

## NAPIER CITY COUNCIL

# DRAFT LOCAL ALCOHOL POLICY (LAP) 2025

## STATEMENT OF PROPOSAL

*Prepared under Section 83 of The Local Government Act 2002*

### **Introduction**

Napier City Council (the Council) is reviewing and consulting on its draft Local Alcohol Policy (LAP).

The proposed changes seek to limit and reduce alcohol related harm in our communities. We are seeking your views on the proposed changes.

A LAP is a set of decisions made by the Council in consultation with the community about the sale and supply of alcohol in its area.

The current LAP came into effect in 2019 and it is now due for review.

### **Legislative background**

The object of the Sale and Supply of Alcohol Act 2012 (the Act) is that -

- (a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
- (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Key features of the Act include:

- increasing the ability of local communities to have a say about where and when alcohol can be sold.
- alcohol licences are harder to get and easier to lose through introduction of local alcohol policies and criteria for objecting to license application, and there are stronger penalties for those who fail to comply with the law.
- strengthening the restrictions on those that on the type of premises that can sell alcohol and restrictions on the irresponsible promotion of alcohol.
- providing for local alcohol policies (LAPs) which enable councils to include policies on matters relating to alcohol licensing.

LAPs have legal standing under the Act. This means that licensing bodies, such as the District Licensing Committee (DLC) and The Alcohol and Regulatory Licensing Authority (ARLA), must consider it when they make decisions about alcohol licensing applications.

The Council has a role in alcohol licensing by way of the LAP, through administration of the DLC and through its regulatory and enforcement roles.

Council must follow the special consultative procedure in reviewing the LAP. This Statement of Proposal has been prepared in accordance with the Local Government Act 2002.

## **Why is the Council proposing a Draft LAP?**

This review allows the Council and communities to set outcomes and have influence on alcohol licensing decisions in Napier City for the next six years.

## **Local Alcohol Policy Research Report**

The Council has prepared a Local Alcohol Policy Research Report to gather information and initial feedback from stakeholders on alcohol in the community and to inform the review of the Local Alcohol Policy.

The Research Report considers a range of matters, including the:

- objectives and policies of its district plan.
- number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises.
- areas in which bylaws prohibiting alcohol in public places are in force.
- demography of the district's residents.
- demography of people who visit the district as tourists or holidaymakers.
- overall health indicators of the district's residents.
- nature and severity of the alcohol-related problems arising in the district.

Overall, there is continued harm from alcohol in the community. The issues identified include:

- Alcohol related harm has a substantial community and economic cost.
- Alcohol related harms are not fairly distributed and health burden from alcohol is disproportionately borne by Māori and male. Māori are twice as likely to die from alcohol-related causes compared to non-Māori.
- The relationship between alcohol availability, trading hours, and alcohol-related harm is well-established. International and national studies document that longer trading hours and consequent greater availability increases alcohol related harm at a community level.
- Alcohol related harms include acute and chronic health problems, alcohol related traffic and crime offences, violence and unintended injury.
- Alcohol related harm starts to increase from 9.00 pm.
- Alcohol related harm is more prevalent during the weekends, particularly Saturday nights, and early Sunday morning, and increases in the summer months of the year.
- Patterns of heavy consumption of alcohol, especially among the young.

The Council must not produce a draft policy without having consulted the Police, inspectors, and Medical Officers of Health, each of whom must, if asked by the Council to do so, make reasonable efforts to give the authority any information they hold. Information has been supplied to Council by Police, inspectors and the Medical Officers of Health.

The full Research Report is available online at <https://www.sayitnapier.nz/ncc/>

## **Summary of proposed changes**

A full copy of the draft LAP with proposed changes is available on the Council's website.

The main areas of change proposed are:

- **New LAP:** A dedicated LAP for Napier City with the following amendments from the 2019 LAP:
  1. **Maximum trading hours policy:**
    - a) Reduction in maximum trading hours of 8.00 am to 2.00 am for on-licenses that are taverns/bars/pubs/night-clubs.
    - b) A reduction of hours for all off-licences of maximum trading hours of 9.00 am to 9.00 pm Monday to Sunday.
    - c) Club licenses: retain licensing hours that are to be consistent with the nature and activities of the club and in general shall range from: 8.00 am to 1.00 am the following day Monday to Sunday.
    - d) Special licenses: a restriction of 8.00 am to 2.00 am the following day unless there are suitable reasons to extend these hours.
  2. **Location of licensed premises policy:** Retain the existing provision that no further off-licences are to be issued for any premises being a bottle store in Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui.
  3. **New range of Discretionary Conditions:** Additional discretionary conditions including
    - a. no single sale of Ready to Drink (RTD) or mainstream beer under 500ml. (off licence provision),
    - b. conditions restricting alcohol related signage and advertising,
    - c. utilising the principles of Crime Prevention Through Environmental design,
    - d. requirement to complete an impact assessment,
    - e. incident reporting and logging, and
    - f. new discretionary conditions for special licences including serve reduction systems in place to manage intoxication levels from a maximum serves of 4 per sale to 2 and no full bottle wine sales for onsite consumption (note these conditions are discretionary).
  4. **One-way door restriction:** This is a policy that allows people to leave the premises but not to re-enter once they have left. The policy will remain as per the 2019 LAP, which is mandatory one-way door policy at 1.00 am for on-licenses that are taverns/bars/pubs/night-clubs.

### Distribution

The Draft LAP is available on the Council's website at: <https://www.sayitnapier.nz/ncc/>

A printed copy may be requested from any Council library or the Customer Service Centre.

### Proposed timetable for public consultation

30 January 2025	Council workshop to inform draft LAP.
20 February 2025	Council adopts the draft LAP and Statement of Proposal for Consultation.
14 March 2025	Draft LAP is made available online for public consultation. Submissions open

Throughout March / April 2025	Facebook posts, Council newsletter, letters to stakeholders, panui to Māori organisations sent via Te Waka Rangapū, and Council's consultation web page.
31 March 2025	Joint Napier and Hastings stakeholder presentation – details to be confirmed.
2 April 2025	Licensee Presentation – details to be confirmed.
14 April 2025	Submissions close 5.00 pm.
29 April 2025	Local Alcohol Policy Committee Hearings Submissions heard by committee.
26 June 2025	Council considers outcome of consultation process and adopts the LAP including any revisions arising from consultation.
30 June 2025	Give public notice of the LAP. Required 30 days prior to adoption.
15 August 2025	LAP in force.

## Have your say

### We need your feedback by 5.00 pm on Monday 14 April 2025

This Draft LAP is a proposal. You have an opportunity to have your say before it is finalised.

The public consultation period for the LAP will be open from 14 March 2025 to 14 April 2025. During this time, we invite you to share your thoughts on any aspect of the Draft LAP.

Any person or organisation making a submission may request to be heard in support of their submission. The date tentatively set down for this is 29 April 2025.

Submissions can be made in the following ways:

- Online (preferred): visit <https://www.sayitnapier.nz/ncc/>
- Email: Send your feedback to [info@napier.govt.nz](mailto:info@napier.govt.nz)
- In writing: Mail your submission to posted to:
  - Draft Local Alcohol Policy
  - Napier City Council
  - Private Bag 6010
  - Napier 4142
  - New Zealand
- In person: Drop your submission to Napier City Council Customer Service Centre, 215 Hastings Street, or the Napier or Taradale libraries.

All submissions must be received no later than 5.00 pm on Monday 14 April 2025. All submissions received will be acknowledged and will become publicly available information.

Hard copies available of the Local Alcohol Policy Research Report and Draft Local Alcohol Policy are available the Napier City Council website and at Napier City Council's Customer Service Centre, 215 Hastings Street and Napier's public libraries.