

## Local Alcohol Policies – Information Sheet

“New Zealanders have been too tolerant of the risks associated with drinking to excess. Unbridled commercialisation of alcohol as a commodity in the last 20 years has made the problem worse.”

*New Zealand Law Commission (2010)*

### **What is a Local Alcohol Policy?**

The Sale and Supply of Alcohol Act 2012 allows for local councils to develop a Local Alcohol Policy.

These policies are aimed at reducing accessibility and availability of alcohol, in line with the object of the legislation which is to ensure the sale, supply and consumption of alcohol is undertaken safely and responsibly and minimise alcohol-related harm.

A Local Alcohol Policy can only cover licensing matters and may include measures relating to:

- a) the location of licensed premises with reference to broad areas, proximity to other licensed premises or proximity to facilities of a particular kind/s;
- b) whether further licenses of a particular kind/s should be issued in the district or parts of the district;
- c) maximum trading hours (more or less restrictive than national maximum default trading hours);
- d) issuing of licenses subject to discretionary conditions
- e) one-way door restrictions.

A Local Alcohol Policy is not mandatory, however if a local council decides to adopt a policy they must follow a particular process. Two or more councils may adopt a single policy.

They must first produce a draft policy taking a number of considerations into account, including objectives and policies of the District Plan, the number of licenses in the district and their opening hours, demographics, health indicators and the nature and severity of alcohol-related problems. In developing a draft policy Council must consult with the NZ Police, the Medical Officer of Health and licensing inspectors.

A provisional Local Alcohol Policy must be produced by using the “special consultative procedure” to consult on the draft policy.

A Council must then publically notify the provisional Local Alcohol Policy and the rights and grounds for appeal.

There is a 30 day appeal timeframe whereby only those who have submitted on the draft policy can appeal.

Appeals will be handled by the Alcohol Regulatory Licensing Authority.

### **When can a Local Alcohol Policy take effect?**

Provisional Local Alcohol Policies can be notified after 18<sup>th</sup> December 2013, and can take effect 30 days following if there are no appeals, or once any appeals have been resolved.

### **Why is a Local Alcohol Policy so important?**

Throughout the recent Law Commission's review of our alcohol laws and during the select committee process on the Alcohol Reform Bill community representatives across the country strongly and consistently expressed their concerns about the proliferation of liquor outlets, the over abundance of alcohol supply and the harmful consequences of this. They called for greater restrictions and local input into decision making.

The new alcohol legislation responds to this through the two key mechanisms – the establishment of District Licensing Committees (replacing District Licensing Agencies) who have the power to determine liquor licence applications locally; and the provision for Territorial Authorities (local Councils) to develop a Local Alcohol Policy.

A Local Alcohol Policy provides for communities to determine how licensing decisions are made in their locality, a right they have effectively been denied for over 20 years.

### **What can a Local Alcohol Policy do?**

A Local Alcohol Policy has the potential to reduce alcohol-related harms particularly violence, road crashes and other injuries through reducing accessibility and availability of alcohol.

International and local evidence shows that a local alcohol policy will effectively reduce alcohol-related harm and help to achieve the object of the enabling legislation if it includes measures to reduce the number and density of liquor outlets, reduce trading hours, ensure appropriate conditions are placed on licences and ensure compliance with licensing conditions. These measures will help to reduce intoxication and the access to alcohol and exposure of children and young people to alcohol promotion, as well as risky drinking practices such as binge-drinking and drinking and driving.

### **An effective Local Alcohol Policy is a WIN WIN!**

As well as reduced alcohol-related harms and the associated costs to health, police, local government and other services, there are numerous other advantages and opportunities presented by Local Alcohol Policies these include:

- Improved community perceptions of safety – this is important for both local/internal tourism but also external tourism.
- Increased use of cities and town centres thus creating opportunities for business, social and cultural activities, a must for urban centres wishing to increase vibrancy and celebrate diversity and showcase their unique attributes.

## The Best Local Alcohol Policy Ever

### What are the key elements of an effective Local Alcohol Policy?

Evidence supports the following.

<b>What</b>	<b>How</b>	<b>Why</b>
<b>Trading Hours</b>	<p>Restrict trading hours of all off-licensed premises to at least 10am – 10pm.</p> <p>Restrict trading hours of on-licensed premises to at least 10.00am – 2am.</p>	<p>Reduces availability and accessibility of alcohol.</p> <p>Proven to reduce violence and other crime, road and other injuries.</p> <p>Reduces levels of intoxication, binge-drinking and ‘pre-loading’.</p>
<b>Outlet Density</b>	<p>Reduce the number of licenses in an area by:</p> <ol style="list-style-type: none"> <li>a) Introducing a cap on new licenses and</li> <li>b) Allowing a ‘sinking’ lid to be adopted in areas with existing problems/over-supply.</li> </ol>	<p>Reduces accessibility and availability.</p> <p>Offers protection for young people from exposure to alcohol promotion, helping to reduce the risk of early onset of drinking and problems developing.</p>
<b>Location specific controls</b>	<p>Create a buffer/exclusion zone around schools and other identified sensitive sites such as churches, marae, treatment services, youth/community facilities. For example:</p> <ol style="list-style-type: none"> <li>a) 100m limit for off-licenses</li> <li>b) 100m limit for on-licences or appropriate conditions.</li> </ol> <p>Alternative: Require that all identified sensitive sites are notified of all licence applications and renewals, and provide sensitive sites with the power to veto licence application within a threshold or require specific conditions to apply.</p> <p>Limit the proximity of licensed premises in relation to other licensed premises.</p>	<p>Reduces accessibility and availability.</p> <p>Offers protective factors for young and other vulnerable people from exposure to alcohol promotion.</p>
<b>One-way doors</b>	<p>Require all premises operating after 12midnight to prohibit new patrons from entering the premises two hours before closing.</p>	<p>Slows drinker migration.</p> <p>Reduces alcohol-related problems associated with late night premises.</p>
<b>Discretionary Conditions</b>	<p>Require a risk management plan to be implemented by all premises operating beyond 12midnight;</p> <ul style="list-style-type: none"> <li>• Security</li> <li>• Lighting and other design factors</li> <li>• CCTV</li> </ul>	<p>Minimise risks and pre-empt problems.</p>

	<ul style="list-style-type: none"> <li>• Limit patron numbers</li> </ul> <p>These would be signed off by licensing authorities and compliance monitored and enforced.</p> <p>Limits to size, number and alcohol volume of drinks allowed to be sold after 10pm, e.g.</p> <ul style="list-style-type: none"> <li>• No shots</li> <li>• No mixed drinks with more than 30mls of alcohol</li> <li>• No RTDs over 5% alcohol volume</li> <li>• One drink per person per transaction or other limits on stock piling.</li> </ul> <p>Costs of implementing these interventions are to be met directly by the premises or through licensing fees that reflect the cost.</p>	
<b>Conditions of Special Licences and event holders.</b>	<p>All events that have a sole or significant focus on alcohol consumption such as wine/beer festivals must be designated R18 events and promoted and managed accordingly.</p> <p>All R18 events and any special licences operating beyond 12midnight are required to have and implement a risk management plan as above.</p>	Minimise risks and pre-empt problems.

#### What do New Zealanders think about these issues?

<b>Policy/strategy</b>	<b>Law Commission submissions</b>	<b>HSC Public Opinion Survey</b>
Restricting/reducing hours of trading	78% for all off-licences 52% for on-licences	65.6% (support or strongly support)
Reducing number of outlets	69% for off-licences particularly small grocery stores/diaries.	64.6% (thought there were too many)

*Prepared by Alcohol Healthwatch*

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