
REPORT 2
(1215/52/IM)

ISSUES PAPER

Title: Options for a Liquor Ban
Portfolio: Social

1. Purpose of Report

To present options for a liquor ban that addresses issues arising from public place drinking. This paper presents options for progressing a liquor ban and seeks Strategy and Policy Committee guidance on direction.

2. Executive Summary

There have been an increasing number of reports to the Council of disorderly behaviour, lowered perceptions of safety, graffiti and rubbish in the Newtown area. Those concerns have usually been presented as arising from public place drinking. A public meeting was held in Newtown on Monday 8 February and there was general agreement that a liquor ban was an appropriate response to those problems.

If Councillors wish to explore an extension to the current liquor ban, some decisions need to be made in a tight time frame to ensure the ban is in place by the end of 2010 (to coincide with the increased activity that comes with summer). There is a full work programme for 2010 which is already interrupted by the local body elections. In addition there are financial implications that will need to be incorporated into the draft annual plan.

3. Recommendations

Officers recommend that the Committee:

- 1. Receive the information.*
- 2. Note three options for a liquor ban; the status quo, a 24/7 ban across the city and a 24/7 ban in Newtown.*

3. *Note officers are seeking guidance from the Committee as to further work on a possible extension to the liquor ban.*
4. *Note further work is required to develop a statement of proposal if an amendment to the bylaw is proposed.*
5. *Agree that officers do further work to develop a statement of proposal for a city wide liquor ban.*

4. Liquor Ban

The Council first adopted a liquor ban in October 2003. At that time the prohibition applied to the central city only and was in place on Friday and Saturday nights. Since then it has been amended several times, first to include Thursday nights, then to include Oriental Bay and Mt Victoria and then to extend the ban to 24/7 and include Aro Valley and Central Park in 2008. Each time the Bylaw is amended, the police report that enforcement becomes complex with some confusion for the public about new provisions.

The Bylaw also provides for people to obtain prior written permission from the Council to hold events that would otherwise breach the Bylaw, and the ability for the Council to invoke a prohibition for special events anywhere in Wellington.

The objectives of the Liquor Control Bylaw are aimed at

- addressing growing concerns about the escalation of public-place liquor consumption, associated anti-social behaviours, and alcohol-related harm outside the current control area and control times of the existing Bylaw
- improving perceptions of Wellington as a safe and vibrant city
- enhancing the quality of life for residents and visitors to Wellington.

A liquor ban is not a panacea. It does not, on its own provide a response to offending; address alcohol related concerns where the alcohol was consumed on licensed premises or address issues associated with homelessness or other underlying causes. Therefore it is important to ensure that other mechanisms and initiatives are also in place.

Any amendment to the Bylaw must go through the special consultative procedure.

5. Options

The options available to Council for SPC to consider are:

- a) the status quo;
- b) a 24/7 liquor ban in Newtown; and,
- c) a 24/7 liquor ban across the city.

a) The status quo would mean no further work is carried out in the short term. However, to address issues in Newtown the Police have made a commitment that its community engagement team has a higher presence in Newtown, the Council will conduct a safety audit and activity will be monitored in the area. Should the alcohol related issues continue this issue could be revisited in 2011.

b) There is a high risk of displacement with a 24/7 liquor ban in Newtown. Police report that having multiple small areas is difficult to enforce, is inconsistent and causes confusion for the public about boundaries and provisions. Over the past few years there have also been calls for liquor bans in other areas for example Tawa, Island Bay and the eastern suburbs. This option is likely to raise expectations in other areas and encourage calls for further bans.

c) A 24/7 liquor ban across the city gives consistency. Police strongly support this option. This option gives the police an additional mechanism for intervention if problems arise with public place drinking regardless of where that drinking is occurring in the city. It is unlikely that it would be actively enforced across the entire city as such enforcement would be resource intensive and take police officers away from the central city at times when a police presence is necessary to maintain law and order.

6. Further Work

Further analysis is required to ensure that the proposed option is the most appropriate solution to the issues and concerns raised.

There are financial implications should SPC indicate support for a cross city ban. Provision would need to be made in the 2010/11 Draft Annual Plan. There would be a need for extensive signage and additional publicity. As an indication, just under \$30,000 was provided in the 08/09 Annual Plan for signage and publicity following the liquor ban becoming 24/7. This provided for 72 signs in the central area, Mount Victoria, Oriental Bay and Aro Valley. Further work will determine the number of signs required and associated cost. However, it is likely to be in the vicinity of \$100k to \$200k

Tawa falls under the Kapiti Mana police area. The Kapiti Mana police have not been consulted on these options. The police are responsible for the enforcement of any liquor ban and therefore the police support for a liquor ban proposal is critical. If SPC consider that a city wide ban should be explored further, Kapiti Mana police will be consulted prior to the proposal being developed.

7. Timelines

If SPC decides further work should be undertaken, an indicative timeline is:

Date	Action
18 March	Statement of Proposal to SPC
25 March	Statement of Proposal to Council
30 March	Consultation period opens
30 April	Written submissions close
13 May	Oral submissions
3 June	Report back to SPC
25 June	Council agrees the amendment

This would mean that oral submissions were heard prior to the oral submissions for the draft annual plan and SPC would debate the proposal ahead of the annual plan deliberations. Both the annual plan and the Bylaw amendment (should there be one) would be adopted at the same time.

8. Other issues

Councillors will be aware that the Law Commission is currently reviewing the liquor laws. The Commission released a discussion document last year that the Council made a submission upon. That document included an option that legislation ban all public place drinking. The Commission is due to publish its final report and recommendations in late April. The Government will then consider the report and could reject all or part of the policy recommendations. The Commission is unable to advise of its position on specific policy questions until the Minister has received the final report.

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