
ALCOHOL MANAGEMENT STRATEGY

1. Purpose of report

This paper recommends the development of an Alcohol Management Strategy (AMS) that describes the Council's aspirations for the management of alcohol in Wellington.

2. Executive summary

The Council has both an interest and responsibility for alcohol management in the city. This comes from statutory requirements for liquor licensing and from the Council's responsibility for public places and promoting the social, economic, environmental, and cultural well-being of communities.

The Council has actively supported the development of Wellington City as an entertainment destination. Its success relies on mitigating the inherent risks associated with alcohol related behaviour. That is, the vibrancy of the area will be severely compromised if it is perceived as unsafe or undesirable.

The Alcohol Reform Bill allows councils to prepare a Local Alcohol Policy (LAP) which addresses licensing matters. A LAP must be in place 12 months after royal assent, possibly November next year, otherwise the city will be subject to default trading hours. The inability to set trading hours specific to areas in the city creates a risk for achieving our goals for a dynamic central city, fostering a vibrant night-time economy, and building safe communities.

The report recommends adopting a LAP this side of the 2013 local authority election where the LAP was based on an Alcohol Management Strategy (AMS) that takes a wider view on managing alcohol related behaviour. The report also outlines an approach to mitigate the risk of appeals on the LAP by working in partnership with the industry and undertaking a comprehensive, evidence-based early engagement programme, using the feedback to prepare an AMS. The strategy would identify the role of Council and other agencies plays in managing alcohol related behaviour and would provide the framework for a LAP.

3. Recommendations

Officers recommend that the Strategy and Policy Committee:

1. *Receive the information.*

2. *Agree that officers proceed with developing an Alcohol Management Strategy as outlined in 5.1.1 of the officer's report.*
3. *Note that the Alcohol Management Strategy will also be used to inform development of a draft Local Alcohol Policy in 2013.*

4. Background

The Alcohol Reform Bill, currently before Parliament and likely to have its third reading in November, allows for local authorities to develop a Local Alcohol Policy. The Bill as currently drafted is prescriptive as to what may be included in a LAP stating that:

“(1) A local alcohol policy may include policies on any or all of the following matters relating to licensing (and no others):

- (a) location of licensed premises by reference to broad areas:*
- (b) location of licensed premises by reference to proximity to premises or facilities of particular /kinds:*
- (c) whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district:*
- (d) maximum trading hours:*
- (da) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions:*
- (e) one-way door restrictions.*

(2) Paragraphs (a) to (c) of subsection (1) do not apply to special licences, or premises for which a special licence is held or has been applied for.

(3) A local alcohol policy must not include policies on any matter not relating to licensing.”

Should the Council choose not to develop such a policy, default hours will apply to all licensed premises. The default hours are:

- 8am until 4am the next day for premises with an on license premises
- 7am and 11pm for off license premises

To avoid the city being subject to default trading hours, a Local Alcohol Policy must be adopted within 12 months of the royal assent of the amended Sale and Supply of Alcohol Act. Royal assent is likely to happen in November which means the 12-month deadline would fall during the interregnum period for local authorities. This means that the Policy either needs to be adopted prior to the interregnum, which turns the draft policy into a potential election issue, or after the interregnum, which means the City will be subject to the default trading hours until early in the New Year. On balance, it is recommended a Local Alcohol Policy is adopted prior to the interregnum to mitigate the risk of default trading hours curtailing hospitality activities during a key events period.

A further consideration is that the Police, Medical Officer of Health, or anyone who submitted on a draft LAP can appeal to the licensing authority. The process to resolve appeals has the potential to be lengthy. The authority can ask a council to resubmit an amended policy, which council can then either choose to do this, abandon the policy, or appeal to the High Court.

The challenge in adopting a Local Alcohol Policy in the current Council term is to develop a process that minimises the risk of appeals and has mechanisms to address matters that fall outside the narrow ambit of the LAP. The answer is to begin the process by developing an Alcohol Management Strategy (AMS) that takes a much broader view than licensing and includes its stewardship of public places, its desire to promote the Courtenay precinct as an entertainment destination and its interests in public safety. Therefore an AMS would provide a coherent framework to underpin the development of the LAP.

5. Discussion

The Alcohol Management Strategy can coherently describe the Council's intentions and proposals for managing alcohol related behaviour. The AMS would provide a context for licensing matters and guidance on appropriate licence conditions. The AMS would explore the Council's position on alcohol supply and consumption across the city and the measures in place to mitigate the risks associated with alcohol. Aside from licensing the key focus area for the Council is its management of public places and establishing productive relationships with other organisations that have a role in managing alcohol related behaviour and developing a vibrant night-time economy.

An AMS would enable the Council to articulate its **vision** and **goals and objectives** for alcohol management. It would discuss the **roles** of Council and other stakeholders and outline an **implementation plan**; it would also consider **critical success measures**.

The Vision

An AMS would describe the Council's vision for the management of alcohol in Wellington. That vision is concerned with promoting the positive entertainment benefits of alcohol and minimising alcohol related harm so that Wellington can continue to develop its reputation as an events city, a safe city, and a city with a high quality of life and vibrant night-time economy.

Goals and objectives

The goals and objectives in the AMS would specify the Council aims to support the vision. The goals and objectives may be focussed on areas such as:

- CBD – the goals and objectives are likely to be concerned with systems and processes in place for both proactive and reactive addressing of issues and developing an environment that acts against anti-social behaviour;
- Leadership – could include collaborative efforts to address priority areas such as the CBD or youth; support for initiatives; advocacy on behalf of the community
- Partnership – identifying the roles for other stakeholders in achieving the vision for alcohol management in Wellington.
- Events – considerations around sponsorship and host responsibility
- Proactively supporting communities to reduce alcohol related harm
- Responding to situations in communities that arise from alcohol.
- Information and education.

Council Roles

Because the Council has a number of functions that impact on alcohol management, the AMS would address each of those roles and seek to maximise consistency across those functions and commitment to a shared understanding of what is needed to mitigate the risks associated with alcohol. For example, through partnership and leadership the Council can complement its regulatory function.

Key Council roles are:

- Regulatory function – responsibility for licensing, monitoring and enforcement.
- Leadership – on behalf of the community and for the community.
- Partnership with the hospitality sector and agencies that respond to the consequences of alcohol related harm or work to reduce or prevent harm.

In addition the Council is a venues owner (including community halls) and a landlord of a large housing estate. Many if not most noise control complaints are associated with alcohol (or perceived to be). The Council is also the steward of public places. These areas all provide an opportunity for some intervention. However work needs to be undertaken to establish risk and whether intervention would be a priority.

Implementation Plan

The implementation plan would be developed following exploration of priorities and opportunities. It needs to incorporate specific action and take advantage of initiatives that city partners are planning or undertaking. It would include a time line.

The implementation plan may also look at establishing a framework for responding to community concerns around alcohol. There have been instances of resident outrage about public place behaviour in particular locations, for example, Oriental Bay in 2008 and Newtown in 2010. Alcohol has been cited as a causal factor. The Council has responded with a multi pronged approach that includes working alongside police with residents, invoking a liquor ban as well as increased cleaning, lighting, safety audits etc. No single initiative is likely to have been effective but together the responses work to reduce alcohol related harm or behaviours that create unappealing environments. They also act to improve perceptions of safety and the responsiveness of the Council.

The implementation plan would also address events, sponsorship and venues. Ensuring measures are in place to mitigate risk contributes to maintaining the Wellington's reputation for successful events.

Critical Success Factors

Realistic measures would be developed that reflect both high level outcomes of reducing alcohol related harm and specific actions derived from the implementation plan.

5.1 Consultation and Engagement

The Council is only one player in managing alcohol. The industry manage drinking environments and availability, the Police deal with alcohol related offending, ACC prioritises injury prevention arising from alcohol and the health services respond to the consequences of alcohol related behaviour through both dealing with the long term health consequences and responding to injuries and accidents arising from the downstream effects of alcohol abuse.

“It is asserted that alcohol may contribute to 22 percent of ACC claims and alcohol was involved in 30 percent of all recorded offences.”
Alcohol Reform Bill – Select Committee Report 2012

Increasingly communities are voicing discontent about density of outlets (for example Manukau) and demanding more say in alcohol management – this is being recognised in the Alcohol Reform Bill requirements for community consultation in the development of LAP.

Licensees have a keen interest in what is happening outside their doors. They have a responsibility to manage on-site behaviour but are cognisant of the impact of public place behaviour on their operations. Responsible operators are a key stakeholder, they have a significant role to play in managing alcohol in Wellington City.

As an International Safe Community it is incumbent upon Council to work with its Safe City partners in developing the AMS.

5.1.1 How will the AMS be developed

Tasks

- Research to give an up to date snapshot of alcohol related issues in Wellington and survey on residents’ views on alcohol.
- Early engagement programme.
- Develop vision statement and goals for alcohol management in Wellington
- Clearly identify Council roles and levers
- Clearly identify roles for other stakeholders
- Determine priorities
- Develop a draft implementation plan and draft Local Alcohol Policy
- Develop a monitoring system

Process

- Data will be sought to provide a snapshot of the current situation in Wellington and to assist identification of priority areas.
- A programme of public engagement to elicit key issues and priorities for communities will be undertaken.
- The Social Portfolio Leader and other interested Councillors will be interviewed along with relevant business units – District Plan; BCLS.
- Concurrently a draft vision statement and goals will be developed and discussed at a workshop of stakeholders. That workshop will also brainstorm ideas for actions.
- A reference group with Safe City partners – ACC, Police, and Regional Public Health, Wellington Licensee Forum - will be established.

Deliverables

Snapshot of current situation in Wellington and residents survey	Nov 2012
Establish and meet with reference group	Nov 2012
Early phase public engagement (to inform AMS & Development of draft LAP) 2013	Feb/March
Workshop with key stakeholders to draft vision and goals statement	April 2013
Finalised AMS, Draft Implementation Plan & Draft LAP to SPC	May 2013
Draft LAP consultation begins	June 2013
Hearing of submissions	July 2013
Final LAP and AMS Implementation adopted 2013	August

5.3 Financial considerations

There are no immediate financial implications from developing an Alcohol Management Strategy.

5.3 Long-term plan considerations

An Alcohol Management Strategy would contribute to the People-centred City and Dynamic Central City goals of the *Towards 2040: Smart Capital* strategy. The Council, through its Long Term Plan, makes a significant contribution to promoting Wellington City as an entertainment destination and fostering a vibrant night-time economy while contributing to the management of alcohol related behaviour.

6. Conclusion

The Strategy would be concerned with promoting the positive entertainment benefits of alcohol and minimising alcohol related harm so that Wellington can continue to develop its reputation as an events city, a safe city and a city with a high quality of life. It would set a platform for a Local Alcohol Policy to be developed following the passing of the Alcohol Reform Bill.

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SUPPORTING INFORMATION

1) Strategic fit / Strategic outcome

The Alcohol Management Strategy supports Council's overall vision of Wellington Towards 2040: Smart Capital. The strategy furthers Council's objectives around being a people centred city and developing a dynamic central city.

2) LTP/Annual Plan reference and long term financial impact

There are no immediate financial implications from preparing an Alcohol management Strategy.

3) Treaty of Waitangi considerations

None.

4) Decision-making

This is not a significant decision. The report seeks approval for and sets out a process of development for an Alcohol Management Strategy. Once this phase is completed, officers will bring a draft Strategy back Council for approval.

5) Consultation

a) General consultation

The paper outlines a comprehensive engagement programme to prepare an Alcohol Management Strategy.

b) Consultation with Maori

Mana Whenua will be provided with a draft of the strategy.

6) Legal implications

Legal advice will be sought as required.

7) Consistency with existing policy

The Council has both an interest and responsibility for alcohol management in the city. That interest and responsibility comes from statutory requirements for liquor licensing and the Council's responsibility for public places and for promoting the social, economic, environmental, and cultural well-being of communities.