

PROPOSED NEW CHRISTCHURCH CITY COUNCIL ALCOHOL RESTRICTIONS IN PUBLIC PLACES BYLAW 2018

Section 155 Report on the Proposed New Bylaw and Alcohol Ban Areas

Introduction

The current Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 prohibits, regulates and controls the possession and consumption of alcohol in specified public places and the bringing of alcohol into specified public places.

Section 11 of the Local Government (Alcohol Reform) Amendment Act 2012 provides that an alcohol control bylaw (which was in force on 18 December 2013) automatically expires on 18 December 2018 unless earlier revoked. This Amendment Act was part of the package of reforms associated with the Sale and Supply of Alcohol Act 2012 changes.

Therefore, if the Council wishes to have a replacement alcohol control bylaw, it must go through the process of making a new bylaw under the Local Government Act 2002. .

When the Council is reviewing a current bylaw or making a new bylaw, it must complete an analysis under section 155 of the Local Government Act 2002. The Council has reviewed the current Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 to determine whether a replacement bylaw should be made. For this purpose, a section 155 analysis has been completed by assessing the following matters:

- A. General discussion about the current Bylaw and section 155 considerations being:
 1. What is the perceived problem?
 2. Whether the bylaw is the most appropriate way of addressing the problems?
 3. Whether the bylaw is the most appropriate form?
 4. Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990?
 5. Conclusion and recommendations
- B. Specific analysis of current and proposed Permanent Alcohol Ban Areas
 1. What is the perceived problem
 - Define the problem
 - Define the Area
 - What is the evidence of alcohol-related harm for the area?
 - Summary

In addition, under section 147A of the Local Government Act 2002, before making a bylaw that is intended to replace an expiring bylaw and is to the same effect (or to substantially the same effect) as the expiring bylaw, a territorial authority must be satisfied that—

- (a) the bylaw can be justified as a reasonable limitation on people's rights and freedoms; and
- (b) a high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and
- (c) the bylaw is appropriate and proportionate in the light of that likely crime or disorder.

A. General discussion about the current Bylaw and section 155 considerations

The current Bylaw's purpose is to reduce alcohol-related harm, damage, disorder and crime and to improve community safety by putting alcohol restrictions in some public places.

It achieves this by specifying a series of Permanent Alcohol Ban Areas where alcohol restrictions apply in public places in those Ban Areas at the specified days and times. This means that when a person is in a public place in an Alcohol Ban Area during the specified times and days, that person may not consume alcohol in that public place, consume alcohol in a vehicle in that public place, bring alcohol into a public place, whether in a vehicle or not, or possess alcohol in a public place, whether in a vehicle or not.

Currently, there are 13 Permanent Alcohol Ban Areas.

The Bylaw also allows the Council to resolve Temporary Alcohol Ban Areas which apply in the same way. However, these generally only apply to events or areas for a short period of time. The Council has used this power to trial Temporary Alcohol Ban Areas such as the Alcohol Ban Area that has applied in Linwood Village or the Alcohol Ban Area that has applied for New Zealand Cup Day at Riccarton Racecourse.

No Alcohol Bans apply to areas or activities that are covered by an alcohol licence issued under the Sale and Supply of Alcohol Act 2012. This includes any public place which is part of a licenced premises' outdoor area, where permission to occupy that area has been granted by the Council.

1. What is the perceived problem

In determining the perceived problem, this part of section 155 analysis relating to the ban areas uses Police data Calls for Service (CFS) of alcohol-related offences generated from the Police CARD system and anecdotal information available. Police data of alcohol-related Calls for Service include offences and crimes like assaults, intoxication, disorder, intimidation, and traffic offences.

The alcohol ban was introduced to address problems associated with drinking alcohol in public places which negatively affected the amenity and good order in the 15 areas. Problems often reported by affected residents and police include vandalism, littering (e.g. broken bottles, empty cans), urinating in private properties (e.g. fences, gardens, or driveways), noise, intimidation, aggressive begging, fighting caused by intoxication or excessive consumption of alcohol. People are also seen pre-loading and side-loading when attending large scale public events.

The 15 ban areas (including current and new ban areas) are:

- | | |
|---|--|
| a) Central City (no change proposed) | h) Hagley Park (no change proposed) |
| b) South Colombo (no change proposed) | i) Sumner Esplanade (no change proposed) |
| c) Riccarton/Ilam (with proposed changes) | j) Merivale (no change proposed) |
| d) New Brighton Mall and surrounds (no change proposed) | k) Papanui (no change proposed) |
| e) Jellie Park (with proposed changes) | l) Spencer Park (no change proposed) |
| f) Linwood Village (new permanent) | m) Akaroa (no change proposed) |
| g) Addington (with proposed changes) | n) Okains Bay (no change proposed) |
| | o) Riccarton/Racecourse (new permanent) |

The Police strongly support the inclusion of the above 15 ban areas to the Schedule of Permanent Alcohol Ban Areas of the replacement Alcohol Bylaw. These ban areas include the current 13 Permanent Alcohol Ban Areas and two new Alcohol Ban Areas (Linwood Village and Riccarton Racecourse). They also sought amendments to the New Brighton Permanent Alcohol Ban Area to include Rawhiti Domain and Thomson Park, and that the Addington Permanent Alcohol Ban apply at all

times, 24 hours a day, seven days a week; currently the Addington Ban only applies on one day a year, on Cup Day. The Police consider alcohol bans to be useful and effective intervention tools, to prevent or mitigate the harms caused by excessive drinking of alcohol in public places, and to help the community to 'Be Safe and Feel Safe'.

Analyses of perceived problems for each of these 15 ban areas (both current Permanent Ban Areas and two new Ban Areas) are detailed in **Part B** of this report: "Specific analysis of current and proposed Permanent Alcohol Ban Areas".

2. Whether or not the bylaw is the most appropriate way of addressing the perceived problem or issue

The Council has also considered other tools for addressing alcohol-related harm. Other tools include:

- Increased compliance monitoring or enforcement under the Sale and Supply of Alcohol Act 2012 in relation to intoxication, under-age purchases or 'bar-hopping' with drinks.
- Using section 38(3) of the Summary Offences Act 1981 which allows Police to issue an infringement notice (instant fine) to those under the age of 18 who possess or consume alcohol in a public place;
- City Mission and Salvation Army working to address begging and homelessness issues
- Safer Christchurch
- Alcohol Accord
- Using Crime Prevention Through Environmental Design, e.g. crime cameras and lighting
- Christchurch Alcohol Action Plan

The Christchurch Alcohol Action Plan has been developed as harm reduction approach and agreed by Christchurch City Council, New Zealand Police, and Canterbury District Health Board (CDHB). The Plan outlines in response to community concern about alcohol-related harm. It provides a collective vision, strategies and actions aimed at achieving a sustained reduction in alcohol-related harm across Christchurch.

These tools can be used in conjunction with the alcohol bans to reduce alcohol-related harm.

While there is legislation available to Police to deal with disorder and some alcohol-related offending, a Bylaw of this nature provides an opportunity to remove potential offenders and /or victims from a location before incidents escalate. A bylaw of this nature is an effective crime prevention tool to control and manage the possession and consumption of alcohol in public places

It is also appropriate to keep the Temporary Alcohol Ban Area clause in the bylaw. A new clause for Large-Scale Events Alcohol Ban Area is also proposed to consider public events that attract huge number of attendees where drinking of alcohol is likely to occur.

The 15 alcohol ban areas all have history of alcohol-related problems. Having considered the information from the Police relating to alcohol-related offences associated and available anecdotal evidence, the bylaw is the most appropriate way of addressing the perceived problems and risks associated in drinking alcohol in public spaces. There is high level of crime or disorder caused or made worse by alcohol consumption in these areas and is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made. The bylaw is appropriate and proportionate in the light of the likely crime or disorder.

3. Whether the bylaw is the most appropriate form of bylaw

The overall form of the current Bylaw is generally appropriate to be used as the form of the replacement bylaw.

The Bylaw is relatively straightforward and the prohibitions, restrictions, exceptions and details of the Permanent Alcohol Ban Areas are all contained in a Schedule to the Bylaw.

However, a number of improvements/changes could be made to the wording of some clauses of the Bylaw and the Scheduled Permanent Alcohol Ban Areas to provide for Linwood Village and Riccarton Racecourse on New Zealand Cup Day. The Table on page 00 summarises the current Permanent Alcohol Ban Areas and the recommended changes to the Permanent Alcohol Ban Areas.

A new provision should be added to deal with Large-Scale Event Alcohol Ban Areas. It is intended to provide a mechanism whereby the Bylaw sets out all the details of any such Large-Scale Event Alcohol Ban Areas, and the alcohol restrictions will only apply when the Chief Executive has nominated an event to be a large-scale event. If the Council wishes to add new areas, then these will need to be added by way of a Bylaw amendment. At present, the only proposed Large-Scale Event Alcohol Ban Areas are Hagley Park, and Rawhiti Domain and Thomson Park. Alcohol restrictions will apply for 24 hours if an event to be held in an area which has been nominated as a Large-Scale Event.

Overall the review of the current bylaw has resulted in recommendations for a large number of 'minor' changes. Many amendments are designed to up-date the bylaw through, for example changes in numbering and in explanatory notes attached to the bylaw, to provide simpler /more user friendly wording and to reflect the changes to the Act since the current bylaw was made. In terms of substantive changes to the bylaw the following are recommended:

- the inclusion of a new clause 6 to provide for bans to address alcohol related disorder associated with 'large scale events', and
- two new permanent ban areas (Linwood and Upper Riccarton); and
- making the Addington ban apply at all times (24/7);and
- increasing the area covered by the Jellie Park and Riccarton/Ilam ban areas.

4. Whether the bylaw gives rise to any implications under the New Zealand Bill of Rights Act 1990

The bylaw restricts people to consume, possess or bring alcohol whether in public places or in a vehicle in a public place. The proposed Amendment Bylaw gives rise to some implications in relation to the New Zealand Bill of Rights Act 1990, in particular, the right to freedom of movement. However, as the proposed replacement Bylaw does not completely prohibit people with alcohol from being in, or moving about in, all public places, it provides demonstrably justifiable limits in a free and democratic society, and is therefore consistent with the New Zealand Bill of Rights Act 1990.

The right to freedom from search and seizure (section 21) maybe regarded as affected, but although a bylaw may increase the possibility that search and seizure could take place, this is a matter within the control of the Police and the bylaw itself is not necessarily inconsistent with that right.

Under the Sale and Supply of Alcohol Act 2012, Police can use instant fines through infringement notices of \$250 for breaches of the alcohol ban.

The laws of New Zealand do not make it illegal to consume or possess alcohol in public places except for those under 18, so a restriction on where people can go and consume or possess alcohol in public places will be a partial restriction on freedom of movement.

It is considered that these 15 Alcohol Ban Areas provide demonstrably justifiable limits in a free and democratic society, and is therefore consistent with the New Zealand Bill of Rights Act 1990.

5. Conclusion/recommendations

a. Alcohol Restrictions in Public Places Bylaw 2018 - texts

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|----------|--|--|---|
| Preamble | <p>This bylaw prohibits the consumption of alcohol and restricts the possession and carriage of alcohol in some public places within the Christchurch City Council district (called Alcohol Ban Areas).</p> <p>In Alcohol Ban Areas, the consumption of alcohol is not generally allowed in public places (such as parks, footpaths, riverbanks, beaches or roads), but is allowed on private land (such as licensed premises or private residences).</p> <p>The possession or carriage of alcohol in public places in Alcohol Ban Areas is limited by this bylaw and the Local Government Act 2002, and is generally only allowed when transporting, carrying or delivering alcohol through an area.</p> <p>A breach of this bylaw is an infringement. This bylaw gives the Police the power to seize alcohol, to search people's bags and vehicles (in certain situations), and to arrest people found to be breaching the bylaw.</p> <p>This bylaw should be read together with the Local Government Act 2002 (in particular sections 147-147C, 169 to 170), as the Act contains further information on bylaws made for liquor control purposes'. Relevant parts of the Act are not included in this bylaw in full, but are referred to where necessary.</p> <p>This bylaw does not cover matters related to licensed premises or any matters already covered by the Sale</p> | <p>This bylaw prohibits the consumption of alcohol and restricts the possession and carriage of alcohol in some public places within the Christchurch City Council district (called Alcohol Ban Areas).</p> <p>In Alcohol Ban Areas, the consumption of alcohol is not generally allowed in public places (such as parks, footpaths, riverbanks, beaches or roads), but is allowed on private land (such as licensed premises or private residences).</p> <p>The possession or carriage of alcohol in public places in Alcohol Ban Areas is limited by this bylaw and the Local Government Act 2002, and is generally only allowed when transporting, carrying or delivering alcohol through an area.</p> <p>A breach of this bylaw is an infringement. This bylaw gives the Police the power to seize alcohol, to search people's bags and vehicles (in certain situations), and to arrest people found to be breaching the bylaw.</p> <p>This bylaw should be read together with the Local Government Act 2002 (in particular sections 147-147C, 169 to 170), as the Act contains further information on bylaws made for 'liquor <u>alcohol</u> control purposes'. Relevant parts of the Act are not included in this bylaw in full, but are referred to where necessary.</p> <p>This bylaw does not cover matters related to licensed premises or any matters already covered by the Sale and Supply of Alcohol Act 2012.</p> <p>Pursuant to the powers vested in it by section 147 of the Local</p> | <p>A minor change to update the reference from liquor to 'alcohol'.</p> |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|---------------------------------|--|---|---|
| | and Supply of Alcohol Act 2012. Pursuant to the powers vested in it by section 147 of the Local Government Act 2002, the Christchurch City Council makes this bylaw. | Government Act 2002, the Christchurch City Council makes this bylaw. | |
| 1. SHORT TITLE AND COMMENCEMENT | This bylaw is the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 and comes into force on 1 July 2009 | This bylaw is the Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 2018 and comes into force on 4 July 2009 18 December 2018. | Proposed change. This is a new bylaw and a new commencement clause is needed. The current bylaw will be automatically revoked on 18 December 2018. |
| 2. PURPOSE | OBJECT | OBJECT PURPOSE | Proposed change. The clause sets out the purpose of the bylaw so the title of this clause should refer to the purpose. |
| 2(1) | The purpose of this bylaw is to reduce alcohol-related harm, damage, disorder and crime and to improve community safety by putting alcohol restrictions in some public places. | RETAIN | Same as 2009 bylaw |
| 2(2) | This bylaw prohibits, or otherwise regulates or controls, the possession and consumption of alcohol in specified public places and the bringing of alcohol into specified public places. | RETAIN | Same as 2009 bylaw |
| 3. INTERPRETATION | INTERPRETATION | RETAIN | Same as 2009 bylaw |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|---------------------------------------|---|--|--|
| 3(1) | none | <u>Text in this bylaw that is in grey italics (italics) is not part of the bylaw, but is explanatory in nature, and the Council may update or delete this text at any time without amending the bylaw.</u> <u>Explanatory note: Explanatory notes are used for a number of reasons, including to explain the intent of a clause in less formal language, to include additional helpful information, or because the information may be subject to change and need to be updated before the bylaw itself has to be updated.</u> | It is helpful to include a clause setting out how explanatory notes work. |
| 3(2) | In this Bylaw, unless the context requires otherwise: | RETAIN | Same as 2009 bylaw |
| ACT | means the Local Government Act 2002. | RETAIN | Same as 2009 bylaw |
| ALCOHOL | Has the same meaning as 'alcohol' in the Sale and Supply of Alcohol Act 2012 and the Local Government Act 2002, and generally means alcoholic beverages such as beer, wine and spirits (including pre-mixed spirit-based drinks). | has the same meaning as 'alcohol' in <u>section 5(1) of the Sale and Supply of Alcohol Act 2012 and section 147(1) of the Local Government Act 2002</u> , and generally means alcoholic beverages such as beer, wine and spirits (including pre-mixed spirit-based drinks). | It is helpful to refer the specific sections in the statutes. |
| ALCOHOL RESTRICTIONS | means the restrictions imposed by clause 6 <u>7</u> (1) of this bylaw. | RETAIN | Same as 2009 bylaw |
| COUNCIL | means the Christchurch City Council. | RETAIN | Same as 2009 bylaw |
| EVENT | means any meeting, parade, concert, fair, celebration, festival, function or sporting or cultural event, or other similar occasion, or a series of such occasions. | means any meeting, parade, concert, fair, celebration, festival, function or sporting or cultural event, <u>commemoration</u> , or other similar occasion, or a series of such occasions. | An event may include a commemoration service so these should be referred to. |
| LARGE-SCALE EVENT ALCOHOL BAN AREA | NONE | <u>means an area described in Schedule 2 in which alcohol restrictions are in place in the public places within the area and during the times specified in the Schedule.</u> | Proposed definition associated with new clause providing for a more efficient and effective ban process to make temporary bans associated with large scale events. |
| LICENSED PREMISES | has the same meaning as 'licensed premises' in the Sale and Supply of Alcohol Act 2012, and generally means premises licensed for the sale or consumption of alcohol | RETAIN | Same as 2009 bylaw |
| PERMANENT ALCOHOL | means an area described in the Schedule to this | means an area described in the Schedule to this bylaw | There will now be two Schedules in |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|--------------------------------|---|---|--|
| BAN AREA | bylaw in which alcohol restrictions are permanently in place in the public places within the area, during the times, days or dates specified in the Schedule. | Schedule 1 in which alcohol restrictions are permanently in place in the public places within the area, during the times, days or dates specified in the Schedule. | the bylaw so Permanent Alcohol Ban Areas will be Schedule 1. |
| PUBLIC PLACE | has the same meaning as 'public place' in section 147 of the Local Government Act 2002; a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but does not include licensed premises. | RETAIN | Same as 2009 bylaw |
| SPECIAL LICENCE | has the same meaning as 'special licence' in the Sale and Supply of Alcohol Act 2012, and generally means a licence granted under part 2 of the Sale and Supply of Alcohol Act 2012 for the sale and supply of alcohol during an event or series of events. | RETAIN | Same as 2009 bylaw |
| TEMPORARY ALCOHOL BAN AREA | means an area described in a resolution made under this bylaw in which alcohol restrictions are temporarily in place in the public places within the area during the times, days or dates specified in the resolution. | RETAIN | Same as 2009 bylaw |
| 4. PERMANENT ALCOHOL BAN AREAS | PERMANENT ALCOHOL BAN AREAS | RETAIN | Same as 2009 bylaw |
| 4(1) | Permanent Alcohol Ban Areas are listed in the Schedule of this bylaw. The Schedule describes the specific areas that are Permanent Alcohol Ban Areas and indicates the times, days or dates during which the alcohol restrictions apply to any public places in the Permanent Alcohol Ban Area. | Permanent Alcohol Ban Areas are listed in the Schedule to this bylaw Schedule 1. The Schedule Schedule 1 describes the specific areas that are Permanent Alcohol Ban Areas and indicates states the times, days or dates during which the alcohol restrictions apply to any public places in the Permanent Alcohol Ban Area. | Minor technical changes are proposed to the references in this clause. |
| 4(2) | The Council can add, remove or alter any part of the Schedule to this bylaw in accordance with Special Consultative Procedure, as wet out in sections 83 and section 156 of the Act. | To avoid doubt, the Council can add, remove or alter any part of the Schedule to this bylaw Schedule 1 in accordance with the Special Consultative Procedure, as set out in sections 83 and section 156 of the Act. | update |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
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| 5. TEMPORARY ALCOHOL BAN AREAS | TEMPORARY ALCOHOL BAN AREAS | RETAIN | Same as 2009 bylaw |
| 5(1) | The Council may declare a Temporary Alcohol Ban Area by resolution. Any such resolution will describe the specific area that is a Temporary Alcohol Ban Area and the times, days or dates during which the alcohol restrictions apply to any public places in the area. | RETAIN | Same as 2009 bylaw |
| 5(2) | <p>Before the Council declares a Temporary Alcohol Ban Area, consider:</p> <p>(a) if the proposed Ban relates to an event:</p> <ul style="list-style-type: none"> (i) the nature of the expected event; (ii) the number of people expected to attend; (iii) the history of the event (if any); and (iv) the area in which the event is to be held; and <p>(b) the nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems; and</p> <p>(c) whether the benefits to local residents and to the city would outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by resolution; and</p> <p>(d) any information from the Police and other sources about the proposed dates, the event or the area to be covered by the resolution; and</p> <p>(e) whether the Police support the proposed</p> | <p>(4) Before the Council declares a Temporary Alcohol Ban Area, <u>the Council will comply with the requirements of section 147B of the Act.</u> consider:</p> <p>(a) if the proposed Ban relates to an event:</p> <ul style="list-style-type: none"> (i) the nature of the expected event; (ii) the number of people expected to attend; (iii) the history of the event (if any); and (iv) the area in which the event is to be held; and <p>(b) the nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems; and</p> <p>(c) whether the benefits to local residents and to the city would outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by resolution; and</p> <p>(d) any information from the Police and other sources about the proposed dates, the event or the area to be covered by the resolution; and</p> <p>(e) whether the Police support the proposed Temporary Alcohol Ban Area; and</p> | Section 147B of the Local Government Act 2002 sets out the requirements to be met before making a resolution under an Alcohol Control Bylaw. Section 147B was made after the 2009 Bylaw. It is now more appropriate to refer to section 147B rather than the list of requirements in Clause 5. |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|---|--|---|--|
| | <p>Temporary Alcohol Ban Area; and</p> <p>(f) any other information the Council considers relevant.</p> <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>A Temporary Alcohol Ban Area will only be put in place for a limited time. The duration will depend on the reasons for imposing the alcohol restrictions.</p> <p>In making a resolution under the bylaw, the Council must also apply section 147B and the decision-making provisions in part 6 of the Act, which set out the requirements for council decision-making. These include identifying all reasonably practicable options to achieve the objective, and considering the views and preferences of persons likely to be affected by, or to have an interest in, the decision.</p> | <p>(f) any other information the Council considers relevant.</p> <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>A Temporary Alcohol Ban Area will only be put in place for a limited time. The duration will depend on the reasons for imposing the alcohol restrictions.</p> <p>In making a resolution under the bylaw, the Council must also apply section 147B and the decision-making provisions in part 6 of the Act, which set out the requirements for council decision-making. These include identifying all reasonably practicable options to achieve the objective, and considering the views and preferences of persons likely to be affected by, or to have an interest in, the decision.</p> | |
| 6. <u>LARGE-SCALE EVENT ALCOHOL BAN AREAS</u> | NONE | <p>(1) <u>The Chief Executive may nominate an event to be a Large-Scale Event, having taken into consideration</u></p> <p><u>(a) the nature of the event;</u></p> <p><u>(b) the number of people expected to attend the event;</u> <u>and</u></p> <p><u>(c) the history of the event (if any).</u></p> <p>(2) <u>When an event has been nominated as a Large-Scale Event, the Large-Scale Event Alcohol Ban Area applies in respect of that event during the specified times for that Alcohol Ban Area.</u></p> <p>(3) <u>The Large-Scale Event Alcohol Ban Areas are listed in Schedule 2. Schedule 2 describes the specific areas that are Large-Scale Event Alcohol Ban Areas and states the</u></p> | The Police have commented on the need to have an effective and efficient mechanism to resolve Alcohol Ban Areas for large-scale events where there is <u>real risk of pre-loading</u> before an event. A recent example would be Electric Avenue. On this basis, it would be helpful to have a mechanism whereby the place and time of the Alcohol Ban are set out in the bylaw and the only variable is the actual event. |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|--|--|---|---|
| | | <p><u>times during which the alcohol restrictions apply to any public places in the Large-Scale Event Alcohol Ban Areas.</u></p> <p>(4) <u>To avoid doubt, the Council can add, remove or alter any part of Schedule 2 in accordance with-section 156 of the Act.</u></p> <p><u>Explanatory note: A Large-Scale Event Alcohol Ban Area will only apply when the Chief Executive has designated an event to be a Large-Scale Event.</u></p> <p><u>The specific Alcohol Ban Area is set out in Schedule 2 as well as the time during which the Alcohol Ban Area applies. The area and time cannot be changed by the Chief Executive.</u></p> | |
| 6 7. RESTRICTIONS IN ALCOHOL BAN AREAS | RESTRICTIONS IN ALCOHOL BAN AREAS | RETAIN | Same as 2009 bylaw |
| 6(1) | <p>In Permanent or Temporary Alcohol Ban Areas, subject to clause 7 of this bylaw and section 147(4) of the Act, no person may:</p> <ul style="list-style-type: none"> (a) consume alcohol in a public place; or (b) consume alcohol in a vehicle in a public place; or (c) bring alcohol into a public place, whether in a vehicle or not; or (d) possess alcohol in a public place, whether in a vehicle or not. <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>For exemptions in relation to unopened bottles or containers, see section 147(4) of the Act or the explanatory note to clause 7.</p> | <p>In Permanent or Temporary <u>or Large-Scale Event</u> Alcohol Ban Areas, subject to clause 7 <u>8</u> of this bylaw and section 147(4) of the Act, no person may:</p> <ul style="list-style-type: none"> (a) consume alcohol in a public place; or (b) consume alcohol in a vehicle in a public place; or (c) bring alcohol into a public place, whether in a vehicle or not; or (d) possess alcohol in a public place, whether in a vehicle or not. <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>For exemptions in relation to unopened bottles or containers, see section 147(4) of the Act or the explanatory note to clause 7 <u>8</u>.</p> | Update this clause to refer to the new Large-Scale Alcohol Ban Areas. |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|--|--|---|---|
| 7 8. EXEMPTIONS TO RESTRICTIONS IN ALCOHOL BAN AREAS | EXEMPTIONS TO RESTRICTIONS IN ALCOHOL BAN AREAS | | |
| 8(1) | <p>The alcohol restrictions do not apply to areas or activities covered by a licence issued under the Sale and Supply of Alcohol Act 2012, including:</p> <ul style="list-style-type: none"> (a) any public place which is part of a licensed premises' outdoor area, where permission to occupy that area has been granted by the Council; or (b) the carrying of alcohol directly between one part of a licensed premises and another part of the same licensed premises across a public place that separates the parts of the licensed premises; or (c) any public place that is subject to a special licence, for the term of that licence; or (d) any vehicle in a public place to which a licence under the Sale and Supply of Alcohol Act 2012 applies; or (e) any event held in a public place at which alcohol is served under a caterer's licence obtained under the Sale and Supply of Alcohol Act 2012. <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>A number of exemptions for the transportation of unopened bottles or containers of alcohol through Alcohol Ban Areas are listed in section 147(4) of the Act, and are not restricted by this bylaw, including:</p> | <p>The alcohol restrictions do not apply to areas or activities covered by a licence issued under the Sale and Supply of Alcohol Act 2012, including:</p> <ul style="list-style-type: none"> (a) any public place which is part of a licensed premises' outdoor area, where permission to occupy that area has been granted by the Council; or (b) the carrying of alcohol directly between one part of a licensed premises and another part of the same licensed premises across a public place that separates the parts of the licensed premises; or (c) any public place that is subject to a special licence, for the term of that licence; or (d) any vehicle in a public place to which a licence under the Sale and Supply of Alcohol Act 2012 applies; or (e) any event held in a public place at which alcohol is served under a caterer's licence obtained <u>section 38 endorsed licence</u> under the Sale and Supply of Alcohol Act 2012. <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>A number of exemptions for the transportation of unopened bottles or containers of alcohol through Alcohol Ban Areas are listed in section 147(4) of the Act, and are not restricted by this bylaw, including:</p> <ul style="list-style-type: none"> • commercial deliveries to licensed premises • carrying alcohol bought from an off-licence (eg liquor store) | <p>There is an extremely long explanatory note to this clause. The note deals with special licences. Given the length of the note, it is debatable how effective or helpful it is. If people have questions about alcohol licensing or special licences there is helpful information on the Council's website and they may contact the Council's Alcohol Licensing Team.</p> <p>The reference to a caterers licence should be updated to a section 38 endorsed licence. Under the Sale and Supply of Alcohol Act 2012 there is no longer a caterer's licence.</p> |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|--------|--|---|---------|
| | <ul style="list-style-type: none"> • commercial deliveries to licensed premises • carrying alcohol bought from an off-licence (eg liquor store) • carrying alcohol to or from BYO licensed premises • carrying alcohol to or from private residences. <p>Some of these exemptions require the alcohol to be promptly removed from any public places covered by alcohol restrictions.</p> <p>The Council may consider a dispensation under the Council's General Bylaw so that the restrictions in an Alcohol Ban Area do not apply for the duration of an event. However, if there is a risk of alcohol-related harm occurring as a result of the restrictions not applying, the event must comply with the Council's policy "Alcohol-related Harm at Public Events - Policy to Reduce". The policy requires effective joint planning between Council staff, the Police and other groups to reduce alcohol-related harm and to care for any people affected by alcohol.</p> <p>Clause 7(c) provides that an exemption applies to any public place that is subject to a special licence, in accordance with that special licence. A special licence is described in section 22 of the Sale and Supply of Alcohol Act 2012. There are two kinds of special licences: on-site special licences and off-site special licences.</p> <p>On the premises a special licence designated as an on-site special licence is held for, the licensee can sell or supply alcohol, for consumption there, to</p> | <ul style="list-style-type: none"> • carrying alcohol to or from BYO licensed premises • carrying alcohol to or from private residences. <p>Some of these exemptions require the alcohol to be promptly removed from any public places covered by alcohol restrictions.</p> <p>The Council may consider a dispensation under the Council's General Bylaw so that the restrictions in an Alcohol Ban Area do not apply for the duration of an event. However, if there is a risk of alcohol-related harm occurring as a result of the restrictions not applying, the event must comply with the Council's policy "Alcohol-related Harm at Public Events - Policy to Reduce". The policy requires effective joint planning between Council staff, the Police and other groups to reduce alcohol-related harm and to care for any people affected by alcohol.</p> <p>Clause 7(c) provides that an exemption applies to any public place that is subject to a special licence, in accordance with that special licence. A special licence is described in section 22 of the Sale and Supply of Alcohol Act 2012. There are two kinds of special licences: on-site special licences and off-site special licences.</p> <p>On the premises a special licence designated as an on-site special licence is held for, the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it.</p> <p>-Where the holder of an on-licence or a club licence for any premises also holds a special licence designated as an on-site special licence for the premises, the holder can at a time when the sale of alcohol on the premises would otherwise be unlawful (whether by virtue of a provision of the Act relating to licensed premises or licensed premises of any kind, or by virtue of any condition subject to which the on-licence or club</p> | |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|--|---|---|---------------|
| | <p>people attending an event described in it.</p> <p>Where the holder of an on-licence or a club licence for any premises also holds a special licence designated as an on-site special licence for the premises, the holder can at a time when the sale of alcohol on the premises would otherwise be unlawful (whether by virtue of a provision of the Act relating to licensed premises or licensed premises of any kind, or by virtue of any condition subject to which the on-licence or club licence was issued) sell or supply alcohol, for consumption there, if it is sold or supplied – to people attending an event described in the special licence; and in accordance with the special licence.</p> <p>On the premises a special licence designated as an off-site special licence is held for, the licensee can sell the licensee’s alcohol, for consumption somewhere else, to people attending an event described in it.</p> <p>While the premises a special licence designated as an off-site special licence is held for are open for the sale of the licensee’s alcohol for consumption somewhere else, the licensee can also supply alcohol free, as a sample for consumption on the premises.</p> <p>Therefore, any person may apply to the Council for a special licence if they are holding an event or occasion and would like to sell and supply liquor at that occasion or event.</p> | <p>licence was issued) sell or supply alcohol, for consumption there, if it is sold or supplied – to people attending an event described in the special licence; and in accordance with the special licence.</p> <p>On the premises a special licence designated as an off site special licence is held for, the licensee can sell the licensee’s alcohol, for consumption somewhere else, to people attending an event described in it.</p> <p>While the premises a special licence designated as an off site special licence is held for are open for the sale of the licensee’s alcohol for consumption somewhere else, the licensee can also supply alcohol free, as a sample for consumption on the premises.</p> <p>Therefore, any person may apply to the Council for a special licence if they are holding an event or occasion and would like to sell and supply liquor at that occasion or event.</p> | |
| <p>§ 9. POLICE POWERS OF SEARCH IN TEMPORARY ALCOHOL BAN AREAS</p> | | | <p>update</p> |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|---|--|---|--|
| LARGE-SCALE EVENT ALCOHOL BAN AREAS | | | |
| 9(1) | This bylaw authorises a member of the Police to exercise the power of search under section 169(2)(a) of the Act for the purposes of section 170(2) of the Act in areas to which a resolution declaring a Temporary Alcohol Ban Area applies. | This bylaw authorises a member of the Police to exercise the power of search under section 169(2)(a) of the Act for the purposes of section 170(2) of the Act in areas to which a <u>resolution declaring a Temporary Alcohol Ban Area</u> a <u>Large-Scale Event Alcohol Ban Area</u> applies. | It is proposed to update the clause allowing for immediate search and seizure powers to situations where a Large-Scale Event Alcohol Ban applies rather than the more general Temporary Alcohol Ban Areas. |
| 9(2) | <p>Clause 8(1) only applies if the resolution declaring a Temporary Alcohol Ban Area provides that clause 8(1) of this bylaw will apply.</p> <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>This power allows a member of the Police to search a container (eg a bag) or a vehicle immediately and without notice in a Temporary Alcohol Ban Area, provided the Council has complied with section 170 of the Act by giving 14 days public notice and displaying signs in conspicuous places on or adjacent to the Temporary Alcohol Ban Area.</p> <p>The Police have powers of search in all Permanent and Temporary Alcohol Ban Areas, as indicated in sections 169 and 170 of the Act.</p> <p>When using the search powers, the Police must comply with certain conditions. However, if the power in clause 8 9 of this bylaw is used, the Police can search immediately and without notice.</p> | <p>(1) Clause 8 <u>9</u>(1) only applies if the resolution declaring <u>Chief Executive nominating the event to be a Large-Scale Event</u> a Temporary Alcohol Ban Area provides that clause 8 <u>9</u>(1) of this bylaw will apply.</p> <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>This power allows a member of the Police to search a container (eg a bag) or a vehicle immediately and without notice in a Temporary <u>Large-Scale Event</u> Alcohol Ban Area, provided the Council has complied with section 170 of the Act by giving 14 days public notice and displaying signs in conspicuous places on or adjacent to the Temporary <u>Large-Scale Event</u> Alcohol Ban Area.</p> <p>The Police have powers of search in all Permanent and Temporary Alcohol Ban Areas, as indicated in sections 169 and 170 of the Act.</p> <p>When using the search powers, the Police must comply with certain conditions. However, if the power in clause 8 9 of this bylaw is used, the Police can search immediately and without notice.</p> | The clause will only be triggered if the Chief Executive provides for this to happen when the Chief Executive nominates an Event to be a Large-Scale Event. |
| 9-10 . SIGNAGE IN ALCOHOL BAN AREAS | | | |
| 10(1) | Where it is practicable or reasonable to do so, the | RETAIN | Same as 2009 bylaw |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|---|---|---|---|
| | Council will erect signage within Alcohol Ban Areas to provide information to the public about the restrictions. The size, location and content of the signage will be at the Council's discretion. | | |
| 10(2) | To avoid any doubt, the absence of signage in any Alcohol Ban Area does not authorise a breach of this bylaw. | RETAIN | Same as 2009 bylaw |
| 10(3) | | <u>This clause is subject to any regulations made under section 147C of the Act.</u> | Proposed new sub-clause. This links to the provision in the Local Government Act 2002 that allows for regulations specifying signage. |
| 10 11. OFFENCE AND PENALTY | | | |
| | <p>(2) Every person who breaches this bylaw commits an infringement offence under section 239A of the Local Government Act 2002 and may be served with an infringement notice and be liable to pay an infringement fee.</p> <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>Any person in breach of the restrictions in place in an Alcohol Ban Area is subject to any action taken by the New Zealand Police in accordance with the powers given to the Police in the Act. These include the powers of search, seizure of alcohol, and arrest, and also the power to issue an infringement notice</p> | <p>(3) Every person who breaches this bylaw commits an infringement offence under section 239A of the Local Government Act 2002 and may be served with an infringement notice <u>under section 245 of the Act</u> and be liable to pay an infringement fee.</p> <p>Explanatory note: The following note is explanatory and is not part of the bylaw, but is intended to explain its general effect:</p> <p>Any person in breach of the restrictions in place in an Alcohol Ban Area is subject to any action taken by the New Zealand Police in accordance with the powers given to the Police in the Act. These include the powers of search, seizure of alcohol, and arrest, and also the power to issue an infringement notice</p> | Makes some technical changes to refer to a specific section of the Local Government Act 2002. |
| 11 12. CHRISTCHURCH CITY COUNCIL GENERAL BYLAW | | | |
| | The provisions of the Christchurch City Council | RETAIN | Same as 2009 bylaw |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|--|---|---|---|
| | General Bylaw 2008 and any bylaw passed in amendment or substitution are implied into and form part of this bylaw. | | |
| 12 13. REVOCATIONS | | | |
| 13(1) | <p>The Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 is revoked.</p> <p>The following bylaws are revoked:</p> <ul style="list-style-type: none"> (a) Christchurch City Liquor Control Bylaw 2004 (b) Part 2, Liquor Control in Public Places, of the Banks Peninsula District Council Public Places and Signs Bylaw 2004 | <p>The Christchurch City Council Alcohol Restrictions in Public Places Bylaw 2009 is revoked.</p> <p>The following bylaws are revoked:</p> <ul style="list-style-type: none"> (a) — Christchurch City Liquor Control Bylaw 2004 (b) — Part 2, Liquor Control in Public Places, of the Banks Peninsula District Council Public Places and Signs Bylaw 2004 | Although the 2009 Bylaw will be automatically revoked by section 11 of the Local Government (Alcohol Reform) Amendment Act 2012, it is helpful to state this in the bylaw itself. |
| | The initial resolution to make this Bylaw was passed by the Christchurch City Council at an ordinary meeting of the Council held on [insert date] and was confirmed, following consideration of submissions received during the special consultative procedure by a resolution at a subsequent meeting of the Council on [insert date]. | | Same as 2009 bylaw |
| SCHEDULE 1 PERMANENT ALCOHOL BAN AREAS | <p>The thirteen <u>Permanent Alcohol Ban Areas</u> are:</p> <ul style="list-style-type: none"> • Central City • South Colombo • Riccarton/Ilam • New Brighton Mall, Marine Parade and Environs • Jellie Park • Addington • Hagley Park and Environs • Sumner Esplanade • Merivale • Papanui • Spencer Park | <p>The thirteen <u>fifteen</u> <u>Permanent Alcohol Ban Areas</u> are:</p> <ul style="list-style-type: none"> • Central City • South Colombo • Riccarton/Ilam • New Brighton Mall, Marine Parade and Environs • Jellie Park • <u>Linwood Village</u> • Addington • Hagley Park and Environs • Sumner Esplanade • Merivale • Papanui • Spencer Park | See discussions below. |

| Clause | Current bylaw texts (CCC Alcohol Restrictions in Public Places Bylaw 2009) | Recommended changes to new bylaw (CCC Alcohol Restrictions in Public Places Bylaw 2018) | Reasons |
|---|---|--|--------------------------|
| | <ul style="list-style-type: none"> • Akaroa • Okains Bay <p>The following pages of this bylaw contain maps, area descriptions and the times, days and/or dates during which the alcohol restrictions apply.</p> | <ul style="list-style-type: none"> • Akaroa • Okains Bay • <u>Riccarton Racecourse</u> <p>The following pages of this bylaw <u>Schedule 1</u> contain maps, area descriptions and the times, days and/or dates during which the alcohol restrictions <u>apply to Permanent Alcohol Ban Areas</u> apply.</p> | |
| <u>SCHEDULE 2</u> <u>LARGE-SCALE EVENT</u> <u>ALCOHOL BAN AREAS</u> | None | <p><u>The Large-Scale Event Alcohol Ban Areas are:</u></p> <ul style="list-style-type: none"> • <u>Hagley Park and Environs</u> • <u>Rawhiti Domain / Thomson Park</u> <p><u>The following pages of Schedule 2 contain maps, area descriptions and the times during which the alcohol restrictions apply to Large-Scale Event Alcohol Ban Areas.</u></p> | Proposed new Schedule 2. |

b. Alcohol Ban Areas

The following ban areas are recommended to be included to the Schedule of Permanent Alcohol Ban Areas of the replacement Alcohol Restrictions in Public Places Bylaw. Proposed changes to the current alcohol area areas are in **bold red font**.

| Name of Alcohol Ban Area | Times, days or dates during which alcohol restrictions apply | Description of Alcohol Ban Area | Recommendation |
|--|--|--|--|
| Areas proposed for 24 hours, seven days a week alcohol ban: | | | |
| Central City | At all times, 24 hours, 7 days a week | The ban covers the area bounded by both sides of the streets and inclusive of the 'five Avenues': Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, Hagley Avenue, Rolleston Avenue, and the section of the Avon River that runs alongside Park Terrace (from Armagh Street Bridge to Harper Avenue/Bealey Avenue Bridge). | Retain the current ban area and time to which the alcohol restrictions apply |
| South Colombo | At all times, 24 hours, 7 days a week | The ban covers the area bounded by both sides of the streets and inclusive of all of, or relevant parts of: Moorhouse Avenue, Waltham Road, St. Martins Road, Centaurus Road, Cashmere Road, Barrington Street, Somerfield Street, Strickland Street, and Antigua Street | Retain the current ban area and time to which the alcohol restrictions apply |
| Riccarton/Ilam | At all times, 24 hours, 7 days a week | The ban covers the area bounded by both sides of the streets: Blenheim Road, Curletts Road, Yaldhurst Road, Avonhead Road, Maidstone Road, Waimairi Road, Greers Road, Memorial Avenue, Fendalton Road, Deans Avenue and back to Blenheim Road, including Ilam Primary School and University Drive. The ban excludes any land forming part of the University of Canterbury campus. | Retain the current time to which the alcohol restrictions apply. Recommend to extend the current ban area to include Ilam Primary School premises. |
| New Brighton Mall, Marine Parade and Environs | At all times, 24 hours, 7 days a week | The ban covers the area of New Brighton Mall, Rawhiti Domain, Thomson Park, Marine Parade and the New Brighton beach area within the District boundary. | Retain the current ban area and time to which the alcohol restrictions apply |
| Jellie Park | At all times, 24 hours, 7 days a week | The ban covers the whole Jellie park area including both sides of Greers and Ilam Roads with the exception of the pool and sports complex. | Retain the current d time to which the alcohol restrictions apply. Recommend to extend the current ban area to include Greers and Ilam Roads. |
| Linwood | At all times, 24 hours, 7 days a week | The ban covers the area of Doris Lusk Reserve, Stanmore Road and bounded by Fitzgerald Avenue (East side) and | Recommend to include the Linwood Village area to the Schedule of Permanent Alcohol Ban Areas. |

| Name of Alcohol Ban Area | Times, days or dates during which alcohol restrictions apply | Description of Alcohol Ban Area | Recommendation |
|--|--|--|--|
| | | both sides of the streets of Armagh, England, and Hereford. | |
| Addington | At all times, 24 hours, 7 days a week | The ban covers the area bounded by both sides of the following streets: Lincoln Road, Moorhouse Avenue, Blenheim road, Matipo Street, and Wrights Road. | Retain the current ban area to which the alcohol restrictions apply. Recommend to extend the current ban time to 24 hours a day, seven days a week. |
| Areas proposed for night alcohol ban: | | | |
| Hagley Park | From 10pm to 7am | The ban covers the Greater Hagley Park area, including Hagley Park South, Hagley Park North, the Botanic Gardens, Little Hagley Park and the area around Millbrook Reserve, as well as both sides of the streets included within and bounding the area. | Retain the current ban area and time to which the alcohol restrictions apply. |
| Sumner Esplanade | From 7pm each Thursday night until midnight of each Sunday night; From 7pm on 31 December to 7am on 1 January each year | The ban covers the area bounded by both sides of the Esplanade (from Marriner Street to Heberden Avenue) along Heberden Avenue (from the Esplanade to the Sumner Boat Ramp car park); and including the Sumner Boat car park; as well as the beach area within the District boundary that runs alongside the area down to the mean low water spring level. | Retain the current ban area and time to which the alcohol restrictions apply. |
| Merivale | From 6pm to 6am | The ban covers the area bounded by both sides of the streets and inclusive of all of, or the relevant parts of: Rossall Street, Rugby Street, Papanui Road, St Albans Street, Browns Road, and Innes Road/Heaton Street | Retain the current ban area and time to which the alcohol restrictions apply. |
| Papanui | From 6pm to 6am | The ban covers the area bounded by both sides of the streets and inclusive of all, or the relevant parts of: the cycle-walkway and the railway line from Vagues Road to Harewood Road, St. James Avenue, Windermere Road, Blighs Road, Papanui Road, Grants Road, Grassmere Street, Main North Road, Vagues Road, and St. James Park. | Retain the current ban area and time to which the alcohol restrictions apply. |
| Areas proposed for New Year's Eve only | | | |
| Spencer Park | From 8.30pm on 31 December to 6am on 1 January each year | The ban covers part of the Spencer Park situated on the southern side of Heyders Road, commencing from 71 Heyders Road, Spencerville, and continuing to the beach, including the beach access and car parking areas. | Retain the current ban area and time to which the alcohol restrictions apply. |
| Akaroa | From 5pm on 31 | The ban covers the area bounded by both sides of the | Retain the current ban area and time to which the |

| Name of Alcohol Ban Area | Times, days or dates during which alcohol restrictions apply | Description of Alcohol Ban Area | Recommendation |
|--|---|---|---|
| | December to 7am on 1 January each year | streets, and inclusive of all, or the relevant parts of: Rue Lavaud, Beach Road, Rue Jolie, Rue Balguerie up to Muter Street, Rue Brittan, Rue Croix, part of Woodills Road up to and including the milk station turning area, Bruce Terrace from Beach Road to Rue Jolie, as well as the lower part of Stanley Park (from Beach Road to Penlington Place). This includes the following areas: Akaroa Beach and the waterfront area (including any wharf or jetty) from Children's Bay to Takapunueke Reserve, the Garden of Tane, Wackerle Green, Reclamation Parking and Slipway Area, Akaroa Recreation Ground, Jubilee Park, Children's Bay and the War Memorial Grounds. | alcohol restrictions apply. |
| Okains Bay | From 5pm on 31 December to 7am on 1 January each year | The ban covers the area being the Okains Bay Beach and Okains Bay Road. The area excludes the Okains Bay Camping Ground and a small parcel of adjacent land owned by the Department of Conservation. | Retain the current ban area and time to which the alcohol restrictions apply. |
| Areas proposed for single day ban | | | |
| Riccarton Racecourse | From 7am to 12 midnight, Saturday of Cup Week (New Zealand Cup Day) | The ban covers the area bounded by both sides of the following streets: Yaldhurst Road, Middlepark Road, Epsom Road, Racecourse Road, Buchanans Road, and Masham Road. | Recommend to include the Riccarton Racecourse area to the Schedule 1 of Permanent Alcohol Ban Areas. |

B. Specific analysis of current and proposed Permanent Alcohol Ban Areas

This Part of the section 155 report considers the existing and proposed Permanent Alcohol Ban Areas in more detail.

1. CENTRAL CITY

- Define the problem

There is currently a Permanent Alcohol Ban Area in place in Central City. The Ban Area applies at all times being 24 hours a day, seven days a week.

Traditionally, the city has experienced high levels of disorder as a result of alcohol consumption. The ban was introduced as early as 2002 to address alcohol related harm associated in particular, with members of the public carrying open alcohol bottles and drinking within the business district. The ban is a tool to address 'preloading' and 'side loading'.

The Central City is an area where large groups of people regularly congregate and noticeably there is a high number of licenced premises or bars in this condensed City area. Police have seen people drinking leaving behind debris of broken bottles, empty cans and litter, including vomit on footpaths and streets before going off to bars.

- Define the Area

The ban area is bounded by both sides of the streets and inclusive of Bealey Avenue, Fitzgerald Avenue, Moorhouse Avenue, Hagley Avenue, Rolleston Avenue, and section of the Avon River that runs alongside Park Terrace (from Armagh Street Bridge to Harper Avenue/Bealey Avenue Bridge) as indicated in the Draft Bylaw Schedule 1 Map-1.

- What is the evidence of alcohol-related harm for the area

Currently, 186 (21%) of the 856¹ alcohol licences in Christchurch, are located in central city area and the number of premises within this area continues to increase. Police note for example, the return of licenced business premises to Oxford Terrace and the steady increase in the number of licenced premises overall.

Police note that there have been significant number of some alcohol-related offences in the area including intimidations, disorder, and drunk custody in the last 6 years. Recently, Police have detected widespread breaches of the ban in the South City car park area mostly on Friday and Saturday nights and consider it the worst preloading spot in the central city. They have seen people drinking, debris from broken bottles and vomit from people using the car park a place to consume alcohol before going off to local bars in the area. Police report a number of serious assaults and attacks on people moving through the area on foot at night time. They see this as a clear correlation between unsupervised consumption of alcohol in public places and increased levels of violence and property damage.

In 2016, Council staff received complaints about serious littering on the streets around the location of ARA Institute, in particular in Manchester, Welles and Allen Streets. There are reports of significant number of bottles, smashed glass, cans and litter generally in streets in public places close to ARA particularly on Friday, Saturday and Monday mornings. In addition, vomit, urine and a number of alcohol bottles and cans on the footpath or gutter was reported on the South City parking area is noted as a place young people park and pre-load in the evenings.

Police have provided data of Alcohol-related Calls for Service in Central City ban area.

The Police data shows a significant number of alcohol-related Calls for Service (CFS) in the Central City Alcohol Ban Area in the last six years (2012 to 2017) and an increase in alcohol-related Calls for Service in 2017 in comparison with 2013 Offending recorded from 2015 to 2017 reached to as high as over

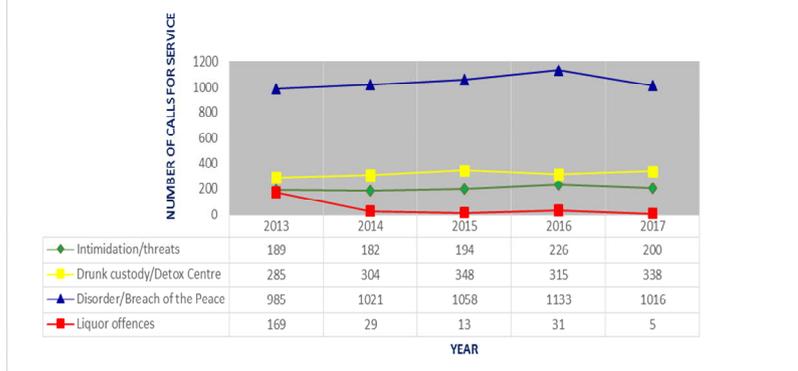
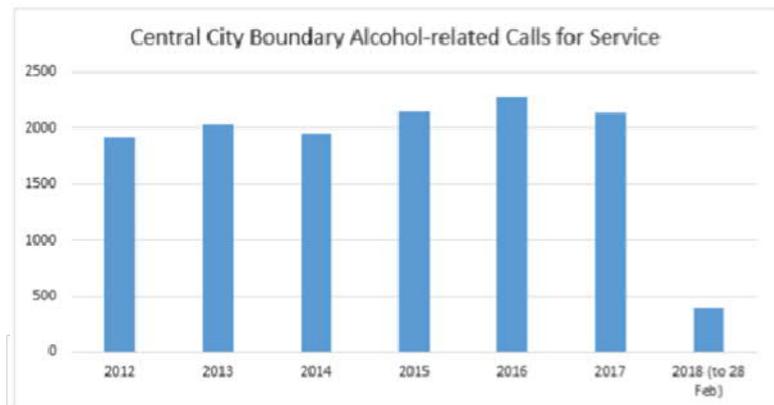
¹ Source: CCC Alcohol licencing data

2,000 Calls for Service annually. While there was a reduction in Calls for Service in 2017 compared to the previous year, the number of Liquor related CFS within the Central City alcohol ban area still exceeded levels of 2012-2014. .

The CFS relating to Disorder in Central City show an increasing trend from 2013 to 2016 and then a decline overall by 10 percent in 2017. However CFS relating to Drunk Custody offences in 2017 increased by 19 percent (53 CFS) in 2017 in comparison with 2013. A reduction in other liquor offences and crimes suggests that enforcement of the bylaw is effective.

- Summary

In the last few years following the Christchurch earthquakes, alcohol licenced premises have re-opened in the area. The area is regularly enforced particularly over the weekends and during events.



A ban covering this area provides Police with greater control of managing prevalent incidents of disorder and antisocial behaviour caused by excessive alcohol consumption in public places like car parks, streets and footpaths.

The area covers the Central City bordering the four avenues (Deans, Moorhouse, Fitzgerald, and Bealey), including greenspaces and a wide range of business activities like bars, and shopping, work, recreation, and enjoyment.

Police consider the continuation of alcohol ban in Central City will help them reduce alcohol-related harm. In terms of section 147A(3)(b) and (c), that a high level of crime or disorder caused or made worse by drinking alcohol in the Central City will arise in the area if the ban is not retained, and the ban is appropriate and proportionate in the light of the likely crime or disorder. While there is legislation available to Police to deal with disorder and some alcohol-related offending, an alcohol ban provides an opportunity to remove potential offenders and /or victims from a location before incidents escalate. Alcohol bans can be used as an effective crime prevention tool.

The Police consider the Central City Permanent Alcohol Ban Area as the most significant area among all the ban areas. They have asked for this Ban Area to be retained without variation. Including the Central City Alcohol Ban Area to the Schedule of Permanent Alcohol Areas is the most appropriate way of addressing the problems associated with drinking alcohol in the area.

2. SOUTH COLOMBO

- Define the problem

There is a Permanent Alcohol Ban Area in South Colombo at all times, being 24 hours a day, seven days a week.

This Area was included to address the antisocial behaviour of road users in particular the problem of 'boy racers' activity in the area. Police noted that groups of boy racers would drink alcohol in their vehicles, get loud, become obnoxious, disruptive, and cause harm and discomfort to the community.

- Define the Area

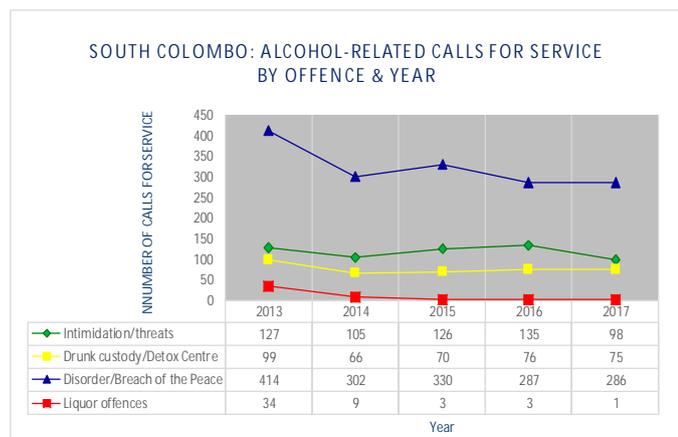
The proposed replacement ban area covers the same area for South Colombo. The ban area is bounded by both sides (inclusive of all of, or relevant parts) of: Moorhouse Avenue, Waltham Road, St. Martins Road, Centaurus Road, Cashmere Road, Barrington Street, Somerfield Street, Strickland Street, and Antigua Street as indicated in the Draft Bylaw Schedule 1 Map-2.

- What is the evidence of alcohol-related harm for the area?

In the past, large groups of young people parking their vehicles were often seen congregating in streets within the current ban area, including Moorhouse Avenue, and Colombo Street. Associated alcohol issues such as disorder, intentional damage, assaults, intimidation and breaches of Land Transport legislation were prevalent in the area. These issues arose in particular as groups would consume alcohol both within moving vehicles and whilst congregating.

Police Road Policing Groups continue to monitor these groups. Recently, they reported significant change in behaviour of drivers associated with these groups who are now appropriately licenced and rarely consume alcohol if they are driving.

Police Calls for Service show a steady decrease of alcohol-related offences in the South Colombo alcohol ban area from 2013 to 2017.



Calls for Service relating to Intimidation cases reduced by 23 percent in 2017 in comparison with 2013. Data on drunk custody decreased to only 75 Calls for Service in comparison with 99 Calls for Service in 2013.

Disorder offences decreased by 31 percent in 2017 with only 286 Calls for Service in comparison with 414 offences in 2013. Liquor offences significantly decreased in the last five years with only 1 reported case in 2017 in comparison with 34 Calls for Service in 2013.

- Summary

Police have noted individuals like to 'cruise; in areas along the four Avenues and around the Central Business District in convoy. Recently, the Police have observed the decrease of congregation of boy racers with vehicles in the area.

The area covers commercial and residential areas along South of Moorhouse Avenue and spreads to the base of the Port Hills. The sites of fast food outlets in Moorhouse Avenue and Colombo Street (south of Brougham Street) attract young people parking their vehicles and congregating in streets groups through the evenings and who potentially would consume alcohol.

Police do not anticipate the same type of antisocial behaviour will return should the South Colombo Alcohol Ban be removed or the time to which drinking alcohol restrictions apply is reduced. They consider, however, the public strong demand for the ban area from locals both residents and business owners and anticipate these groups will support the continuation of alcohol ban. In considering section 147A(3)(b) and (c), of the Act the level of disorder caused or made worse by alcohol consumption in South Colombo is likely to arise in the area to which the ban is intended to apply if the bylaw is not made, and the Bylaw is appropriate and proportionate to that likely disorder.

Police support without variation the current ban area and time to which alcohol restrictions apply at all times, 24 hours a day, seven days a week.

3. RICcarton/ILAM

- Define the problem

There is a Permanent Alcohol Ban Area in the Riccarton/Ilam area. It applies at all times, being 24 hours a day, seven days a week. This extended Ban Area was included in 2014 following a Bylaw Amendment.

The area has a long history and is known to have considerable problems of offences associated with alcohol consumption. These alcohol-related incidents experienced in the area include littering, drinking in the streets and other public spaces, intoxication, and intimidation.

After the February 2011 earthquake, there was an increase in patronage of bars in the Riccarton/Ilam area as well as an increase in commercial areas and licenced premises. The area is also the location of the University of Canterbury, schools, and significant pockets of student residential accommodation (both University halls and private). A large number of students from Lincoln University also live in the area. There are a large number of students living and frequenting in this area. According to the Police, during University semesters, partying and preloading on streets and in public places happen more than in any other area of Christchurch.

There is strong support from residents to retain an Alcohol Ban in this area to curb the prevalence of this alcohol-related misbehaviour and offending.

- Define the Area

The ban covers the area bounded by both sides of the streets: Blenheim Road, Curletts Road, Yaldhurst Road, Avonhead Road, Maidstone Road, Waimairi Road, Greers Road, Memorial Avenue, Fendalton Road, Deans Avenue and back to Blenheim Road, including Ilam Primary School and University Drive. The ban excludes any land forming part of the University of Canterbury campus as indicated in the Draft Bylaw Schedule 1 Map-3.

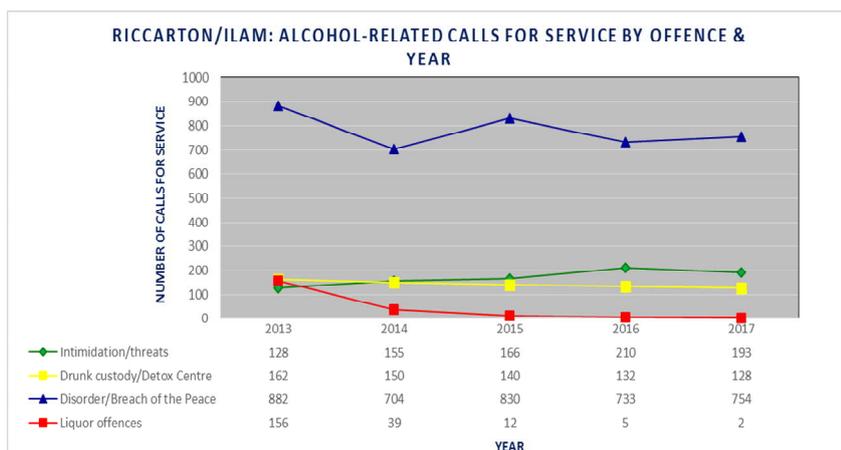
The current ban area does not include the Ilam Primary School area. The Ilam Primary School wishes to be part of the alcohol ban. This addition is supported by the Police and Canterbury University and staff propose the inclusion of the school premises to the Riccarton/Ilam Alcohol Ban Area.

- What are the related crime statistics for the Area?

Police believe that alcohol-related harm will remain an issue with the ongoing social demographic of the area. Most parts of the Riccarton/Ilam area are populated by students. Alcohol-related problems experienced in the area were either caused by students or regular patrons of licenced premises who have remained following their migration from the Central City. The crime statistics show that prior to the imposition of the extended alcohol ban in 2014, the area experienced a high level of crime or disorder that was generally shown to have been caused or made worse by alcohol consumption in the area.

Recent data was obtained from two different sources: New Zealand Police Alcohol-related Calls for Service and Neighbourhood Policing Team (Riccarton/Ilam).

The graph shows Police data of alcohol-related Calls for Service in Riccarton-Ilam. Except for Intimidation offences, Calls for Service relating to Drunk Custody, Disorder and Liquor offences in the Riccarton Ilam area decreased over the last five years (from 2013 to 2017).



Police have noted the increase of intimidation incidents by 51 percent in 2017 in comparison with 2013. Being an area with a number of licenced premises, large retail shopping mall and fast food franchise operators combined makes for an area of high risks next to Central City in terms of alcohol-related harm.

Police have observed that people dispose of alcohol containers when they see Police. They leave these containers in bushes/hedges, on the footpath, over fences into residential properties. Those offenders were asked to immediately remove the offending items from the ban area

The Neighbourhood Policing Team (NPT) solely composed of New Zealand Police officers used to monitor the area regularly. They worked in contact with various stakeholders within the community and the University of Canterbury Students Association (UCSA) staff. Due to other demands, the Riccarton Neighbourhood Policing Team no longer works in the area having been deployed to another suburb in the city.

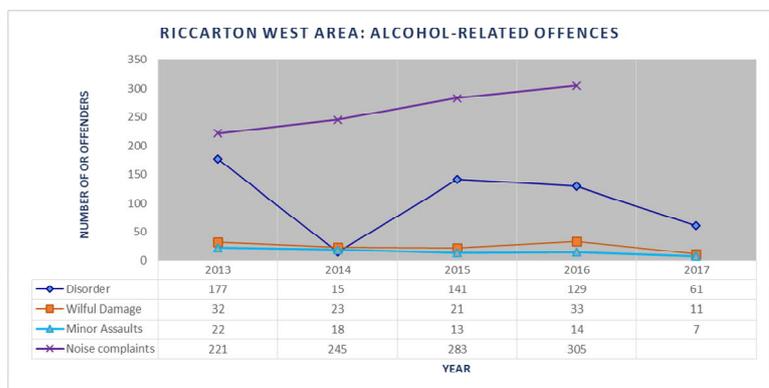
During the years 2013 to 2017, the Neighbourhood Policing Team record shows registered data of alcohol-related offences in Riccarton West and Wider Student Area. The Team actively educated students about the ban area and conditions to prevent them from breaching.

Police have observed multiple parties happening most carried out on Friday and Saturday nights of which many are hosted by university students and regular patrols are done on these days in Riccarton and Ilam areas. When Police do regular monitoring in the area, students and party goers are made aware of the restrictions the ban brings especially when travelling between locations. Police have also observed evidence of bottles and cans on the street where obvious breaches have occurred but the offenders have not been caught at the time.

Littering is an issue within the area especially when there is a big event e.g. the Tea Party. At the Tea Party in 2017, Police observed a large number of students walking between flats carrying and drinking alcohol. A sizeable amount of discarded alcohol containers was seen in the area prior, during and after the event as students travelled to and from between flats.

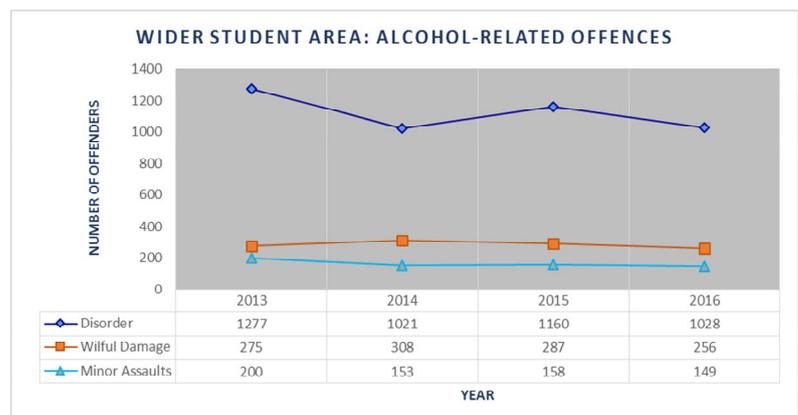
Riccarton West is the area bordered by Blenheim road, Riccarton Road, Matipo Street and Wharanui Road.

The graph shows a reduction of disorder by 66 percent and 68 percent respectively in 2017. Wilful damage and assaults offences decreased by 68 percent after five years with only 7 cases in 2017. There was, however, an increase of noise complaints by 38 percent from 221 complaints in 2013 to 305 complaints in 2016.



The Wider student area is the student rich area outside the Riccarton West zone. It covers the general student flat areas in and around the streets near the university.

The graph shows a declining trend of offences from 2013 to 2016, but there are still significant disorder offences noted each year (2013 to 2016). In 2016, disorder offences in



areas within and around the streets close to the University of Canterbury decreased by 20 percent in comparison with 2013. Incidents of wilful damage also decreased by 7 percent in 2016 from 275 reported offences in 2013 down to 256 offences in 2016. Assaults declined by 26 between 2013 (200 assault offences) and 2016 (149 assault offences).

Police note there is still pre-loading and student parties. Anecdotal evidence reveals a Riccarton resident living close to the University expressed feeling unsafe as some neighbourhood students were partying in the street until about 3am every Thursday, Friday and Saturday. In 2018, empty bottles and cans were thrown throughout the street and road signs and traffic cones were moved to block parts of the road. Also, Council staff received a resident complaint in 2017 about loud drunken party noise at Suva Street. The resident saw at least 40 bottles and cans picked up after the morning.

The University Foundry is a licenced alcohol business adjacent to the Ilam Primary School. Police asked that the school being next to the University's Foundry should be included in the ban area. Ilam Primary School was consulted and would like to be part of the Riccarton/Ilam Alcohol Ban Area. By being included in the ban area, Police can regularly monitor the area to prevent any presence of littering (e.g. broken bottles, empty cans, etc.) from people drinking alcohol in the adjacent bar and ensure safety and allow the children to use school grounds without occurrence of likely risks.

- Summary

There are a number of licensed premises in the Riccarton/Ilam area, a large retail shopping mall, fast food franchise operators and accommodation for university students. These factors combine to make the area a high-risk area in terms of alcohol-related harm. The current Alcohol Ban Area is actively enforced and warnings are used as appropriate. Police consider that to date, the Riccarton/Ilam Alcohol Ban Area has been an effective tool which Police have used to manage, contain and reduce the problems caused by members of the community drinking in public places. The ability to take action against those who breach the ban has significantly helped the associated issues drinking brings.

The Police consider Riccarton/Ilam Ban Area to be the second most significant alcohol ban area. The Police support the continuation of the Alcohol Ban Area and have asked for the inclusion of the Ilam Primary School. The Police also consider that the time the ban applies (ie 24 hours a day, seven days a week) is appropriate. In terms of section 147A(3)(b) and (c) the high level of crime or disorder caused or made worse by drinking alcohol within the ban area will likely to arise Riccarton/Ilam area to which the bylaw is intended to apply if the bylaw is not made, and the bylaw is appropriate and proportionate in the light of the likely crime or disorder.

The alcohol ban provides an early intervention tool for the Police.

4. NEW BRIGHTON MALL AND SURROUNDS

- Define the problem

There is currently a Permanent Alcohol Ban Area in New Brighton. The Ban Area applies at all times, 24 hours a day, seven days a week.

There is evidence of alcohol abuse in the ban area specifically along the beach front and carpark areas. Police have observed that most of the alcohol-related disorder related to local residents and not to visitors to the area. The Alcohol ban is regularly enforced by local Police particularly during events such as the Guy Fawkes celebration.

- Define the Area

The area is similar to the current New Brighton Mall and surrounds Permanent Alcohol Ban Area.

The area covers New Brighton Mall (bounded by and inclusive of all of, or the relevant parts of, Marine Parade, Beresford Street, Owles Terrace, Hawke Street, Keyes Road, and Lonsdale Street); Marine Parade and the New Brighton beach area - Marine Parade, including the Pier, (down to the mean low water spring level) as indicated in the Draft Bylaw Schedule 1 Map-4.

- What is the evidence of alcohol-related harm for the area?

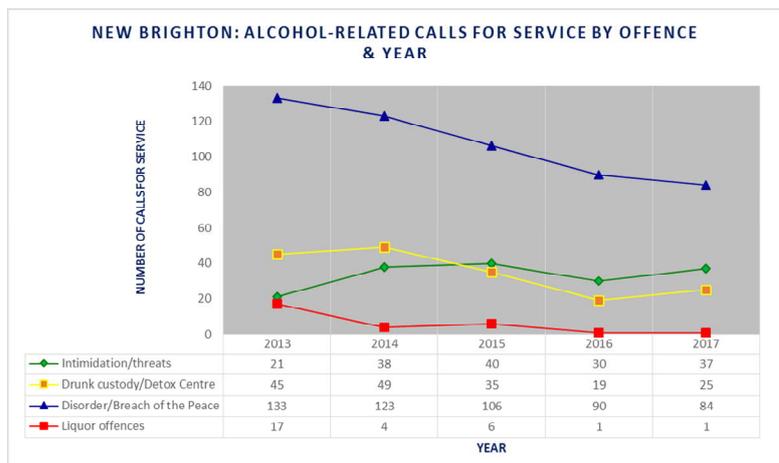
In the past, the mall area experienced violence and disorder offences arising from alcohol consumption. Police have observed the surrounding area incorporates elements of a social demographic for which drug and alcohol dependency are a clear issue. They have often noticed discarded bottles, among other litter along beach front. An alcohol ban in the area has been useful during events such as Guy Fawkes celebration.

Following the earthquakes, alcohol-related problems in this area, however reduced slightly as the number of licenced premises decreased.

Police data recorded a slight increase of the total alcohol-related Calls for Service in 2017 with 147 Calls for Service compared with 140 Calls for Service in 2016.

Police, however, observed alcohol-related Calls for Service in the New Brighton Alcohol Ban Area has steadily declined with the exception of a minor increase in intimidation and drunk custody offences in 2017. The decreasing number of Calls for Service within the ban area indicates that the Council alcohol ban is effective.

Police note the two new large scale events will be happening in Thompson Park and Rawhiti Domain in the next 12 months, Police believe that there is likely incidents of disorder caused by 'excessive drinking of alcohol' by those attending the event in the area.



The Police initially approached the Council to consider making two small extensions (Thomson Park and Rawhiti Domain) to the existing New Brighton ban area. Their concern related to alcohol disorder associated with large numbers of people attending events on these parks. CCC Licensing staff concur with the Police about the remoteness of the Thomson Park and Rawhiti Domain areas and the risks associated with pre- and post-loading for large scale events held in the area or at nearby facilities. It is for these reasons that staff recommend that Thomson Park and Rawhiti Domain are included within Schedule 2 (large scale event alcohol ban areas).

- Summary

Police data show the New Brighton Permanent Alcohol Ban Area remains one of moderate to high risk for alcohol-related harm. It is an area in which public support for the continuation of alcohol ban is likely to be high.

The area encompasses parts of New Brighton which host large scale community events such as, New Brighton Fireworks display Guy Fawkes, Markets and car shows. It is also an area where community facilities such as, library, Whale Pool and beach are regularly visited by residents and families in and around New Brighton. Police identify that the parking area adjacent to beach access would attract people who would congregate around vehicles and drink alcohol.

Police considered the New Brighton Mall and surrounding area as the third most significant ban area. They believe that a high level of crime or disorder caused or made worse by people consuming alcohol in the area is likely to arise in the New Brighton area if the ban is not continued. Police support the area and time being 24 hours a day, seven days a week to which the bylaw is intended to apply as appropriate and proportionate in the light of the likely crime or disorder.

5. JELLIE PARK

- Define the problem

There is currently a Permanent Alcohol Ban Area in Jellie Park. The Ban Area applies at all times, 24 hours a day, seven days a week.

The ban was introduced for the reason being that people are drinking in the park and the impact on other park users

- Define the Area

It is proposed that the ban area is extended to cover the entire park, including both sides of Greers Road and Ilam Road. The ban does not include the Jellie Park pool and sports complex as indicated in the Draft Bylaw Schedule 1 Map-5.

- What is the evidence of alcohol-related harm for the area?

There are areas adjacent to Jellie Park where groups of people may congregate to consume alcohol with associated antisocial behaviour arising. In the past the skate-park area adjacent to Greers Road was often a key focus for such groups. It is also an area where sexual offending has occurred such as Indecent exposure.

The proliferation of educational and community based facilities in the immediate area sees a high volume of children and young adults moving through the Park environs.

Police data of Alcohol-related Calls for Service generally declined over the last five years with some noted fluctuations. Compared to other alcohol-related offences, Police recorded a slight increase in Calls for Service relating to both Drunk Custody and Disorder in 2017.



- Summary

Jellie Park is bounded by two roads Greers (Northwest side of the Park) and Ilam (Southeast of the Park) both linking to Memorial Avenue. The Park is a common destination of families and individuals across Christchurch wanting to enjoy the Park facilities. With the nature of the park location, Police believe that the continuation of the current alcohol ban area will provide them ability to intervene and mitigate the risks caused by people drinking alcohol in public spaces or in parked vehicles in nearby area.

The current Jellie Park Permanent Alcohol Ban Area excludes both sides of Greers Road and Ilam Road. Extending the Jellie Park ban area to cover both sides of Greers and Ilam Roads as ban boundaries of the ban area is recommended.

The size and layout of the Park, proximity to various schools and the presence of the Pool complex continue to attract people to the area or movement through it. This presents a continued risk of alcohol-related harm which the Police view is best mitigated by the presence of alcohol ban in the area. The above considered, in terms of section 147A(3)(b) and (c) the disorder caused or made worse by drinking in the area will likely to arise in the Jellie Park area to which alcohol ban will be applied if the bylaw is not made. Police support the proposed extension of Jellie Park Alcohol Ban Area and time to which the bylaw is intended to apply as appropriate and proportionate in the light of the likely crime or disorder.

It is considered, the ban area (with changes to ban area boundaries) and time to which alcohol ban apply being 24 hours a day, seven days a week is appropriate in form.

6. LINWOOD VILLAGE

- Define the problem

There is currently a Temporary Alcohol Ban Area in place in Linwood Village at all times, 24 hours a day, seven days a week until December 2018.

Following the representation from the local Police community constable, local business owners and residents to the Linwood-Central-Heathcote Community Board in November 2017, the first temporary alcohol ban was imposed in December 2017 for six months. A review on the effectiveness of the alcohol ban in Linwood Village was reported on in April 2018. Having considered the information provided as to the effectiveness of the ban, the Council agreed to extend the ban for another six months from 20 June 2018 until December 2018.

The alcohol ban was also supported by homeless individuals who raised concerns about the prevalence of alcohol-related harm in the area to the Council meeting on 20 December 2017.

The ban was imposed to reduce disorder caused by people congregating and drinking alcohol in public areas such as streets, local parks, bus stops, and to address other identified social issues within and around Linwood Village area. Social problems identified by local residents businesses include congregation of large groups of people to drink in Doris Lusk reserve, vacant lots, and streets in the vicinity of the Linwood Village shopping area, as well as aggressive begging and intimidation of shoppers and passers-by.

- Define the Area

The ban area covers Doris Lusk Reserve, Stanmore Road and bounded by Fitzgerald Avenue (East side), and both sides of the streets – Armagh Street, England Street, and Hereford Street as indicated in the Draft Bylaw Schedule 1 Map-6.

- What is the evidence of alcohol-related harm for the area?

Police report alcohol-related antisocial behaviour occurs in the area on an almost daily basis and there are only a few occasions when they have not seen people drinking alcohol, or who they suspect have taken drugs while in an intoxicated state.

The review of the impacts of the alcohol ban in Linwood Village indicates that while the current alcohol ban is seen by most to have made a difference to community perceptions in terms of safety in Linwood Village, there is still drinking and drug use as well as begging in the area seen in the area even with alcohol ban. However, Police have noted that nuisance behaviour related to alcohol consumption has reduced significantly since the ban was imposed. Some of the local residents note there is still intimidation and an element which puts off people to visit local shops. Residents in the area often observed one or two people would return to beg and a reduced number of drunken people during weekend.

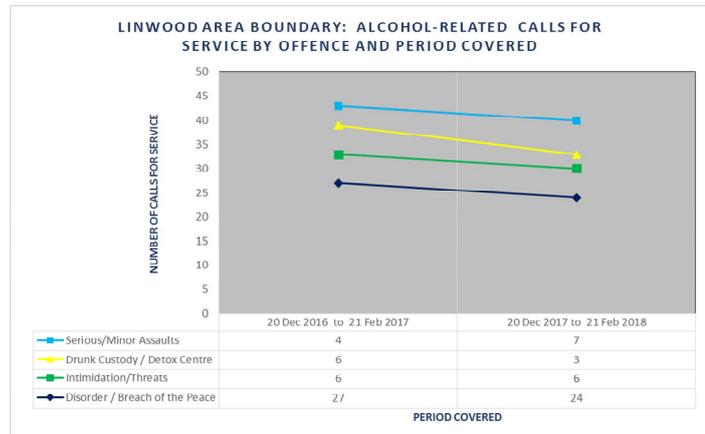
In February 2018, anecdotal evidence from an elderly resident who lived for 38 years close to England Street reported an ongoing alcohol-related and prevalent disturbances shouting, burglaries, swearing, slamming doors and noise, drunkenness and alleged drug use in one of the flats and an assault in the area.

Since December 2017, Police have issued three infringement notices and given five verbal warnings to people breaching the alcohol ban. Police consider the alcohol ban as one tool to address significant social disorder in Linwood Village. This includes large groups congregating and drinking in parks, vacant lots and streets in the vicinity of the Linwood Village, including aggressive begging and intimidation of shoppers visiting local shops. They believe the current alcohol ban is working relatively well.

Data of alcohol-related Calls for Service (from 20 December 2017 to 21 February 2018; and the same period in 2016/17) in Linwood area obtained by the Council staff from Police have been used for this analysis.

Two months since the alcohol ban was put in place in December 2017, Calls for Service relating to alcohol-related offences like disorder reduced by 11 percent while drunk custody has significantly reduced by 50 percent, in comparison with the same period in 2016/17.

The data does not provide conclusive impacts of effectiveness the alcohol ban, but would seem to provide an early indication of the benefits of introducing alcohol restrictions in Linwood where safety issues remain a major concern of the community.



A survey done in March 2018 reveals that 92 percent of the 124 local residents who responded to the survey support permanent alcohol restrictions in the Linwood Village area. The results also show 84 percent of the total respondents support the current area to be covered by the alcohol ban and 88 percent agree the ban being applied at all times, 24 hours a day, seven days a week as appropriate. Seven respondents would like the current ban area to be expanded to cover Cashel Street, Tuam Street, Avonside Drive, Ferry Road, Street, Richmond, and Eastgate.

- Summary

A number of local residents are still feeling unsafe with intimidating behaviour from people drinking alcohol in public spaces on the street and in Doris Lusk Corner. Businesses are suffering losses and residents' safety at night is being compromised. There was general agreement from the local community that the ban has helped reduce alcohol-related offences. However, drinking and drug use as well as begging are still noted in the area. Stakeholders and some local residents note that while there were still elements of intimidation and threats seen in the area, this however has reduced significantly.

The area covers mostly residential housing and a small shopping area. Linwood area also ranks highly in terms of the social deprivation index and evidence called in opposition to new licenced premises in the area has included reference to the number of vulnerable people living in the area including individuals struggling with addiction issues. The people involved appear to be residents of the area as well as others coming from other parts of the city to congregate. The drinking often brings with it issues of 'hustling' or proactive/aggressive begging. These activities are causing residents to feel unsafe and this is impacting on the commercial viability of the shops that service the local community.

The alcohol ban provides Police with the ability to actively manage individuals drinking in public spaces. Police, local residents and shop owners support the alcohol ban.

Police recommend making the current Linwood Village Temporary Alcohol Ban Area into a Permanent Ban Area. They strongly support including this Alcohol Ban Area to the Schedule of Permanent Alcohol Ban Areas. An alcohol ban in the area is the most appropriate way of addressing alcohol-related problems and a tool to be applied in conjunction with other community-based initiatives aimed at reducing reduce prevalent social offences in the area.

In terms of section 147A(3)(b) and (c) the crime and disorder caused or made worse by drinking alcohol in the ban area will likely to arise in the Linwood Village area to which the bylaw is intended to apply if the bylaw is not made. The bylaw is appropriate and proportionate in the light of the likely crime or disorder.

It is considered that the area and time to which alcohol ban apply being 24 hours a day, seven days a week is appropriate in form.

7. ADDINGTON

- Define the problem

There is currently a Permanent Alcohol Ban Area in Addington. It applies on the second Tuesday November Trotting Cup Day from 9am to 10pm each year.

The ban relates to the annual event held by the New Zealand Metropolitan Trotting Club's New Zealand Trotting Cup Day at Addington Raceway. The event is an integral component of Cup and Show Week in Christchurch, with a significant number of patrons attending the Trotting Cup Day each year.

The New Zealand Trotting Cup Day on Tuesday has had a long history of alcohol-related problems with increasing incident reports over an average Tuesday. The problems include people preloading in public areas on their way to the event and having boot parties in nearby car parks. Local businesses and residents have noted that after Trotting Cup events people leave the Addington Events Centre drinking, urinating, vomiting, misbehaving, and bar security had difficulty managing intoxicated people who are interacting with bar patrons.

- Define the Area

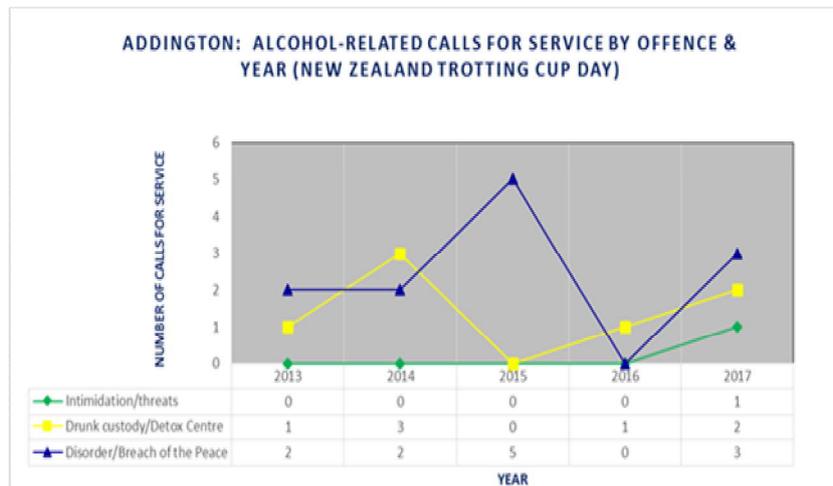
The ban area is bounded by both sides of the streets of: Lincoln Road, Moorhouse Avenue, Blenheim Road, Matipo Street, and Wrights Road as indicated in the Draft Bylaw Schedule 1 Map-7.

- What is the evidence of alcohol-related harm for the area?

An alcohol ban area was first put in place in 2013 as a temporary measure and was made permanent in 2014 by way of a Bylaw amendment

The introduction of an alcohol ban in the surrounding area has restricted the instances of 'preloading' by attendees within and around the event venue. In recent years the event has significantly improved. Police observed that they had seen the Trotting Cup in 2016 change remarkably over the years. Event organisers have worked alongside with the Licensing Tri-agency Group to implement wide-scale changes to the way the sale, supply and consumption of alcohol is managed inside the venue.

Police data of alcohol-related Calls for Service in the Addington ban area on Trotting Cup Day reveals to have largely decreased over recent years. While alcohol ban compliance has generally improved over time, alcohol-related Calls for Service in 2017 increased at a minimal level in comparison with 2013.



Police data of alcohol-related Calls for Service recorded for the Addington area on Trotting Cup Day reflect a slightly increased in 2017 in comparison with 2016.

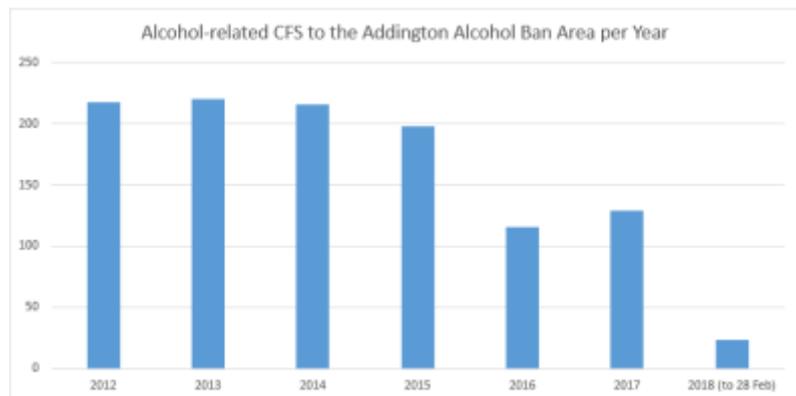
In 2017 VBase made an approach to Spreydon-Cashmere Community Board about the possibility of extending the Addington Alcohol Ban Area to apply 24 hours a day, seven days a week. This would mean that the ban would be imposed not only on the Trotting Cup Day in November each year, but, at all times.

Vbase which runs both AMI Stadium and Horncastle Arena facilities requested an alcohol ban be applied in the same area covered in the current Addington Permanent Alcohol Ban Area to stop people preloading in the car parks before attending events and to curb intoxication assaults and lewd behaviour. There was no involvement of the Police when Vbase made such request to the Community Board. The Community Board decided not to support a longer alcohol ban as there was no compelling evidence provided by Vbase to support further investigation of the request.

However, Police regularly monitor music concerts at Horncastle Arena and share the view of the VBase that “pre-loading” around the venue has been an issue. The Police have noted the volume of ‘refusals’ at entry carried out by Security staff (due to intoxication) and by ejections from the venue during the events themselves. This has been a regular occurrence during events. Despite not being reflected in ‘Calls for Service’ to Police, the practice of “pre-loading” around the venue before events clearly increases the risk of alcohol related harm and disorder occurring in the area.

CCC Licensing staff have been working with the licences in Addington area on an Alcohol Accord to help address concerns particularly when large events are held in the area.

The bulk of these premises are situated on or close to Lincoln Road between Whiteleigh Avenue and Moorhouse Avenue. Initial feedback from this group indicate that the change of the alcohol ban to ‘year round ban has significant support.



The popularity of bars in the Addington area has ‘ebbed & flowed’ in the last few years with an initial post-earthquake surge but patronage subsequently falling back. Police data of annual alcohol-related Calls for Service in

Addington Alcohol Ban Area shows significant offences recorded from 2012 to 2017. Police consider that with over 100 ‘Calls for Service’ for alcohol-related incidents create some cause for concern in the area.

- Summary

Currently the Addington Alcohol Ban Area applies only for one-day on second Tuesday November -Cup Day each year.

The area also covers the public places surrounding and Addington Raceway, AMI stadium and Horncastle arena. All are venues for large scale events at which alcohol is available and which occur regularly (on a weekly basis). It also covers Lincoln Road where there are bars that those leaving an event are likely to go to. The ban also meets the parts of Riccarton Ilam and Hagley Park Alcohol Ban Areas so that those walking to the event from the adjacent ban areas will not be able to drink on the way to the event.

The New Zealand Trotting Cup Day at Addington was, for some years, a particularly challenging event for Police and the community. It was viewed as something of a ‘no holds barred’ party event by attendees which saw large scale instances of drunkenness, disorder, damage and violence.

Police consider the alcohol ban as the most appropriate way for them to deal alcohol-related harm and provide them the ability to remove potential offenders or victims from a location before incidents escalate on Trotting Cup Day.

Police also request that the Council of making the alcohol ban apply 24/7 in view of the significant number of alcohol-related Calls for Service received throughout the year and not just for Cup Day.

Police strongly support the proposal to apply the alcohol ban apply at all times, 24 hours a day, seven days a week,. In terms of section 147A, the significant level disorder and unacceptable behaviours caused or made worse by excessive drinking of alcohol in the Addington is likely to continue in the area to which the ban is intended to apply if the bylaw is not made. The bylaw is also appropriate and proportionate in the light of that crime or disorder.

8. HAGLEY PARK AND ENVIRONS

- Define the problem

There is currently a Permanent Alcohol Ban in Hagley Park that applies from 10pm to 7am each night.

Historically Hagley Park has hosted large scale events for the enjoyment of the general public including a number of sports events, concerts, and summer events, e.g. Christmas at the Park to Festivals. These events attract over 150,000 attendees each year.

The ban was introduced to address the problems of drunken behaviour generally caused by 'boy racer' activities at night which spill over from the Central City. The Ban area also addresses prevalent pre- and post-event drinking of some people attending big events in Hagley Park. The ban has been a useful tool for the Police to create an environment in the Park free from alcohol-related problems in the later evening, and for Christchurch residents to enjoy community/family-orientated events safely.

The Alcohol Ban Area which only applies from 10pm enables people to have picnics with option to drink alcohol in the park before the ban starts at 10pm.

- Define the Area

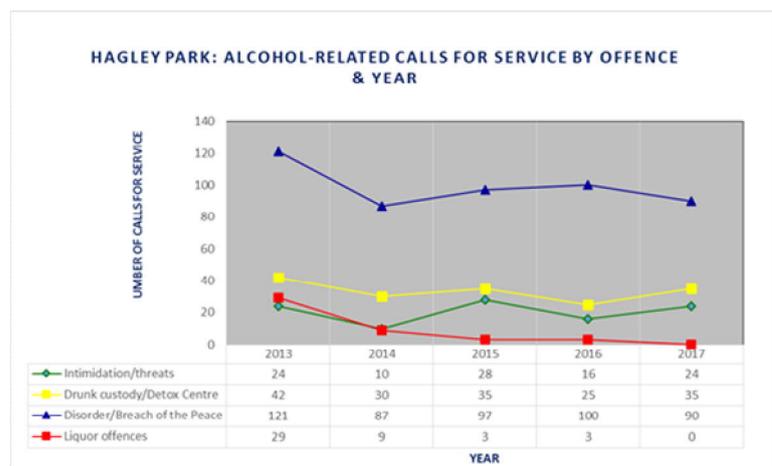
The Ban Area covers Hagley Park South, Hagley Park North, the Botanic Gardens, Little Hagley Park and the area around Millbrook Reserve, as well as the streets included within and bounding this area as indicated in the Draft Bylaw Schedule 1 Map-8.

- What is the evidence of alcohol-related harm for the area

The Alcohol ban is regularly enforced in this area particularly when events are being held in the Park.

The Tri-agency Group have observed that Hagley Park is a common destination or place where big congregations of people, including families come together to attend and participate in large scale events such, e.g. Christmas, Classical Sparks at the Park, sports, etc. In recent years, there has been a gradual increase in the number of large scale events held within the Park and in North Hagley Park. Many of these events are orientated towards families and present little risk to Police in terms of alcohol-related harm. Some events are licensed to sell alcohol and may go on until 11pm. Other events where there is a direct or increased alcohol focus present greater risks as these events are also licenced for alcohol. These events are generally held through the afternoon towards the evening at a time when the alcohol ban is not applicable. In any event the alcohol ban is overridden by the Special Licence issued within the confines of the licenced area. One event the Police consider presents high risk is 'Electric Avenue' is held annually and is linked closely to Orientation week celebrations held for both University of Canterbury and Lincoln University. Police observe that such events generated extremely high levels of pre-loading in and around the Hagley Park and this resulted in significant disorder issues.

In some particular events in 2017, Police noticed an increase in alcohol-related issues around the perimeter of the venue including adjacent streets. These issues were linked to attendees preloading before arriving and when in the immediate areas outside the venue.



While the total number of alcohol-related Calls for Service annually increased from 2013 to 2015, Police data of 'Calls for service' relating to individual offence other than intimidation slight decreased in 2017 from 2013 number of offences. Also, there was a minor increase in drunk custody or intoxication Calls for Service by 40 percent in 2017 in comparison with 2016.

- Summary

Hagley is a venue of large public events which attract thousands of patrons and generally consists of free or low cost shows for the public to enjoy. Public enjoyment of Hagley Park ranges from sport activities to family or romantic picnics. The area is regularly monitored to meet the safety needs of the people using the Park and its surrounding areas, particularly during events either in the park or in the Central City. Large scale events have strong associations with alcohol consumption and potentially higher incidents of alcohol-related disorder. While there was a concern that some events where on the sale and supply of alcohol is permitted and may provide time for attendees to preload before the ban starts at 10pm,

Police considered Hagley Park and environs as the fourth most significant alcohol ban area. They consider the current alcohol ban as a useful tool that provides them the ability to effectively monitor the area and prevent disruptive drunken behaviour to people using the Park or attending and enjoying family-orientated public events. The Police, however, recommended that the Council consider a mechanism to impose a 24 hour ban when a large scale event is to be held at Hagley Park to reduce the problems specifically related to large scale events. CCC Alcohol Licensing Inspectors are aware of the Police concerns about occurrence of pre and post loading and its associated risks in the Hagley Park in particular for large alcohol focused events are happening in the area. Police strongly support the inclusion of Hagley Park within the Schedule 2 large scale event alcohol ban areas.

The proposal is to include the Hagley Park ban area in the Schedule of Permanent Alcohol Ban Areas as being the most appropriate way of addressing disorder, antisocial and littering issues associated with alcohol consumption. The current ban area and time to which alcohol restrictions apply being 10pm to 7am each night is considered appropriate.

In terms of section 147A(3)(b) and (c) the high level of alcohol-related disorder or offending caused or made worse by consuming alcohol is likely to arise in the area to which the ban is intended to apply if the Bylaw is not made, and the bylaw is appropriate and proportionate in the light of that likely offending and disorder.

9. SUMNER ESPLANADE

- Define the problem

There is currently a Permanent Alcohol Ban Area in Sumner from 7pm each Thursday night until midnight of each Sunday night; and from 7pm on 31 December to 7am on 1 January each year (New Year's Eve).

The Sumner extended Permanent Alcohol Ban Area came into force in 2014

Prior to the introduction of the alcohol ban in Sumner, there were common occurrences of disorderly behaviour caused by youths congregating and watching 'boy racers' in the road reserve areas. This was often aggravated by the consumption of alcohol. Incidents like fighting, foul language and the smashing of glass were common.

- Define the Area

The Sumner Alcohol Ban Area covers the area bounded by both sides of the whole of the Esplanade (from Marriner Street to Heberden Avenue); along Heberden Avenue (from the Esplanade to the Sumner Boat Ramp car park); and including the Sumner Boat car park; as well as the beach that runs

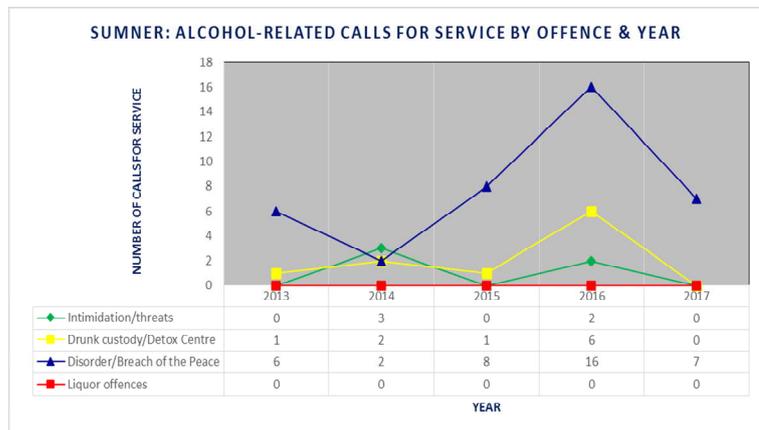
alongside this area (down to the mean low water spring level), as indicated in the Draft Bylaw Schedule 1 Map-9. A ban applies from Thursday 7pm to Sunday at midnight and on New Year's Eve.

- What is the evidence of alcohol-related harm for the area?

The Police consider that an Alcohol Ban in the Area is necessary in Sumner to avoid potential problems and reduce victimisation on New Year's Eve and some weekdays. Police observe that the park at Scarborough area is still a popular place for people to hang out and consume alcohol.

All alcohol-related Calls for Service in the ban area have declined in 2017 with no record of intimidation, drunk custody and liquor offences. Police data Calls for Service show a significant increase of Disorder by 100 percent in 2016 in comparison with 2015.

Police record also shows there was only one Call for Service during New Year's Eve in the Sumner ban area over the five-year period. Police have



observed that alcohol-associated issues have reduced over the years. They note the ban enables them to effectively manage high number of people in Sumner specifically during summer months.

Police note that alcohol bans work to reduce alcohol-related crime and disorder and provide them with a useful tool.

- Summary

Police note that the ban is effective and has achieved the objectives of reducing potential alcohol harm to people visiting Sumner beach area. The ban covers the path alongside the beach, and the grass verge next to the road. This allows a greater control over the entry of persons and vehicles into the area where drinking of alcohol may occur. This area is currently considered a safe and enjoyable place for family groups especially through summer months at the weekends.

Police indicate a lot of issues in the Sumner area related to groups of young people congregating with their cars along the Esplanade and they see the bylaw as the most appropriate way of addressing problems associated with alcohol consumption in the area; the ban is a tool which can be used to remove potential offenders and/or victims from the area before any incidents associated with alcohol consumption escalate.

Police consider that removal of the alcohol ban on Sumner Esplanade would give rise to an increase in the sorts of activity that the current alcohol ban was brought in to address. The above considered, Police believe that the bylaw is appropriate and proportionate in the light of the likely crime or disorder caused or made worse by drinking alcohol in the ban area.

Police support without variation the current Sumner ban area and time to which alcohol ban apply being from 7pm Thursday night until 12 midnight of Sunday –each week, and from 7pm on 31 December to 7am on 1 January each year as appropriate for the period when New Year's Eve celebrations are likely to occur

In terms of section 147A(3)(b) and (c) the high level of alcohol-related disorder or offending caused or made worse by consuming alcohol is likely to arise in the area to which the ban is intended to apply if the Bylaw is not made, and the bylaw is appropriate and proportionate in the light of that likely offending and disorder.

10. MERIVALE

- Define the problem

There is an existing Permanent Alcohol Ban Area in Merivale from 6pm to 6am each night.

A temporary alcohol ban area in Merivale was introduced in 2011 to act as a deterrent to drinking alcohol in public places. After the February 2011 earthquake, there was a significant shift of bar customers from the Central City to bars located in Merivale and other surrounding areas. Police reported issues from increased rubbish to broken glass, empty cans and bottles around the shopping area. These problems included people urinating or vomiting in shop frontages, intentional damage or graffiti, broken bottles outside business premises, fights and threats.

After the temporary Alcohol Ban Area proved to be successful, the Council subsequently amended the Bylaw in [insert date] to make the Ban a Permanent Alcohol Ban Area.

- Define the Area

The Alcohol Ban Area covers the area bounded by both sides of the following streets: Rossall Street, Rugby Street, Papanui Road, St. Albans Street, Browns Road, and Innes Road/Heaton Street as indicated in the Draft Bylaw Schedule 1 Map-10.

- What is the evidence of alcohol-related harm for the area

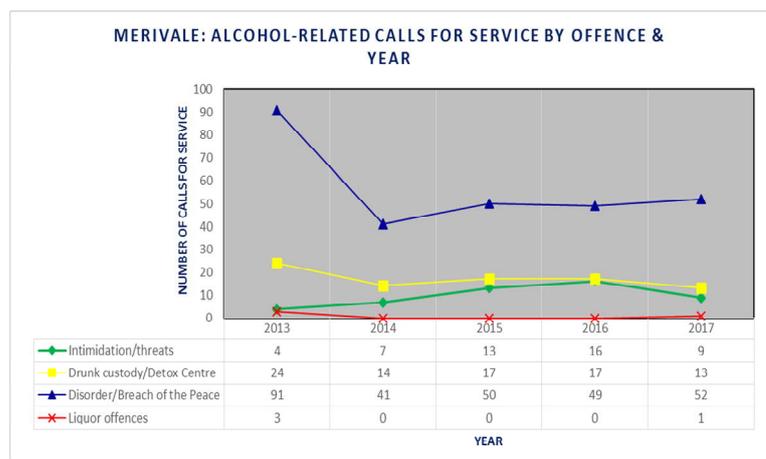
There are times that local bars within the Merivale ban area have experienced high levels of popularity amongst patrons and the heavily patronised McDonalds Restaurant which is situated on Papanui Road is also close to the Merivale Mall. Police consider that the current ban helps control the transport of alcohol into the car park at the Merivale Mall as previously identified (both pre- and post-earthquakes) as being a venue where public drinking happens, as well as other private car parks at the rear of shops on the east side of Papanui Road.

Incidents of disorder and violence have been recorded and the ban is used to curb such incidents as well as limit the opportunities for bar patrons to preload or side load around the Mall car park and adjacent public areas.

The Police have provided data of alcohol-related Calls for Service for the Merivale ban area. Generally, Calls for Service declined in 2017 in comparison with 2013 data. The overall decline in the number of these alcohol-related offences indicates that the alcohol ban is effective.

Although there has been decline in Calls for Service from 2013 to 2017 in the ban area, there were still evidence of drinking in public places by a number of people frequenting Merivale area. Calls for Service relating to Intimidation increased to 16 offences (300 percent) in 2016 in comparison with only 4 in 2013, and declined in 2017 to only 9 offences.

Generally speaking, Police note that the decline has been assisted by the alcohol ban imposed in the area and Police enforcement action in response to the problems.



- Summary

The area includes the Merivale Mall precinct and covers both commercial and residential properties. St. George Hospital is also within the area. Police indicate that bars in Merivale area have experienced high

levels of popularity amongst patrons. They see the continuation of alcohol ban as useful for them to continuously manage anticipated incidents of antisocial behaviour and disorder caused by high level of alcohol consumption in public spaces. They believe that the high level of crime or disorder caused or made worse by alcohol consumption in the area is likely to arise if the bylaw is not made.

Retaining the Merivale Alcohol Ban Area in the Schedule of Permanent Alcohol Ban Areas is the most appropriate way of addressing the offendings associated with alcohol consumption and preventing harm to residents and users of public places in the area.

Police support without variation the current Merivale ban area and time to which the alcohol restrictions apply from 6pm to 6am nightly is appropriate in form.

Staff consider that in terms of section 147A(3)(b) and (c) the high level of alcohol-related disorder or offending caused or made worse by consuming alcohol is likely to arise in the area to which the ban is intended to apply if a replacement ban is not made, and that the Merivale Alcohol Ban Area is appropriate and proportionate in the light of that likely offending and disorder.

11. PAPANUI

- Define the problem

There is currently a Permanent Alcohol Ban Area in Papanui. The Ban applies from 6pm to 6am nightly.

An alcohol ban was first introduced in Papanui Northland Mall from 9pm to 6am on Thursday, Friday and Saturday nights to address problems where offenders were largely congregating around the Mall with alcohol.

After the 2011 earthquake, Police observed that the patronage of bars had shifted from the Central City to other areas including Papanui and this resulted in the increased disorder in the area. At that time, the Police advocated for a much larger area in Papanui to be part of the Permanent Alcohol Ban Area due to additional licenced premises in the area as well as general movement from the Central City to the Papanui commercial district.

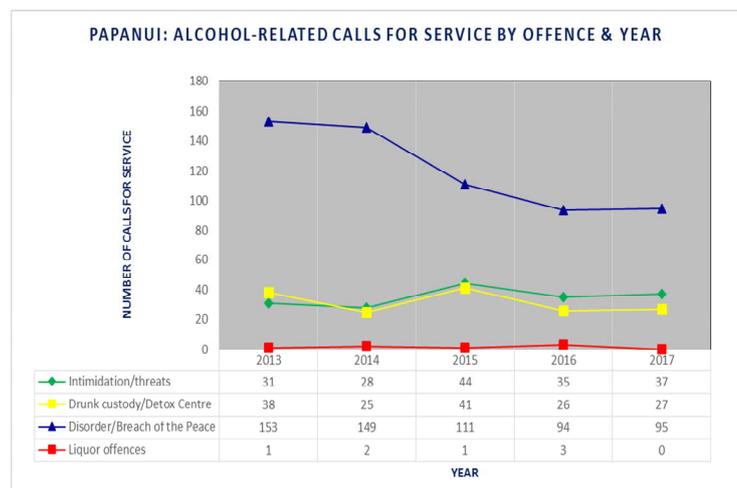
Due to this displacement, a wider alcohol ban area was put in place in 2012 to address the alcohol-related offending. Alcohol-related issues noted in the area include: unsafe behaviours of intoxicated people on the streets and in other public places alongside the railway lines, noise from people walking by late at night, and local residents in the area feeling intimidated and scared by these disorderly behaviours.

- Define the Area

The ban area is bounded by both sides of the streets and inclusive of all, or the relevant parts of: the cycle-walkway and the railway line from Vagues Road to Harewood Road, St. James Avenue, Windermere Road, Blighs Road, Papanui Road, Grants Road, Grassmere Street, Main North Road, Vagues Road, and St. James Park as indicated in the Draft Bylaw Schedule 1 Map-11.

- What is the evidence of alcohol-related harm for the area?

A wide range of alcohol-related offending was occurring within the area and the alcohol ban was designed to assist in reducing these issues. People drinking in areas surrounding bars in Papanui led to a range of problems including offenders entering and stashing alcohol on residents' properties, disorder and fights, broken bottles on streets and in parks, public



urination and other unacceptable behaviour.

Police alcohol-related Calls for Service in Papanui alcohol ban area have declined from 2013 to 2016. Except for the slight increase of intimidation and drunk custody in 2017, Police data show alcohol offences generally declined in 2017. Calls for Service relating to disorder decreased by 38 percent (from 153 disorder offences in 2013 to 95 disorder offences in 2017) in 2017 in comparison with 2013. The gradual decrease across most of alcohol-related offences indicate that the alcohol ban is effective.

- Summary

Papanui is still a relatively social drinking landscape where people visit bars to congregate and drink. However, the proximity of these licenced businesses to the location of local police station makes a difference.

The Papanui area has a number of licenced premises that operate on Tavern style licences. It is on a major bus route with an associated suburban exchange placed outside the mall. It is an area that attracts a large number of people across a large proportion of the day due to the various attractions including retail shopping, hospitality and entertainment venues. It is considered that the ban provides Police the ability to prevent the drinking of alcohol on the walkway beside the railway lines and other public spaces. Police note that alcohol ban in public places is the most appropriate way of addressing alcohol-related offending and incidents in Papanui area. Police support without variation the current ban area and time to which the alcohol ban apply from 6pm to 6am each night is appropriate in form.

Including the Papanui area to the Schedule of Permanent Alcohol Ban Areas is the most appropriate way of addressing excessive drinking problems and reduce other unacceptable behaviour occurring in areas within and around Papanui Ban Area.

In terms of section 147A(3)(b) and (c) the level of disorder cause or made worse by alcohol intoxication in the Papanui ban area is likely to arise in the area to which the ban is intended to apply if the bylaw is not made, and the bylaw is appropriate and proportionate in the light of that likely disorder.

12. SPENCER PARK

- Define the problem

There is a current permanent alcohol ban area in the Spencer Park from 8.30pm on 31 December to 6am on 1 January each year (New Year's Eve).

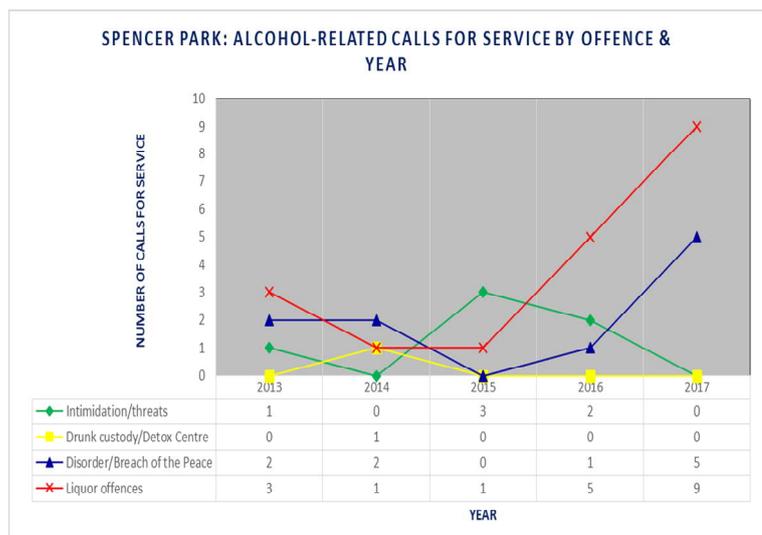
The ban was introduced in 2009 as an early intervention tool to prevent alcohol-related harm in public areas in the Park and on the beach on New Year's Eve.

- Define the Area

The current Alcohol ban area covers part of Spencer Park situated on the southern side of Heyders Road, commencing from 71 Heyders Road, Spencerville, and continuing to the beach, including the beach access and car parking areas as indicated in the Draft Bylaw Schedule 1 Map-12.

- What is the evidence of alcohol-related harm for the area?

Police recorded the total number of alcohol-related Calls for Service by year in Spencer Park which remain minimal from 2013 to 2015. Except for intimidation Calls for Service which decreased in 2017 in comparison with 2013, disorderly and liquor offences have increased. Disorder Calls for Service increased by 200 percent, from



three Calls for Service in 2013 to nine Calls for Service in 2017.

Police data in Spencer Park on New Year's Eve, reveal only two disorderly Calls for Service in 2017. Except for one domestic dispute Calls for Service in 2016, there were no other alcohol-related offences Calls for Service recorded.

The alcohol ban serves as a deterrent tool for the Police to proactively prevent disorder nuisance behaviours and maintain the park as a safe place for families to enjoy themselves.

- Summary

The area is known to local Christchurch residents and visitors for recreation and enjoyment. The area is one of those traditionally family outing destinations among other popular places to visit in Christchurch.

Spencer Park is also adjacent to the residential community of Spencerville with a well-used camping ground and well-developed picnic ground. The Park's proximity to Christchurch and its variety of recreation opportunities and uncrowded beach appeal to most visitors and expected that the level of use of the area will increase through time. The camping opportunity at Spencer Park offers a complete holiday experience and is used for a longer period over summer which gives a status of more of a 'holiday camp' rather than being a camping ground.

The Spencer Park Alcohol Ban applies only on New Year's Eve when celebrations are anticipated to be carried over by people using the Park. An alcohol ban prohibits the possession and consumption of alcohol in Spencer Park area as well as prevent the occurrence of people who will likely gather and drink alcohol to welcome the New Year. The bylaw is seen as the most appropriate way and proportionate in reducing alcohol-related harm that may likely occur in the area. The expected disorder on New Year's Eve in Spencer Park caused or made worse by alcohol will likely arise if the ban is not continued.

Police support without variation the current ban area and time to which alcohol ban apply from 8.30pm on 31 December to 6am on 1 January each year is appropriate in form.

In terms of 147A(3)(b) and (c) of the Act, the proposed replacement New Year's Eve ban area for Spencer Park, as an appropriate and proportionate measure to address the level of alcohol related disorder caused or made worse by alcohol intoxication that is likely to occur.

13. AKAROA

- Define the problem

There is an existing Permanent Alcohol Ban Area in Akaroa from 5pm on 31 December to 7am on 1 January each year (New Year's Eve). Prior to Permanent Alcohol Ban Area being imposed for New Year's Eve, alcohol consumption, broken glass, wilful damage and disorderly behaviour were identified as a significant concern in and around the recreation ground and the business area along the Akaroa waterfront on New Year's Eve. Define the Area

The current ban area covers all of, or the relevant parts of, the following streets: Rue Lavaud, Beach Road, Rue Jolie, Rue Balguerie up to Muter Street, Rue Brittanm Rue Croix, part of Woodills Road up to and including the milk station turning area, Bruce Terrace from Beach Road to Rue Jollie, as well as the lower part of Stanley Park (from Beach Road to Penlington Place). This includes the following areas: Akaroa Beach and the waterfront area (including any wharf or jetty) from Children's Bay to Takapunueke Reserve, the Garden of Tane, Wackerle Green, Reclamation Parking and Slipway Area, Akaroa Recreation Ground, Jubilee Park, Children's Bay and the War Memorial Grounds as indicated in the Draft Bylaw Schedule 1 Map-13.

- What is the evidence of alcohol-related harm for the area?

The Permanent Alcohol Ban Area on New Year's Eve has been found to be successful in addressing problems of drunkenness and disorder in the area.

- Summary

The Akaroa Alcohol Ban applies only on New Year's Eve and was introduced to address alcohol related disorder associated with New Year's celebrations. The current ban would appear to be successful in this regard. Police support without variation the current ban area and time to which alcohol ban apply from 5pm on 31 December to 7am on 1 January each year (New Year's Eve) is appropriate in form.

It is considered that adding Akaroa Alcohol Ban Area to the Schedule of Permanent Alcohol Ban Areas is the most appropriate tool for the Police to use; to prevent risky behaviour and disorder associated with alcohol consumption in the area. In terms of section 147A(3)(b) and (c), the bylaw is seen as the most appropriate way and proportionate in reducing risks associated with alcohol consumption. A high level of disorder caused or made worse by alcohol will likely return in Akaroa area on New Year's Eve if the ban is not continued.

14. OKAINS BAY

- Define the problem

There is currently a Permanent Alcohol Ban Area in Okains Bay from 5pm on 31 December to 7am on 1 January each year (New Year's Eve).

This Ban Area was added to the Bylaw in 2011? Temporary and then Permanent?

Before this Area was added there was anecdotal evidence of disorder issues associated with a cave party at Okains Bay on New Year's Eve. Specifically in 2011, alcohol-related disorderly behaviours were observed when a group of young people advertised a 'Cave' party at Okains Bay on the beach area.

- Define the Area

The Okains Bay alcohol ban area covers the area being the Okains Bay Beach and Okains Bay Road. The area excludes the Okains Bay Camping Ground and a small parcel of adjacent land owned by the Department of Conservation as indicated in the Draft Bylaw Schedule 1 Map-14.

- What is the evidence of alcohol-related harm for the area?

Since the ban was introduced in 2011 there was apparently a considerable decline of disorderly incidents happening in public spaces in the area on New Year's Eve. Presumably this can be attributed to the effectiveness of an alcohol ban applied on New Year's Eve each year.

There were no Police recorded alcohol-related Calls for Service within the Okains Bay alcohol ban area between 2014 to 2017. The Police, however, are of the view that an alcohol ban put in place in Okains Bay will provide ability for the Police to intervene and respond to any issues on New Year's Eve where people and families congregate to celebrate, enjoy, and drink alcohol.

- Summary

The Okains Alcohol Ban applies only on New Year's Eve. The area covers the beach and Council reserves, but excludes the camping ground and a small area of adjacent land administered by the Department of Conservation.

There is a perceived problem that, in the absence of an Alcohol Ban Area being imposed in Okains Bay for New Year's Eve, disorder and drinking alcohol will likely return in the area and that the family friendly atmosphere of the celebrations will be destroyed. Okains Bay is a remote area, which makes it difficult for the Police to quickly intervene should alcohol related disorder arise. A ban covering this area would address the issues that can occur with large numbers of people drinking in public on New Year's Eve. An alcohol ban provides a tool to prevent the recurrence of earlier events when young people gathered together, drank to excess and disrupted the family atmosphere in the campground and beach areas.

Police support the continuation of the current ban area and time to which alcohol ban will apply; from 5pm on 31 December to 7am on 1 January each year.

It is considered that including the current Okains Bay ban area to the Schedule of Permanent Alcohol Ban Areas is the most appropriate way of addressing the problems associated with drinking alcohol in the area on New Year's Eve.

In terms of section 147A(3)(b) and (c) of the Act, the high level of disorder and antisocial behaviour caused or made worse by alcohol consumption is likely to arise in Okains Bay area to which the bylaw is intended to apply if the bylaw is not made. The Bylaw is seen appropriate and proportionate in the light of the likely crime and disorder.

15. [RICCARTON /RACECOURSE](#)

- Define the problem

A temporary alcohol ban has been put in place since 2015 on Cup Day each year from 7am to 12 midnight. Another temporary alcohol ban will be introduced this year on 17 November, New Zealand Cup Day 2018.

Prior to the alcohol ban in 2015, problems primarily associated with intoxication due to preloading of alcohol manifest as people urinating on fences, violence, property damage, empty cans and broken bottles on footpaths and public spaces, and race goers walking out of the venue holding open alcohol bottles and stumbling all over the road. Residents reported dissatisfaction about disorderly and antisocial behaviour, littering, broken glass, urinating on fences, drinking on driveways, and assaults on Cup Day.

In response to residents' concerns and at the request of the Police, Riccarton Park and Canterbury Racing, the first temporary alcohol ban was introduced in the surrounding areas of Riccarton Park on New Zealand Cup Day 2015, to address the alcohol-related harm and disorder in public places.

- Define the Area

The ban area covers both sides of the streets: Yaldhurst Road to Middlepark Road; Epsom Road to Racecourse Road; Buchanans Road to Masham Road to Yaldhurst Road as indicated in the Draft Bylaw Schedule 1 Map-15.

- What is the evidence of alcohol-related harm for the area?

Police have noted that the biggest issue on New Zealand Cup Day event is disorderly behaviour as a result of alcohol intoxication. Indicators for offending rates on New Zealand Cup Day obtained by Police reveal an overall offence increases by a third showing disorderly nearly doubles, while property damage and traffic offending more than doubles compared to an average Saturday in the Racecourse area.

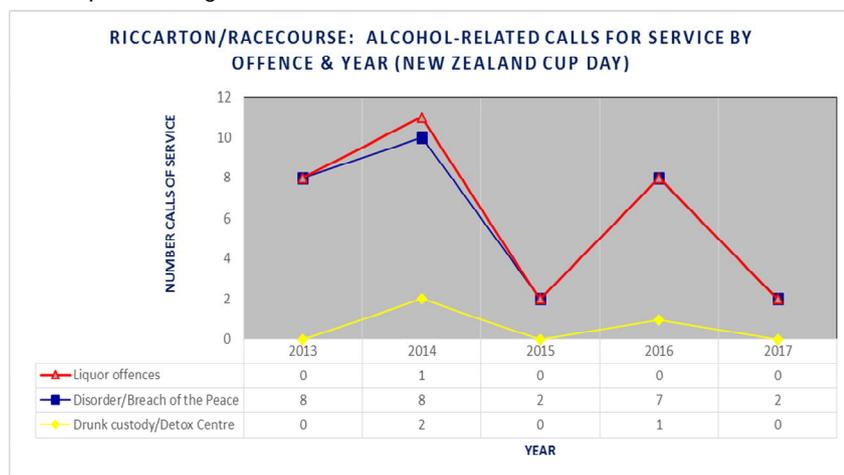
Police have taken different approach in enforcement of the ban which has led to a decrease in detected breaches. Police expect that few Calls for Service at the Cup Day Riccarton Park Racecourse alcohol ban area between the hours of 9am to 7pm because of the Police presence at the venue.

There was a sudden decrease of alcohol-related Calls for Service in 2015 when the first temporary alcohol ban was imposed compared to Calls for Service in 2014. Police observed that compliance with the 2015 alcohol ban was not particularly good, however, improvement in the behaviour of patrons attending the Cup Day was noted.

Police noted a gradual increase on the annual Calls for Service relating to Disorder in the ban area in 2016. They raised concerns about drunkenness and alcohol management by the Canterbury Jockey Club event at Christchurch's Riccarton Park Racecourse. A noticeable improvement of compliance in Cup Day 2016 with fewer people openly breaching the ban were observed. Tighter alcohol restrictions put in place in Racecourse and most people apprehended for breaching the alcohol ban had preloaded and intoxicated patrons were denied entry at the gate of the venue.

In 2017, Police noted some positive changes in patrons' behaviour with very few breaches of the ban detected and significant reduction of preloading of alcohol incidents. Police Calls for Service recorded in Riccarton Racecourse ban area appear to be minimal for the duration of the ban hours.

Police data recorded Calls for Service of alcohol-related offences like disorder and drunk custody from 2013 to 2017 decreased by 75 percent. The small number of Calls for Service within the Riccarton Park Racecourse alcohol ban on New Zealand Cup Day in 2017 indicates that the Council alcohol ban is effective.



- Summary

The Riccarton Racecourse Temporary Alcohol Ban Area is a one-day ban on Cup Day Saturday of Cup Week of November each year. This temporary ban has been put in place since 2015. The ban area is largely residential and relates to large scale events attracting huge crowds.

The Racecourse New Zealand Cup Day has a long history with Christchurch and is an iconic event on 'Show and Cup Week' calendar for many Cantabrians. Over the years, it has become increasingly popular and attracts record crowds with nearing to 20,000 visitors attending each year.

Police noted that the problems associated with drinking alcohol outside the Riccarton Park Cup Day venue are disorderly and antisocial behaviour which negatively affected the amenity and good order to a significant degree.

Police, local residents and licenced businesses in and around Riccarton Park have witnessed on Cup Day each year significant incidents of altercations involving people who were extremely intoxicated, glass being broken on the road and the area surrounding raceway littered with alcohol containers.

An alcohol Ban for Riccarton Park on Cup Day is an integral part of reducing alcohol-related harm at this event. The ban dovetails with the organisers' alcohol management plan for the event to create a landscape that encourages responsible and safe consumption of alcohol. Police strongly believe that including the Riccarton Racecourse Alcohol Ban to the Schedule of Permanent Alcohol Ban Areas is

the most appropriate way of addressing the problems associated with intoxication prevalent on Racecourse New Zealand Cup Day event.

Police strongly support the current ban area and time to which alcohol restrictions apply from 7am to 12midnight on Saturday Cup Day each year as appropriate in form. Police believe the ban gives them the ability to quickly intervene and effectively respond to incidents of alcohol consumption in public places on Saturday Cup Day so that these incidents do not escalate to more serious situations.

In terms of section 147Athe significant level of crime and disorder caused or made worse by drinking alcohol in the Riccarton Racecourse area is likely to arise in the area to which the ban is intended to apply if the alcohol ban area is not made permanent. The bylaw is appropriate and proportionate in the light of that likely crime or disorder.