

19 October 2018

Kāpiti Coast District Council
Private Bag 60-601
Paraparaumu 5254

To Whom It May Concern

Re: Alcohol Control Bylaw

Thank you for the opportunity to provide a written submission on this consultation document.

Regional Public Health (RPH) serves the greater Wellington region, through its three District Health Boards (DHBs): Capital & Coast, Hutt Valley and Wairarapa and as a service is part of the Hutt Valley District Health Board.

RPH works with our community to make it a healthier safer place to live. *RPH* promotes good health, prevents disease, and improves the quality of life for our population, with a particular focus on children, Māori and working with primary care organisations. Our staff includes a range of occupations such as: medical officers of health, public health advisors, health protection officers, public health nurses, and public health analysts.

Our service delivery includes work to reduce alcohol related harm in the greater Wellington region and we are one of the three reporting agencies in the *Sale and Supply of Alcohol Act 2012* reporting on liquor licence applications.

We are happy to provide further advice or clarification on any of the points raised in our written submission. We wish to appear before the committee to speak to our written submission.

The contact point for this submission is:

Andrea Boston
Public Health Advisor
Email: Andrea.Boston@huttvalleydhb.org.nz
Phone: 04 570 9138

Kind regards

Dr Stephen Palmer
Medical Officer of Health

Peter Gush
Service Manager

Section 1

Summary

Alcohol Control Bylaw

Regional Public Health (RPH) appreciates the opportunity to submit on the proposed Alcohol Control Bylaw.

RPH supports the Council's position to renew the bylaw and commend the Council on this proactive approach to reducing alcohol-related harm in the city. Our comments on the proposed alcohol free zones are detailed in 'Section 3'.

RPH understands that information gathered earlier has informed this proposal. That information will be complemented further by additional or new information from public consultation and that may alter the proposal.

RPH recommends you take particular note of any locations that community cite as of concern, particularly those not covered in the proposed bylaw. Community have direct information on alcohol consumption in public places and play a vital part in ensuring the final policy is responsive to the local context and is an appropriate balanced response.

Alcohol free zones are generally well supported by residents and businesses. However the background policy details are often not well known especially by visitors. The Council should ensure the bylaw is successfully communicated to the public so the details are well understood.

RPH recommends highly visible and simple signage be used to inform the public of the locations that are alcohol free and the hours that these operate. This should be part of a wider communication and enforcement plan that supports implementation of the bylaw.

Alcohol harm reduction is more successful when a number of approaches are used simultaneously. **RPH recommends** the *Kāpiti Coast District Council* develop a Local Alcohol Policy.

Approaches to Addressing Alcohol and Drug Harm through a Community Safety Framework

RPH is supportive of integrated approaches to improving community safety and **recommends** that *the Kāpiti Coast District Council* consider this approach to address the issues associated with alcohol, drug and tobacco use.

Section 2

Support for Alcohol Control Bylaws

Public place drinking is one of a number of negative influences contributing to alcohol related harm. Public place settings are a common location for low level alcohol related offending, increase the opportunity for more serious alcohol-related violence¹ and increase the opportunities for drunk driving and underage drinking².

¹ Stevenson, R. (2009, April). *National Alcohol Assessment*. NZ Police. <https://www.police.govt.nz/sites/default/files/Police-National-Alcohol-Assessment.pdf>

² Webb, M., Marriott-Lloyd, P. A. U. L., & Grenfell, M. (2004, May). Banning the bottle: Liquor bans in New Zealand. In *3rd Australasian Drug Strategy Conference*. Melbourne, Australia [http://www.moh.govt.nz/moh.nsf/pagescm/1047/\\$File/banningbottleliquorbans.pdf](http://www.moh.govt.nz/moh.nsf/pagescm/1047/$File/banningbottleliquorbans.pdf)

Alcohol Control Bylaws are a widely used and well-established tool internationally and in New Zealand. Despite the more stringent criteria under section 147A and 147B of the *Local Government Act 2002* these bylaws continue to be popular strategies to reduce harm. They are known to improve perceptions of public safety and can contribute to the reduction of harm by providing police with a tool for dealing with antisocial behaviour caused by drinking in public.³ They can also contribute to changing people's perception of social norms with alcohol being less visible in public and can help limit consumption to more controlled or supervised environments.

The literature reports some limitations. Displacement can be a problem^{4 5} and disadvantaged and marginalised groups are more likely to consume alcohol in public, either by choice or because of limited alternatives.^{6 7}

Alcohol bylaws are most successful when part of a wider strategy.^{8 9} These should include other regulations for supply control for example elements in a Local Alcohol Policy, as well as community based harm reduction initiatives, social and cultural programmes and access to health services.

Alcohol bylaws are most successful when the underlying causes are understood, that context addressed and the community are engaged in the solutions.

Support for an Alcohol Control Bylaw in the Kāpiti District

RPH supports the view of police that if the bylaw was removed there is a likely-hood that it will have a negative impact on the community and alcohol harm will rise. We believe it is in the best interests of the community to retain an Alcohol Control Bylaw. The approach is a balanced one where the rights of citizens are carefully balanced with the importance of maintaining approaches that lower alcohol related harm and improve the safety of residents to go about their daily business.

The Importance of Public Consultation

Given the particular characteristics of the Kāpiti District with multiple urban areas, their distinct demographic makeup and taking into account that alcohol harm is not distributed evenly through the population, *RPH* commends the council for its early consultation with ourselves and police in

³ Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B. (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

⁴ Alcohol Advisory Council. (2005, October). *Liquor Bans in New Zealand: ALAC Occasional Publication no. 25*. <http://www.hpa.org.nz/research-library/research-publications/liquor-bans-new-zealand>

⁵ Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B., (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

⁶ Pennay, A., Room, R. (2012). Prohibiting public drinking in urban public spaces: a review of the evidence. *Drugs: Education, prevention and policy*, vol 19(2), p 91-101

⁷ Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B., (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

⁸ Alcohol Advisory Council. (2005, October). *Liquor Bans in New Zealand: ALAC Occasional Publication no. 25*. <http://www.hpa.org.nz/research-library/research-publications/liquor-bans-new-zealand>

⁹ Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B. (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

reviewing the bylaw. Information from community will further enhance understanding of the issues and enable further scrutiny of the bylaw's fit for purpose. *RPH* emphasises the value of community lived experiences in shaping the areas and hours covered by the bylaw. Expediency should not be put above consultation with community and if there are further matters raised that need to be explored, time needs to be provided for these to be further investigated.

Ensuring Effectiveness and Meeting Legislative Requirements

Prior to the next review it would be beneficial to again collaborate with other agencies involved in alcohol harm reduction and complete an evaluative impact assessment. By engaging with a broad range of stakeholders and using mixed methods it may be possible to get a better understanding of the bylaws part in reducing alcohol related harm and the mechanisms operating that support this. This would provide policy makers with an even greater level of evidence. Such a participatory and consultative approach to policy making fits well with the proposed changes to the *Local Government Act* currently before parliament via the *Local Government (Community Well-being) Amendment Bill*. This bill restores the four well-beings “to promote the social, economic, environmental and cultural well-being of communities”. It recognises that local authorities have a broader role in fostering investment in quality of life and moves away from the simple provision of core services.

Community Knowledge of Alcohol Free Zones

Having variable restrictions across the District can cause confusion. Such concerns were raised in the *Law Commission* report *Alcohol in Public Places*.¹⁰ Throughout the life of the bylaw it is important there is on-going clear communication about the locations that are designated alcohol free and that they are supported by good signage.

Approaches to Alcohol and Other Drug Harms

Whilst *RPH* is supportive of the bylaw we know that alcohol harm reduction is more successful when multiple approaches are used. We encourage the council to look at additional approaches that are tailored to the needs of the District. The Council would not be alone in undertaking this work. Hutt City has recently completed an alcohol needs assessment looking at harm in the city and is working on strategies to address that harm. They have completed an amendment to their Local Alcohol Policy which now places controls on the density of licenses and will be in force in the near future. Wellington City Council is just about to embark on a comprehensive alcohol review, including revisiting its Local Alcohol Policy.

Communities throughout New Zealand continue to be concerned with drug related harm. Demand for psychoactive substances remains due in part to their ease of manufacture and relative low cost for the user, despite their illegality. Community have raised concerns with council about the use of methamphetamine. There are similarities between alcohol and other drugs, they both affect community through increased risk of aggression, violence, public disruption and crime as well as risk of injury and long term health harms. This impacts on the safety and wellbeing of residents and visitors.

¹⁰ Law Commission. (2009). *Alcohol in our lives: An issues paper on the reform of New Zealand liquor laws*.

With the reintroduction of the “four well-beings” into the *Local Government Act* **RPH encourages** the council to consider implementing a safer city/communities approach and explore the role council can play in coordinating and supporting harm reduction and improved safety. Given the age structure of the district with young to a substantial older population this could be seen as an important intergenerational initiative to improve safety in the District. Both Hutt City and Wellington City operate multiple approaches to addressing the safety of residents through a Safer Cities/communities approach.

RPH also encourages the Council to reintroduce a smokefree policy. Evaluation of a previous policy showed a significantly reduced level of littering from butts in the playgrounds and would also have reduced exposure to second-hand smoke for young children. Many other councils in the Region are looking to extend or have extended the reach of smokefree areas beyond parks and playgrounds to include other public settings. For example Hutt City’s policy has a broad range of settings that now include smokefree playgrounds, outdoor swimming pool complexes, parks and sports grounds, bus shelters, train stations, beaches, outdoor public areas around council buildings and facilities, smokefree Council run and funded events and outdoor pavement dining areas. Council has formally agreed to explore town centres as smokefree areas likely via designated smokefree areas.

Section 3: Questions

1. Do you agree with the proposed amendments to the Control of Alcohol in Public Places Bylaw?

Yes.

Comments:

Although there are no changes to the areas and times the alcohol free zones apply in the draft 2018 Bylaw compared with those currently in place the new bylaw must accommodate the changes in the *Local Government Act 2002* enacted in December 2013 regarding the development and implementation of alcohol bylaws. This is achieved successfully in the consultation document.

2. Is there anything you would like to see added or removed from the draft Control of Alcohol in Public Places Bylaw 2018?

Comments:

Community are often very well placed in understanding the locations and issues arising from drinking in public places. Their submissions should be viewed as an important part of assessing the bylaws fit for purpose. We recommend you take particular notice of any additional areas not covered in the bylaw that community cite as of concern.

It has come to our attention during the consultation that there are members of the Ōtaki community that wish to see the areas covered by the bylaw extended. They are best placed to describe the areas needing coverage and the hours that the alcohol free zones should operate.

RPH recommends you take additional time to consult with the Ōtaki community.

3. Is there any more feedback you would like to provide in relation to the review of the Control of Alcohol in Public Places Bylaw 2013?

Comments:

RPH supports the renewal of the Alcohol Control Bylaw and sees this an important part of a broader integrated strategy to address the safety and harms from alcohol and other drugs in the community. As part of that broader strategy we recommend that the Council develop and implement a Local Alcohol Policy.