

Local Alcohol Policy



1. Purpose

A Local Alcohol Policy (LAP) enables local authorities to make a meaningful contribution towards addressing issues associated with the sale, supply or consumption of alcohol.

This Local Alcohol Policy (the policy) has been developed in recognition of the significant harm that the excessive consumption of alcohol has in our communities.

The policy is in line with the Sale and Supply of Alcohol Act 2012, to ensure that alcohol is sold and supplied in a safe and responsible manner and to ensure that the harm arising in individuals and communities, as a consequence of alcohol consumption, is minimised.

The policy aims to inform the decision of the District Licensing Committee (the Committee) on alcohol licences for the sale of alcohol in the Gore District, and it will provide direction as to whether alcohol licences shall be granted and what licence conditions could be imposed.

2. Scope

Through the LAP the Committee is able to:

- a) Limit the **location** of licensed premises in particular areas or near certain types of facilities, such as specific neighbourhoods or near schools or churches.
- b) Limit the **density** of licensed premises by specifying whether new licenses or types of licences should be issued in a particular area.
- c) Impose **conditions** on groups of licences, such as “one way door” condition that would allow patrons to leave premises but not to enter or re-enter after a certain time.
- d) Recommend **discretionary conditions** for licences.
- e) Provide for the maximum **trading hours** of On, Off and Club Licences, which are:
 - 8.00am to 4.00am the following day for On Licences and Club Licences
 - 7.00am to 11.00pm for Off Licences

3. Objectives

3.1 Over-arching issues

Hazardous drinking is a social and public health problem with significant implications for the social and economic well-being of people in the Southland region.

Only a minority of the total quantity of alcohol sold is consumed in licensed premises or licensed events, where there is supervision, control and host responsibility. The

majority of alcohol is consumed in situations where there may be little control or supervision.

Objective 1 : Recognition of harm reduction from alcohol misuse as a community priority

The seriousness of alcohol misuse as a serious social and public health problem is recognised and addressed in the way Councils make policy for, and deliver services to, the people in their districts.

Implications:

The seriousness of the problem is such that it is a major social issue. Local government has opportunities to help address this issue, at least partially through its responsibilities under the Act.

Objective 2 : Provision of a safe drinking environment

The provision of safe environments for the responsible sale, supply and consumption of alcohol.

3.2 Implications

This means that the Council will:

- a) Place significant emphasis on host responsibility, particularly in assessing applications and imposing discretionary conditions.
- b) Encourage organisers of an event or special occasion to properly plan for it, if alcohol is to be available.

4. Definitions

Alcohol means a substance that is or contains a fermented, distilled or spirituous liquor; and at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or that is a frozen liquid, or a mixture of frozen liquor and another substance or substances; and is alcohol when completely thawed to 20°C or that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.

Club means a body that is a body corporate having as its objective (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or is a body corporate whose object is not (or none of whose objects is) gain; or holds a permanent club charter.

Function Centre means a venue for the purpose of hosting a social event and includes but is not limited to:
a) Party buses / limousines

- Intoxicated** means observably affected by alcohol, other drugs, or other substances (or a combination of two or all of those things) to such a degree that two or more of the following are evident:
- a) appearance is affected;
 - b) behaviour is impaired;
 - c) co-ordination is impaired;
 - d) speech is impaired.
- Licence** means a licence issued under the Sale and Supply of Alcohol Act 2012 that is in force; and in relating to any licensed premises means the licence issued for them (or, in the case of premises that two or more licences have been issued for, any of those licences).

5. Key Issues

5.1 Identifying the problem

Alcohol misuse is a social problem and public health problem with significant implications for the social and economic well-being of people in the Southland Region.

A minority of the alcohol sold is consumed in licensed premises or at licensed events, where there is supervision, control and host responsibility. A majority of alcohol is consumed in situations where there may little control or supervision.

5.2 It is a priority to reduce the harm caused by alcohol misuse

As alcohol misuse is a serious social problem and public health problem, the Council will recognise and address alcohol misuse through their policies and through the way they deliver services to people in the Southland Region.

The Council also has the ability to address alcohol misuse through their responsibilities under the Sale and Supply of Alcohol Act 2012.

The policy is a way people in the Southland Region can address alcohol misuse.

5.3 Providing a safe drinking environment

It is important that there are safe environments for the responsible sale, supply and consumption of alcohol.

Through this policy, the Council will:

- a) Place significant emphasis on host responsibility, particularly in assessing applications and imposing conditions of approval;
- b) Encourage organisers of an event or special occasion to properly plan for it, if alcohol is to be available.

5.4 Policy review

The policy will be reviewed six yearly to ensure it is up to date, relevant and meets legal requirements. At the review stage, information relating to alcohol related harm for the area will be gathered.

The following information will be sought:

- a) monitoring reports of premises and events, and the conditions imposed on licences (from the Council's Licensing Inspector);
- b) statistics of Southland hospital admissions of alcohol-related harm incidents and associated costs (from the Southland District Health Board);
- c) monitoring statistics of education outcomes and an outline of community issues (from Primary Health South);
- d) statistics on alcohol related crime in Southland communities, as well as controlled purchase operations (from New Zealand Police).

6. Policies

6.1 Sensitive premises

When Council receives an application for a proposed On, Off or Club Licence or a renewal where the application pertains to a significant change in the style or operation of the business (not including special licence applications), evidence of consultation with all applicable sensitive premises shall be provided with the application, if the licensed premises is within 50 metres of the boundary of a sensitive premise.

Sensitive premises are:

- a) any school, childcare facility, pre-school, or other facility, providing for the education or care of children;
- b) any place of religious gathering or assembly;
- c) any residential activity – dwelling or apartment;
- d) any community facility (including playgrounds).

In relation to providing evidence of consultation with a tenanted property, the application will have to provide evidence that they have consulted with both landowners and tenants.

Evidence of consultation will not be required where resource consent has been granted under the Resource Management Act 1991.

This requirement is to ensure that neighbouring properties are aware of the possibility that a licensed premise may be established nearby or that an existing licensing premises may have its licence renewed or altered. This requirement also ensure the occupants, owners or other parties related to a sensitive premise have an opportunity to voice any concerns, and for the applicants to respond to these.

6.2 Trading hours

The following shall be the maximum trading hours for the sale, supply and consumption of alcohol (within the context of alcohol licences) on licensed premises within the Gore District:

a) **On Licences – bars, taverns, hotels, entertainment venues and Class 1 restaurants:**

the hours between 8.00am on any day of the week to 3.00am the following day

b) **On Licences – Class 2 and Class 3 restaurants, including BYO restaurants:**

the hours between 8.00am on any day of the week to 1.00am the following day

c) **On Licences – other: (including but not limited to function centres, caterers, conveyances):**

the hours between 8.00am on any day of the week to 3.00am the following day

d) **Off Licences:**

the hours between 7.00am on any day of the week to 11.00pm the same day and to include dedicated bottle store outlets and across the bar sales

e) **Club Licences:**

not to operate outside the hours of 8.00am on any day of the week to 1.00am the following day. (Note: applications for Club Licences will need to justify the hours requested on the basis of the activity of the club)

f) **Special Licences:**

no restriction, however applications for Special Licences will need to justify the hours requested in terms of the purpose of the function or event

All above provision are subject to Sections 47, 47A and 48 of the Sale and Supply of Alcohol Act, which relate to the sale and supply on Anzac Day morning, Good Friday, Easter Sunday and Christmas Day.

6.3 Community impact

The policy requires a social impact statement to accompany any application for an off licence. This includes the situation where a variation to conditions is being considered but does not include renewals.

The social impact statement must be prepared by the applicant and is a summary of consultation between the applicant and the local community about any issues and concerns with a proposed application.

As a guide, a social impact statement should include:

- a) statistics regarding the existing and projected population and demographic trends in the locality;
- b) statistics or estimates of the number of persons residing in, resorting to or passing through locality (where this is relevant), and their respective expectations;
- c) identification of the likely health and social impacts that granting the application would have on the population of the locality;
- d) an assessment of the magnitude, duration and probability of the occurrence of the health and social impacts;
- e) comment on the proximity to identified sub-communities within the locality of the proposed licensed premises or proposed premises to which the proposed licence is to relate – for example, schools and places of worship, and low socio-economic areas within towns – and the likely impact on these sub-communities;
- f) a comment on any significant seasonal factors (e.g. tourism);
- g) a record of the consultation undertaken.

This requirement that the applicant for a new Off Licence undertake a social impact analysis that includes consultation will help ensure that community concerns are identified and address during the process of licence consideration and issue.

6.4 Discretionary conditions

The Act enable the Committee to issue a licence subject to discretionary conditions that are consistent with the Act. In terms of promoting responsible sale and supply, conditions that might be imposed include, but are not limited to:

- a) **Premises layout and design**
 - Design and layout requirements
 - Minimum seating requirements
 - Maximum numbers of patrons
- b) **Staffing**
 - Training requirements for staff
 - Management requirements in relation of staff (e.g. number of staff, duty managers)
 - Prescribed ratio of security staff to patrons
 - Uniform requirements (e.g. high visibility vests for security staff)
 - Qualified manager to be on duty when alcohol is available for sale during higher risk periods (e.g. Friday and Saturday nights)
- c) **Host responsibility**
 - Queue management
 - Provision of food
 - Management of an event in such a way as to reduce abuse of alcohol
 - Available of transport home for patrons
 - Display of safe drinking messages/material

Prohibiting single sales of beer or ready to drink spirits (RTDs) in bottles, cans, or containers of less than 440mls in volume except for craft beer and shots or pre-mixed shots.

d) **Amenity and good order**

Cleaning the outside of the premises and immediate environs

Use of CCTV

Signage and advertising

e) **Management of incidents**

Licensee to keep register of incidents

Mandatory notification to police of violent incidents

f) **Utilising CPTED principles**

The Committee can impose such conditions they deem to be appropriate from the list.

The process for setting discretionary conditions aims to encourage a good working relationship between the Councils and industry providers. The discretionary conditions also help promote the purpose of the Sale and Supply of Alcohol Act 2012.

This policy was adopted by the Gore District Council at its meeting held on 18 February 2020.