingdom have been determined based on outlet density, crime data and domestic violence statistics.<sup>15</sup>

'Cluster controls' are another policy measure. These are designed to reduce alcohol-fuelled violence that results from having too many pubs and clubs in an area. There are numerous places around the world where cluster controls are used, including England, Wales, Paris and New York. These controls prohibit new liquor licences for premises within a specified distance of existing licensed premises or other amenities (e.g. schools, hospitals, churches or places of worship).<sup>16</sup>

In Thailand alcohol advertising is prohibited within 500m from educational institutions. This type of control could be included as a discretionary condition in the Local Alcohol Policy.

## How can Auckland's Local Alcohol Policy be most effective?

**As well as including limits on the number of licensed premises through the introduction of a regional cap and "sinking lid" options:**

- ▶ Introduce proximity controls between alcohol outlets and 'sensitive sites,' such as educational institutions and other sites that communities identify as sensitive.
- ▶ Introduce a notification system so that residents, owners/managers of sensitive sites and other businesses within a specified buffer zone (e.g. 100m radius) are advised of any new or renewal licence applications, and the process and grounds on which they may object to the application.
- ▶ Include a discretionary condition in the Local Alcohol Policy to restrict the advertising of alcohol on licensed premises within a specified distance of identified sensitive sites.

13. Anderson P et al (2009). *Impact of Alcohol Advertising and Media Exposure on Adolescent Alcohol Use: A systematic review of longitudinal studies.* *Alcohol & Alcoholism*, 44:229-242.

14. Huckle, T., Huakau, J., Sweetsur, P., Huisman, O. & Casswell, S. (2008). *Density of alcohol outlets and teenage drinking: living in an alcogenic environment is associated with higher consumption in a metropolitan setting.* *Addiction*, 103, 1614-1621

15. Hadfield, P. & Measham, F. (2009). 'England and Wales', in Hadfield, P. (ed), *Nightlife and Crime: Social Order and Governance in International Perspective.* New York: Oxford University Press Inc., pp.19-50.  
32 Matthews, S. (2009). *To compare regulatory and planning models which reduce crime in the night time economy.* Sydney: The Churchill Memorial Trust of Australia.

16. Matthews, S. (2010). *To compare regulatory and planning models which reduce crime in the night time economy.* Churchill Fellowship Report. Winston Churchill Memorial Trust: Australia.

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# Discretionary Conditions and One-way Doors

## Applying additional conditions to liquor licences can help raise standards of host responsibility and ensure that licensees comply with the object of the Sale and Supply of Alcohol Act 2012.

### Discretionary conditions could include:

- ▶ Limiting the type, number or size of drinks that can be served prior to closing.
- ▶ Requiring use of CCTV and other security measures.
- ▶ Minimum number of security guards or managers to be on duty.
- ▶ Queue management.
- ▶ Minimum levels of staff training.

However, the effectiveness of these interventions are limited without more effective measures, such as reduced trading hours, being in place.<sup>17</sup>

Where discretionary conditions are included in policies, the evidence suggests that they are more effective if applied in a consistent manner.<sup>18</sup>

A one-way door condition requires a licensee to refuse new patrons (and the re-entry of patrons who have already exited the premises) after a certain time. They work by staggering the time that customers leave licensed premises thus reducing crowds, and reducing migration between premises.<sup>19</sup>

The evidence of effectiveness for one-way doors is mixed. They have been

IN DUNEDIN IN 2008 ABOUT 25 INNER-CITY BARS TOOK PART IN A ONE-WAY DOOR TRIAL FOR 3 MONTHS AND THEY FOUND REDUCED ALCOHOL-FUELLED VIOLENCE IN THE CENTRAL CITY.

associated with reductions in alcohol-related violence, however other studies have found that this isn't the case and they may contribute to increased violence. This may be attributed to excluded patrons becoming angered by not being able to continue their drinking.

There have been some positive findings in support of one-way doors both here and in Australia. These include reducing the number of people on the streets after the lock-out time, and improved business for larger late night trading venues.<sup>20</sup>

Police in New Zealand have been

concerned about pre-loading and the migration of late night drinkers. If trading hours are to be varied across Auckland, then one-way doors might be useful in bridging the time difference.

An evaluation of a one-way door intervention in Christchurch was conducted in 2008 by ALAC (now part of Health Promotion Agency). It found that while there was no overall reduction in alcohol-related crime in the inner city, there were reductions in some subsets of crime.

In Dunedin about 25 inner-city bars took part in a one-way door trial for 3 months in 2008. This resulted in reduced alcohol-fuelled violence in the central city.

Both licensing inspectors and the NZ Police have expressed support for the use of one-way doors. This includes the effective use of one-way doors in Fort Street, in Auckland's CBD.

If implemented, one-way doors should be closely monitored and evaluated as to their effectiveness for reducing alcohol-related harm. This will help to inform decision-making on the use of the intervention in future policies.



## How can the Auckland Local Alcohol Policy be most effective?

- ▶ Introduce a suite of licence conditions for each licence type to be applied consistently across Auckland.
- ▶ Introduce a mandatory one-way door policy for on-licences in entertainment type precincts and the Central Business District area in Auckland. This one-way door should be in operation for 2 hours before closing time.
- ▶ Introduce a discretionary one-way door for suburban and rural bars/pubs/taverns, club licences and special licences in Auckland.
- ▶ Develop a monitoring and evaluation programme to assess the effectiveness of the one-way door policy in Auckland.

17. Miller, P et al. (2012). *Dealing with Alcohol and the Night Time Economy (DANTE)*. Final report. National Drug Law Enforcement Research Fund: Australia. AND Miller, P et al. (2013). *Patron Offending and Intoxication in Night-Time Entertainment Districts (POINTED)*. Final report. National Drug Law Enforcement Research Fund: Australia.

18. Ibid.

19. Miller, P et al. (2012). *Dealing with Alcohol and the Night Time Economy (DANTE)*. Final report. National Drug Law Enforcement Research Fund: Australia. AND Miller, P et al. (2013). *Patron Offending and Intoxication in Night-Time Entertainment Districts (POINTED)*. Final report. National Drug Law Enforcement Research Fund: Australia.

20. Law Commission (2010). *Alcohol in our lives: Curbing the Harm*. A report on the review of the regulatory framework for the sale and supply of liquor. Wellington: New Zealand.

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