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CITY COUNCIL

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ORDINARY MEETING OF COUNCIL

Open Attachments (Under separate cover 2)

Meeting Date: Thursday 20 February 2025

Time: 9.30am

Venue: Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

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Napier City Council
Local Alcohol Policy

Research Report
January 2024

To support the review of Napier City Council's Local Alcohol Policy

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Executive Summary

This paper sets out background information and data to support and inform a review of the Napier City Local Alcohol Policy (LAP).

Key findings:

- As of December 2024, there were a total of 230 licences (On, Off, and Club) throughout Napier City that sell and supply alcohol. That is, approximately 35 licences per 10,000 residents in Napier City. There are approximately 23 licences per 10,000 residents in New Zealand.
- Since 2020, the number of special licences has continued to increase, with around 140 being issued in 2024 for a variety of events in Napier City compared with just over 100 in 2020 and 2021.
- There are 6 of the 137 on-licences open to the maximum permitted in LAP, being a 3am closing time. In total, there are 78 premises licensed to stay open until after 12am midnight.
- There is strong international and domestic evidence that support the proposition that the longer licensed premises are open, the more alcohol related harm that can be attributed to them including:
- NZ Police believe that off licences contribute to alcohol related harm by among other things facilitating pre and side loading. Evidence is that reductions in hours of sale both on and off licensed premises are associated with reduced alcohol related harm.
- The Medical Officer of Health states there is clear evidence that alcohol-related harm is higher among communities who live in high levels of deprivation. There is also clear evidence that the density of licensed premises within a community correlates with levels of alcohol related harm.
- Alcohol causes significant harms to individuals, whānau and communities, costing NZ an estimated \$9.1 billion each year (NZIER, 2024).
- 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 (Chambers, et al., 2024).
- Councils wishing to develop a LAP can be confident that setting broad limits on trading hours and density is an effective way to reduce alcohol harm with strong community support (as cited in Public Health Communication Centre, 2024).
- Off-licences, including supermarkets and grocery stores, sell over 80% of all alcohol in New Zealand. These outlets are easily accessible and often operate with long trading hours, which increases the potential for alcohol-related harm, as alcohol is consumed in unregulated environments where supervision is minimal.
- Lastly, the absence of regulation concerning remote sales from off-licenses is a significant issue, particularly in a market where an increasing proportion of the population is turning to online platforms to purchase alcohol. This is an area that warrants attention in order to mitigate alcohol-related harm.

Introduction

Purpose

The purpose of this report is to examine alcohol-related harm data required under Section 78 of the Sale and Supply of Alcohol Act 2012 (the Act). This report aims to provide assessment of available information to inform the review of the Napier City Council (NCC) Local Alcohol Policy.

The Policy is required to be reviewed no later than 6 years after it came into force.

The Research Report should be read in conjunction with the Issues and Options Report which examines various options available to the Council as part of its review of the LAP.

Evidence indicates that alcohol-related harm is present within Napier City, with Māori, youth, and individuals residing in areas of socio-economic deprivation experiencing disproportionate impacts. In response, the Council has explored a variety of policy measures aimed at further reducing alcohol-related harm. These proposed measures are outlined in the draft LAP, which is open for community consultation.

Scope

The scope and structure of this Research Report aligns with the requirements for developing a Local Alcohol Policy as set out in section 78 of the Sale and Supply of Alcohol Act 2012 (the Act). This section states that when producing a draft policy, a territorial authority must have regard to—

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

Methodology

Data collection for this research report involved two key components. First, staff collaborated with Hastings District Council Officers to collate and analyse information to inform development of the Local Alcohol Policy. Relevant alcohol literature was also reviewed, with a list of references provided at the end of this report. Second, staff engaged with NZ Police and the Medical Officer of Health to make them aware of the policy review and gather data to inform the process.

Background

Alcohol is a legalised drug with the potential to cause serious harm (Law Commission, 2010).

In 2023/24, four in every five adults (76.0%) drank alcohol in the past year, a decrease since 2019/20 (81.6%) (Ministry of Health, 2024).

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

- (a) That 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.

Harm is defined very widely and includes any crime, damage, death, disease, disorderly behaviour, illness, or injury to individuals or the community either directly or indirectly caused by excessive or inappropriate alcohol consumption.

The Act allows territorial authorities to develop local alcohol policies (LAPs).

A LAP is a set of decisions made by a territorial authority in consultation with its community about the sale and supply of alcohol in its geographical area. Once a LAP is in place, licensing bodies will have to consider the policy when they make decisions on licence applications.

Section 78 of the Act requires when producing a draft policy, a territorial authority must have regard to—

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

As per section 97 of the Act, a territorial authority must review the policy utilising the Special Consultative Procedure no later than 6 years after it came into force and no later than the 6 years after the most recent review was completed.

When reviewing a LAP, the territorial authority must follow the process as if it were the adoption of a new LAP (i.e. using the special consultative procedure).

Section 78(2)(a): Objectives and policies of the district plan

The District Plan is a formal document prepared under the provisions of the Resource Management Act 1991.

Relevant objectives of the Proposed District Plan

Some of the relevant objectives of the Proposed District Plan are the following:

- SD-UFD-O3: Napier CBD - A vibrant and sustainable Napier CBD, with a mix of complementary activities and public spaces that encourage inner city/fringe city living.
- SD-UFD-05: Centre Zones - Centre zones provide for community and economic wellbeing by:
 - a. Being a focal point for economic and community life, including through agglomeration of retail, hospitality, and community facilities.
- SD-UFD-O10: Quality environment - Attractive, safe, and healthy environments to live, work, and play.
- LCZ-O2: Character and amenity - Development and activities contribute to an attractive local centre that does not detract from the character of
 - a. suburban environment.

Relevant policies of the Proposed District Plan include:

- SD-UFD-P6: Integration with social facilities - Enable social facilities to meet the diverse demographic and cultural needs of people and communities.
- Additionally, matters of discretion for additions and alterations within the Local Centre Zone are the following:
 1. Vibrancy and vitality of the local centre;
 2. Safety, attractiveness, and connectivity of streets and public open spaces;
 3. Resilience and infrastructure, and
 4. Quality living environments.

The commercial objective of the commercial environments is to enable the continued use and development of commercial activities and resources while ensuring the adverse effects on nearby land uses are avoided, remedied, or mitigated. Policies to achieve this objective include:

- Ensure that the effects of noise generated within the zone do not extend beyond the zone boundary.
- Ensure that new residential activities in the commercial area do not give rise to reverse sensitivity effects for noise.
- Avoid, remedy or mitigate the effects of light spill beyond the zone boundary.
- Avoid, remedy or mitigate the effects of signs on the amenity of adjoining residential zones.
- Identify distinct commercial zones within the City that recognise the existing investment in commercial infrastructure.

The Operative District Plan states that noise has become one of the more significant effects of commercial areas with changes to the operating hours of shopping centres and also with the increasing number of cafes and bars. Changes to the liquor licensing laws have also meant that the effects of noise from commercial zones are more noticeable. Commercial zones are an appropriate place for these types of land uses. However the effects beyond the zone must be managed.

Research found that zoning policies would have greatest impact on the most deprived neighbourhoods that were estimated to experience reductions in violent crime (Trangenstein, et al., 2020). However, there is a lack of published outcome evaluations relevant to New Zealand to inform an understanding of the effectiveness of zoning changes on indicators of alcohol-related harm (Alcohol Healthwatch, 2024).

Section 78(2)(b): Number of licences, location and opening hours

As of December 2024, there were a total of 232 licences (On, Off, and Club) throughout Napier City that sell and supply alcohol. That is, approximately 35 licences per 10,000 residents in Napier City. There are approximately 23 licences per 10,000 residents in New Zealand.

On-licences: number, location and opening hours

Napier has a total of 138 on-licences, including pubs, restaurants, cafés and bars.

On-licenses are commonly located in Ahuriri, Napier South and Taradale.

The most common on-license opening hours are 8.00am, and closing times are between 12am (midnight) and 2am. There are 6 of the 137 on-licences open to the maximum permitted in LAP, being a 3am closing time. In total, there are 78 premises licensed to stay open until after 12am midnight.

While these are the licensed hours, many premises will not open until later in the day.

Off-licences: number, location and opening hours

Napier has a total of 62 off-licences, including bottle stores, remote sellers and supermarkets.

Off-licences are commonly located Ahuriri, Napier South, Onekawa and Taradale.

The most common licensed opening time is 9.00am and the most common closing time is 10pm (32 Licences).

Currently, 21 of the 62 off-licences are remote sellers that open or close at 'anytime', however these are online sales only.

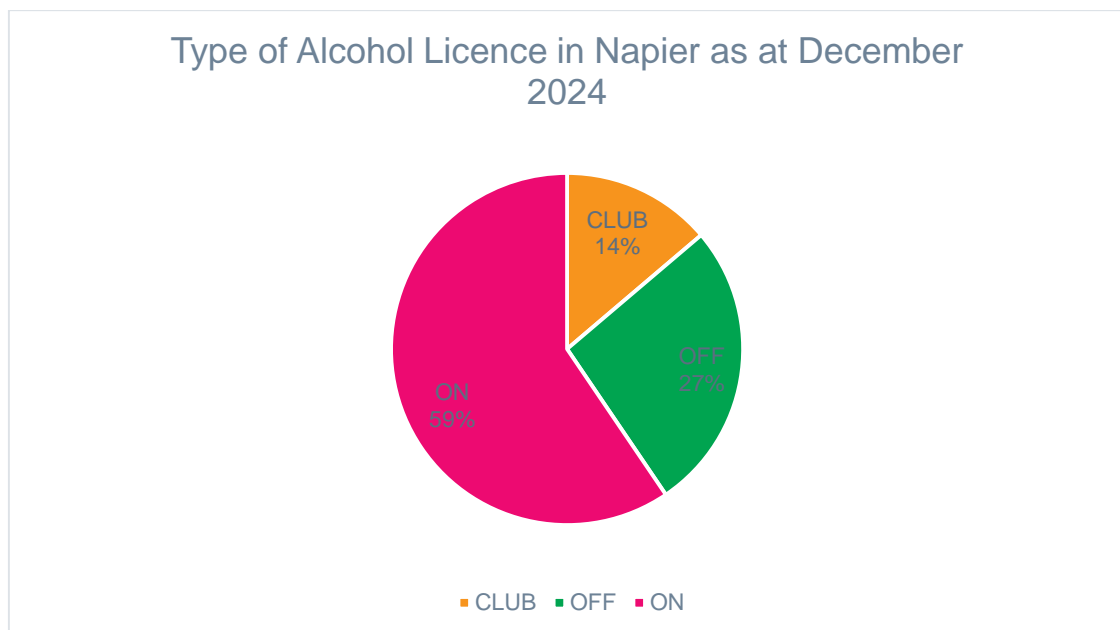
Napier City has 9 supermarkets or grocery stores can open at 7am and close at 10pm. There are 23 other off-licences with a closing time of 10.00pm.

Club licences: number, location and opening hours

Napier has a total of 32 club licences, including various sports clubs, theatrical society, and social clubs.

Club licences are commonly located in Ahuriri, Marewa, Napier, Onekawa and Taradale.

Many of the Club licences (14/31) have a closing time of 1.00 am.



Graph 1: Type of Alcohol Licence in Napier as at December 2024.

Locations of licenced premises

Appendix 1 includes a map of Napier provides the locations of licenced premises as at 29 January 2025. In summary, licenced premises are located in the following city and suburban areas:

Ward / Suburb	OFF	ON	CLUB	Grand Total
Ahuriri	6	28	3	37
Awatoto		1	1	2
Bayview	4	3	3	10
Bluff Hill	3		2	5
Greenmeadows	4	2	1	7
Hospital Hill		1		1
Maraenui	1			1
Marewa	3	2	4	9
Meeanee	3	3	1	7
Napier	3	11	3	17
Napier South	15	59	2	76
Onekawa	5	5	3	13
Pandora	2			2
Pirimai	2			2
Poraiti	1		2	3
Tamatea	2	3	2	7
Taradale	5	15	4	24
Te Awa	1			1
Westshore	2	5	1	8
Grand Total	62	138	32	232

Table 1: Locations of Licensed premises by ward / suburb

Special licences: number, location and opening hours

Napier City has a variety of events that hold special licence such as sports events, art deco weekend, festivals and concerts. There is a trend of more special licences being sought is increasing year on year.



Graph 2: Number of special licences in Napier City 2020 to 2024

Section 78(2)(c): Areas in which bylaws prohibit alcohol in public places

Pursuant to section 147 of the Local Government Act 2002, council may make bylaws for the purpose of prohibiting or regulating the following:

- The consumption of alcohol in public places;
- The bringing of alcohol into public places;
- The possession of alcohol in public places.

Council has “The Napier City Public Places Liquor Control Bylaw 2021” which came into force on 21st December 2021. The primary purpose of this bylaw is to enhance safety and the public enjoyment of public places in a responsible manner, particularly within the central city, by providing for liquor control in specified public areas to reduce the incidence of alcohol-related offences, particularly those of a violent and/or destructive nature.

Alcohol ban areas are located within the Napier CBD, Marewa, Ahuriri, Taradale, Westshore, and Maraenui.

Section 78(2)(d) and Section 78(2)(e): Demography of residents and people who visit Napier

To provide an understanding of the demography of residents in Napier, this section examines various demographic characteristics including ethnic groups, age profile, geographic distribution and level of socioeconomic deprivation.

According to the 2023 Census,

- The Hawke’s Bay region has a total population of 175,074.
- The usually resident population in Napier City is 64,695 which is an increase of 3.9% since 2018. For comparison, New Zealand's overall population grew by 6.3% during the same period.
- Ethnic groups in the Napier city included European (79%), Māori (24.2%), Pacific peoples (4.2%), Asian (6.5%), Middle Eastern/Latin American/African (1.0%), and Other ethnicity (1.3%).
- The largest age group in Napier City are individuals aged 10-14 (6.8%). With the median age being 42 years.
- The percentage of the population in the 25-64 years age group in Napier is 49.4% as at 30 June 2023.
- There are 26,739 dwellings in Napier City as of the 2023 census which is an increase from 25,287 since the 2018 census.

A range of social and economic regional data, is available online at <https://hawkesbay.communitycompass.co.nz/monitor/summary/overview>

This social and economic data includes Napier City being ranked:

- 3 out of 66 available districts for the Crime Rate (2024). A rank of 1 means the district has the highest Crime Rate.
- 33 out of 60 available districts for the Deprivation Index (2024). A rank of 1 means the district has the highest Deprivation Index. Note this is an

average and some parts of Napier rank in the highest deprivation levels across the whole of NZ (eg, Maraenui, Onekawa East and Marewa East rank 1st= of 1916 communities in all of NZ) – see here:

<https://hawkesbay.communitycompass.co.nz/monitor/deprivation/key-metrics/index>

- 39 out of 66 available districts for the Cancer Mortality Rate (2018). A rank of 1 means the district has the highest Cancer Mortality Rate.

The population weighted deprivation index in Napier, for 2018 is 5.9. The most deprived areas in Napier City include Maraenui, Onekawa, and Tamatea (10 deprivation index 2018).

Tourists and Visitors

The demography of people who visit Napier is influenced by its art deco architecture, festivals, many wineries, restaurants, bars and cafes. In a pre-COVID environment, approximately 70-75% of visitors to Hawke's Bay were from domestic regions. They may visit to see friends and relatives, attend an event, a wedding or a conference or may purely be in the region to have a holiday. Most visit during the summer months of December / January and February but increasingly visitors are coming in 'shoulder season months' like October / November and March / April.

Hawke's Bay's Visitor Economy is the third largest contributor to regional GDP (after processing/manufacturing and agriculture) and is estimated to represent 9-10% of the total employment in the region. It therefore plays an important role in bringing money into the economy, and supporting jobs and businesses, including the Napier CBD.

Analysis undertaken by specialist economic impact modelling agency Hughes Economics, Auckland (January '23) indicates that the total direct visitor spending in Hawkes Bay over the year ended October 2022, of \$696 million, has a total direct plus flow-on or multiplied GDP or economic activity impact within the region of \$666.31 million and a total flow-on employment impact in the area of 9,468 full/part-time employees.

Total visitor industry GDP in the region grew at an estimated annual average rate of 5-6% over the 2012-2022 interval, compared to the 'all industries' growth figure of 4.7%.

According to New Zealand tourism data accessed online, 32% of visitors to Hawke's Bay are in the age range of 18-34 and activities most associated with the region include art deco heritage, vineyard tastings, wine trails, and brewery or vineyard tours.

Section 78(2)(f): Overall health indicators of residents

This section presents overall health indicators of residents.

There is clear evidence nationally that alcohol-related harm is higher among communities who live in high levels of deprivation (Ministry of Health, 2024).

Harm is also evident in the Napier community, with the majority of alcohol-related presentations to Hawke's Bay Hospital's Emergency Department (ED) from Decile 8 - 10 suburbs (see Table 2 below).

Top five suburbs in the Napier City Council area for alcohol-related emergency department presentations November 2021 – October 2023		
Suburb	Count	Deprivation
Marewa	43	10
Greenmeadows	37	5
Maraenui	37	10
Onekawa	34	10
Nelson Park	30	8

Table 2: Top five suburbs in the Napier City Council area for alcohol-related emergency department presentations November 2021 – October 2023

The New Zealand Health Survey, which provides results by gender, age group, ethnic group, neighbourhood deprivation and disability status. The Survey includes 180+ indicators with data for the 2023/24 collected between July 2023 and July 2024, and a sample size of 9,719 adults and 3,062 children. Note this dates is for all of New Zealand, not specifically Hawkes Bay or Napier.

Self-rated health

- Most adults (85.4%) reported that they were in 'good health' (which is defined as good, very good or excellent) in 2023/24. This is similar to 2022/23, when 86.2% of adults stated they were in good health.
- In 2023/24, disabled adults were less likely (60.0%) to have reported being in good health than non-disabled adults (87.8%), after adjusting for age and gender.
- Nearly all children were in good health in 2023/24. 96.5% of children were reported by their parents to be in 'good health' compared to 98.2% five years ago.
- 82.0% of adults reported high or very high family wellbeing in 2023/24.
- Disabled adults were less likely to report high levels of life satisfaction (61.0%) than non-disabled adults (85.0%).

Psychological distress

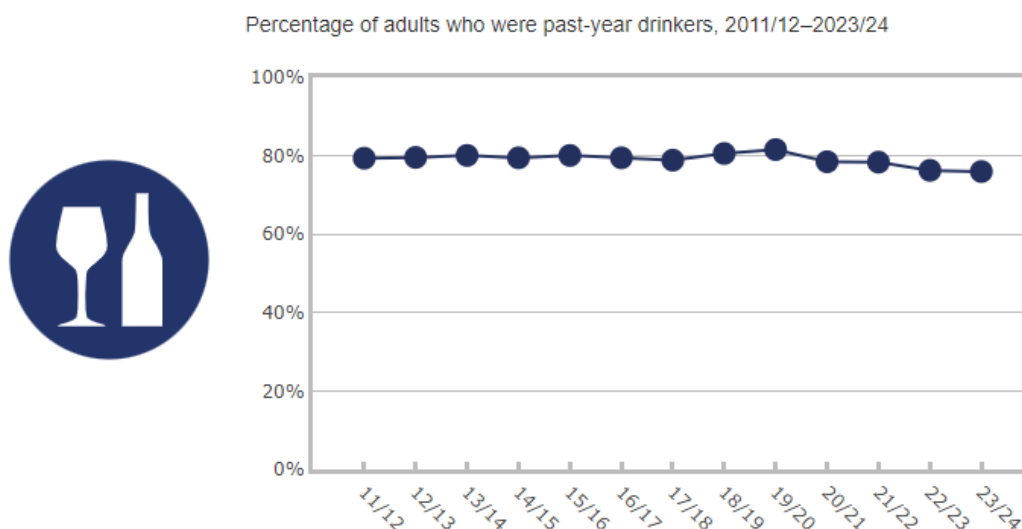
- In 2023/24, 67.8% of adults experienced none or low levels of psychological distress with 19.1% experiencing moderate levels in the four weeks prior to the 2023/24 survey. However, one in eight adults (13.0%) experienced high or very levels of psychological distress.

- After adjusting for age and gender differences, Māori and Pacific adults were 1.4 and 1.3 times as likely to have experienced psychological distress as non-Māori and non-Pacific adults, respectively.
- Adults living in the most socioeconomically deprived areas were 1.7 times as likely to have experienced psychological distress as those in the least deprived areas, after adjusting for age, gender and ethnicity.
- High or very high levels of psychological distress were more common in young adults aged 15–24 years (22.9%), disabled adults (33.2%), and in Pacific (20.0%) and Māori (19.5%) adults.
- High or very high levels of psychological distress have increased over the last five years (8.3% in 2018/19 to 13.0% in 2023/24), with the largest increase in those aged 25–34 years (from 8.8% to 18.0%).
- Disabled adults were more likely to experience high or very high levels of psychological distress than non-disabled adults (33.2% and 11.2%, respectively).

Past year drinking

- In 2023/24, four in every five adults (76.0%) drank alcohol in the past year, a decrease since 2019/20 (81.6%).
- Although the legal age for purchasing alcohol in New Zealand is 18 years old, 51.0% of those aged 15–17 years drank alcohol in the past year.
- Men were 1.1 times as likely to have been past-year drinkers than women, after adjusting for age.
- Pacific and Asian adults were less likely to have had alcohol in the past year than non-Pacific and non-Asian adults, after adjusting for age and gender.
- After adjusting for age, gender, and ethnic group, those in the most socioeconomically deprived areas were less likely to have consumed alcohol in the past year than those living in the least deprived areas.
- Disabled adults were less likely to have drunk alcohol in the past year than non-disabled adults, after adjusting for age and gender. The rates were 66.5% and 76.9%, respectively.

Past-year drinking

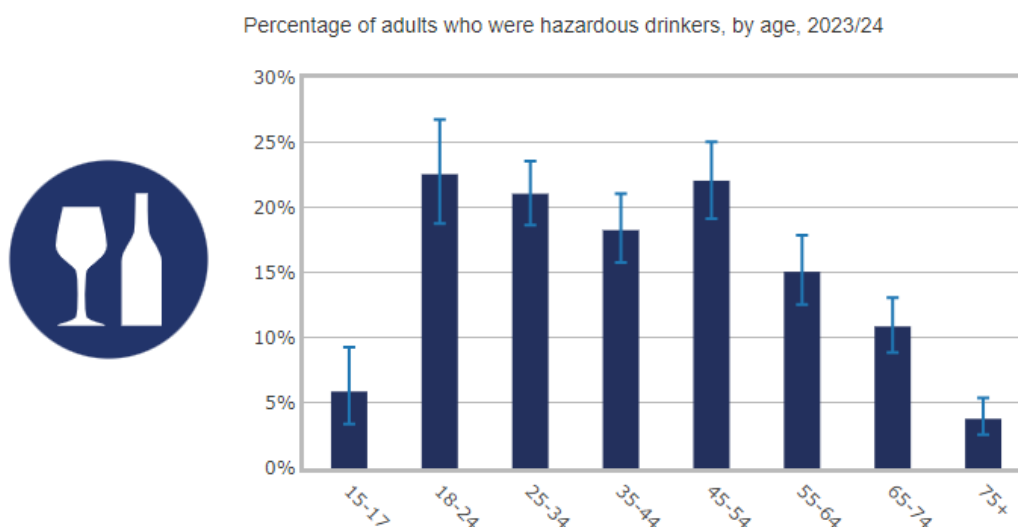


Graph 3: Percentage of adults who were past-year drinkers, 2011/12–2023/24 (Ministry of Health, 2024).

Hazardous drinking

- In 2023/24, the highest prevalence of hazardous drinking was among those aged 18–24 years, at 22.6%. The prevalence of hazardous drinking was also high in those aged 25–34 (21.1%), 35–44 (18.3%) and 45–54 (22.1%).
- The rate of hazardous drinking was 16.6%, which is equivalent to about 720,000 adults. This is similar to last year (16.0%), but down from 20.4% in 2018/19.
- The largest decrease in hazardous drinking over the last five years was among young people 18–24 years (from 35.8% to 22.6%).
- The prevalence of hazardous drinking was 22.2% among men and 11.2% among women. Men were 2.0 times more likely to be hazardous drinkers than women, after adjusting for age.
- Asian adults (5.7%) had the lowest rate of hazardous drinking compared to other ethnic groups: Māori (29.6%), Pacific (16.2%) and European/Other (17.9%).
- One in 12 adults (8.2%) reported drinking six or more drinks on one occasion at least weekly. This is a decrease since 2018/19, when the rate was 12.3%.

Hazardous drinking



Graph 4: Percentage of adults who were hazardous drinkers, by age, 2023/24 (Ministry of Health, 2024).

Napier City health indicators

In Napier City, other indicators of overall health include:

- **Life expectancy:** The life expectancy of a Napier City resident is 78.8 years for Males and 82.6 for Females. This is lower than the national life expectancy of 80 years for males and 83.5 years for females based on Stats NZ data available online between 2017-2019.
- **Wellbeing:** Following a spike in mental distress during the post-cyclone period, the community mental wellbeing index decreased to 10.5, indicating reduced distress. Most mental wellbeing attributes returned to their historical levels, with the exception of the persistent slightly higher level of individuals feeling worried about everyday problems (48%).
- **Personal health:** Similar to mental health wellbeing, Cyclone Gabrielle was a significant contributing factor for respondents rating their personal health in the post-cyclone period. Later in 2023, more respondents rated their personal health as 'good' or 'very good' (64%). However, this result remained below the levels observed from 2020 (70%) to 2022 (69%) (Napier City Council, 2023).

Section 78(2)(g) Nature and severity of the alcohol-related problems

Alcohol related harm data

Alcohol related harm spans a wide range of impacts due to the ubiquitousness of alcohol in people's lives and the wide range of consequences that alcohol consumption may have (NZIER, 2024).

Alcohol causes a substantial preventable health burden. The health burden was disproportionately borne by Māori and males. Cancers, injuries and wholly attributable alcohol conditions (e.g. alcohol use disorders) contribute the large majority of alcohol-attributable mortality and morbidity (Chambers, et al., 2024).

In the Act, alcohol-related harm means the harm caused by the excessive or inappropriate consumption of alcohol; and includes any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury.

Harms include many significant concerns for the government and the public, such as cancers, road crashes, crime, mental illness, suicide, and family harm (NZIER, 2024). Many of these impact drinkers and non-drinkers alike and have ripple effects affecting multiple sectors and even intergenerational outcomes (NZIER, 2024). Short-term harms include alcohol poisoning, and injury from violence and accidents. Examples of long-term harms include liver disease, alcohol use disorder, various cancers and dementia. Harms to other people can come from unintentional injury (eg traffic, fire), miscarriage, or foetal alcohol spectrum disorder.

What type of licenced premises is causing harm?

There is high quality evidence that consistently shows that reducing alcohol availability reduces alcohol-related harm (as cited in Public Health Communication Centre, 2024), accordingly:

- Closing bars and pubs (on-licences) earlier leads to fewer physical harms including assaults, (Connor et al., 2021), injuries and vehicle crashes (Nepal, et al., 2020) and Wilkonson, et al., 2016).
- European studies indicate limiting off-premises trading hours has similar benefits and also reduces consumption (Babor et al., 2023).
- NZ data shows people buying take-away alcohol after 10pm from off-licences are more likely to be heavier drinkers (Casswell, et al., 2014).
- Recent evidence suggests outlet density has a greater impact on high-risk drinking among lower income groups,11 and in NZ, higher off-licence premises density has been linked to a greater likelihood of binge drinking (Connor., et al., 2011)

A study by Crossin, et al., 2023 indicated that alcohol remained the most harmful drug for the total population when separately considering harm to those who use it, and harm to others. Māori tend to be overrepresented in drug harm incidents and have disproportionate alcohol-related harm (as cited in Crossin, et al., 2023).

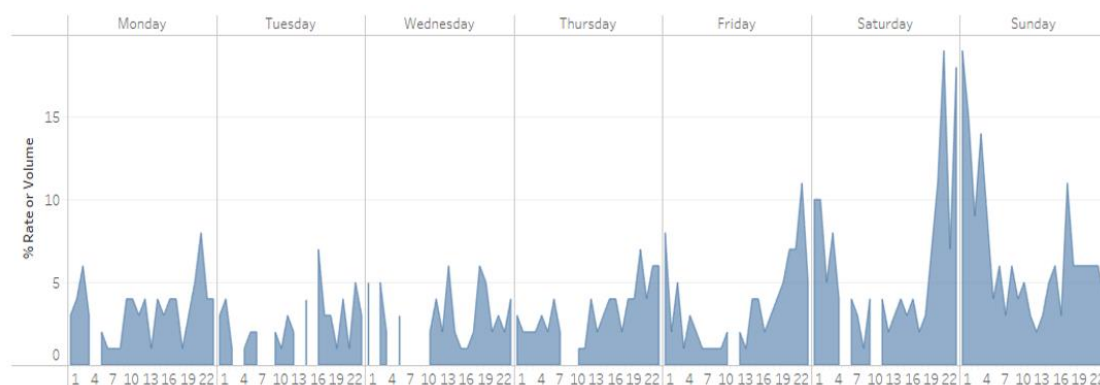
The analysis of alcohol-related harm in Napier through both Emergency Department data and NZ Police data reveals clear peak periods occurring late at night and in the early morning, especially over weekends.

Evidence suggests that on-demand services may increase alcohol-related harm (particularly due to its influence on underage and binge drinking), through increased access, poor age verification and lack of vendor liability (as cited in Public Health Communication Centre, 2024). Research has recommended closing all loopholes in the Act regarding online sales that may undermine the effect of LAPs (as cited in Public Health Communication Centre, 2024). Researchers note that LAP trading hours must apply to online sales and deliveries, and a 2-hour delay before delivery is needed to improve safety. Checks to prevent supply or delivery to minors and intoxicated people should meet the requirements placed on physical outlets.

Alcohol related presentations into Hawke's Bay Hospital Emergency Department

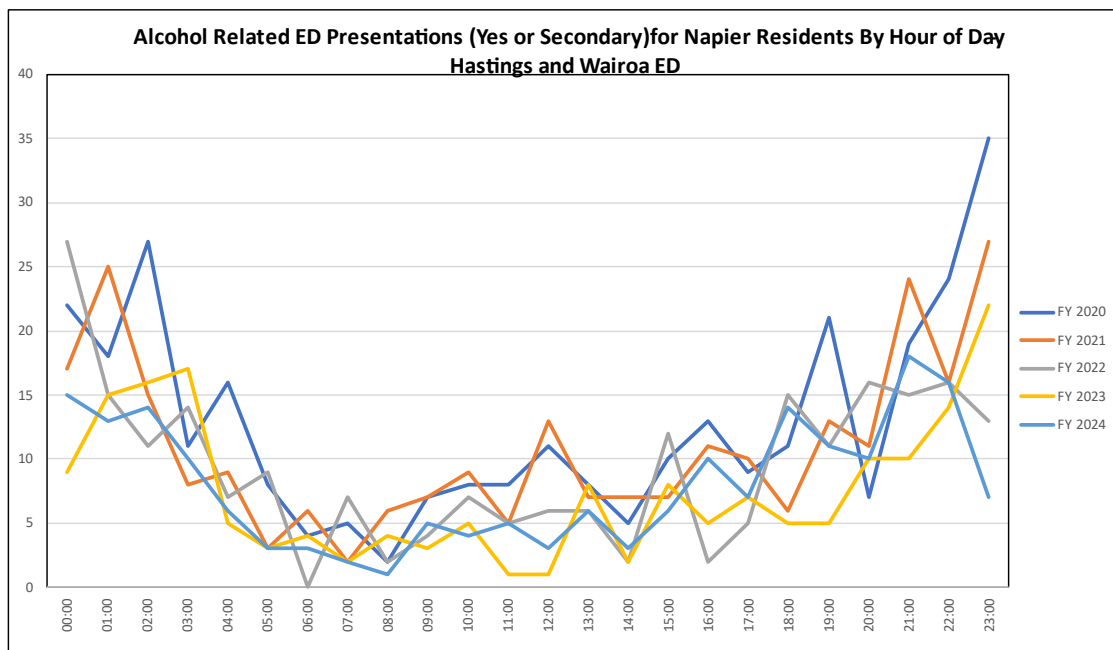
Data on alcohol related presentations into Hawke's Bay Hospital Emergency Department data were reviewed as a part of the research requirements.

Saturday and Sunday have the highest rates of alcohol related presentations into ED, followed closely by Friday. Rates of alcohol related ED presentations peak Saturday 9pm and again at midnight Saturday / Sunday morning. Rates start to rise from Friday night 10.00 pm through to 4.00 am Sunday morning. A total of 46% of the alcohol related presentations occur over the weekend (298 of the 641 total alcohol related presentations).



Graph 5: Rate of alcohol related presentations into Hawke's Bay Hospital Emergency Department

For most days of the week emergency department presentations start to rise from 7pm (1900hrs) as seen in the graphic below, this trend has not changed over the last 4 years. Policy provisions in the LAP could help reduce alcohol related harm by intervening at these times of highest harm.

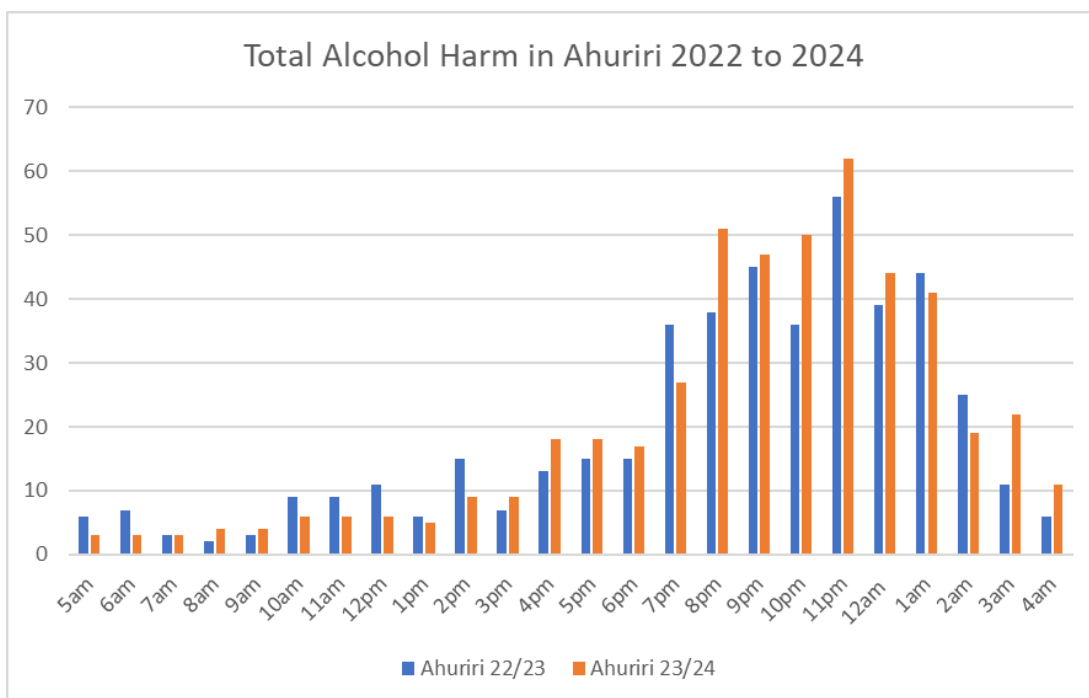


Graph 6: Alcohol Related Emergency Department Presentations by hour of Day

New Zealand Police total alcohol harm incident data

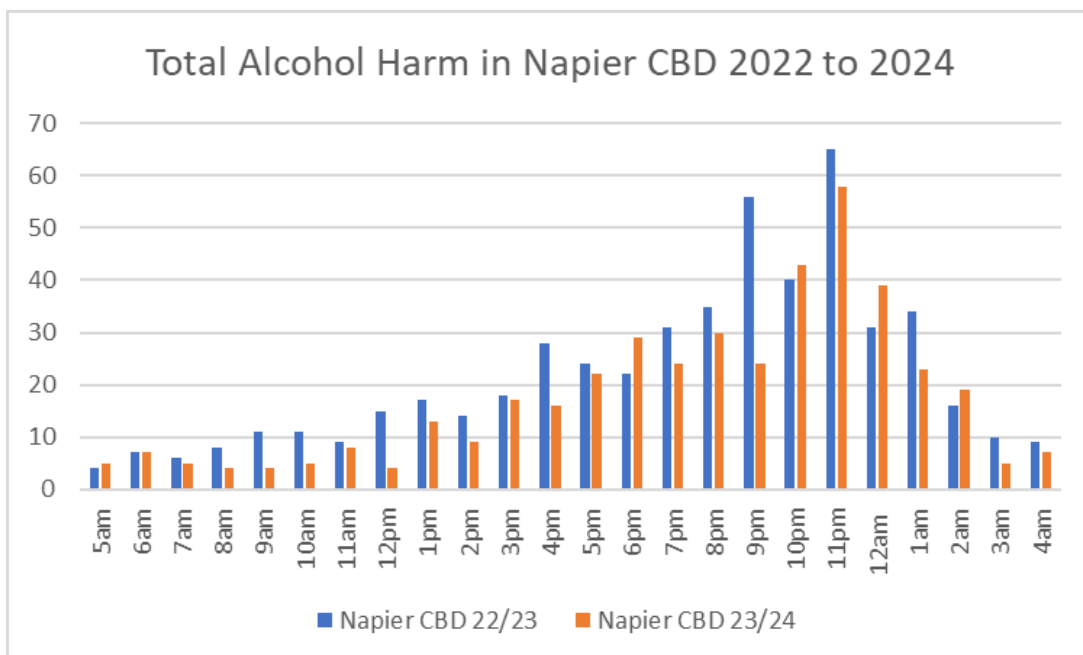
NZ Police provided Council with alcohol harm incident data for incidents in Ahuriri, Napier CBD, Taradale, Tamatea and Maraenui. The NZ Police data provided shows the time blocks with the highest alcohol-related harm were in the early hours of the morning and late evening periods.

Council Officers noted that harm incidents start to rise from 8pm, as seen in the graphic below. The peak periods of alcohol related harm between 8pm and 4am) consistently show the highest alcohol-related harm (accounting for between 55% to 70% of the total incidents). This time period likely correlates with the tail end of social gatherings, bars closing, and heightened alcohol consumption.



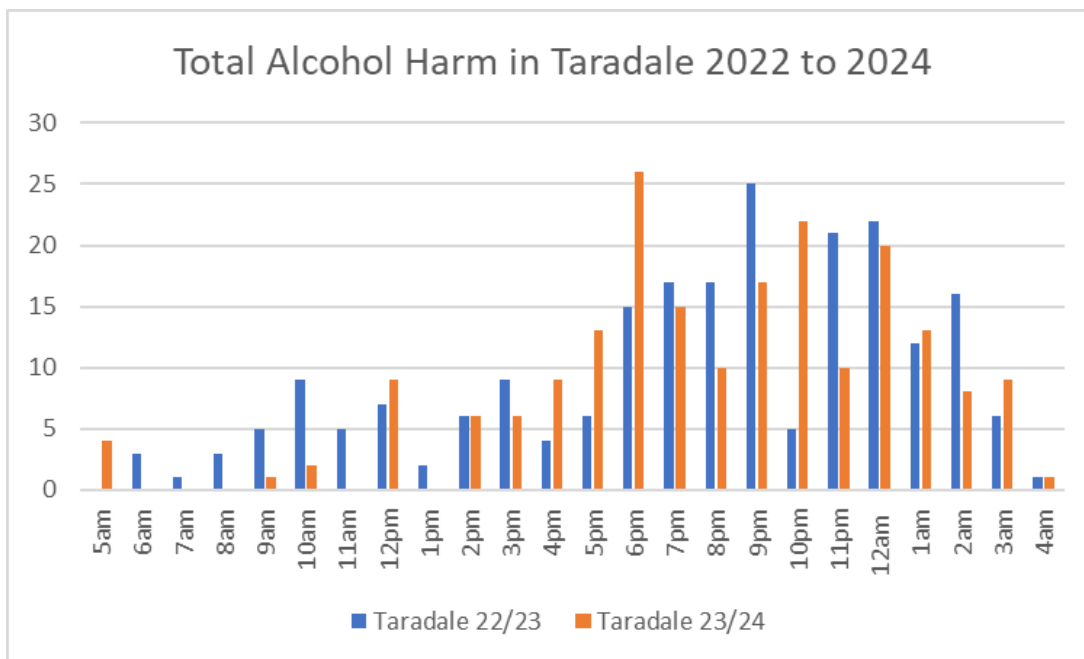
Graph 7: Ahuriri alcohol related incidence (NIA Data – NZ Police) by time of the day 2022-23 / 2023-24

In Ahuriri, the late-night trends show a substantial increase in incidents occurring during the 8:00 PM - 9:59 pm window, and 11pm to 3pm window, this time period likely correlates with social gatherings, bars being open, and heightened alcohol consumption.



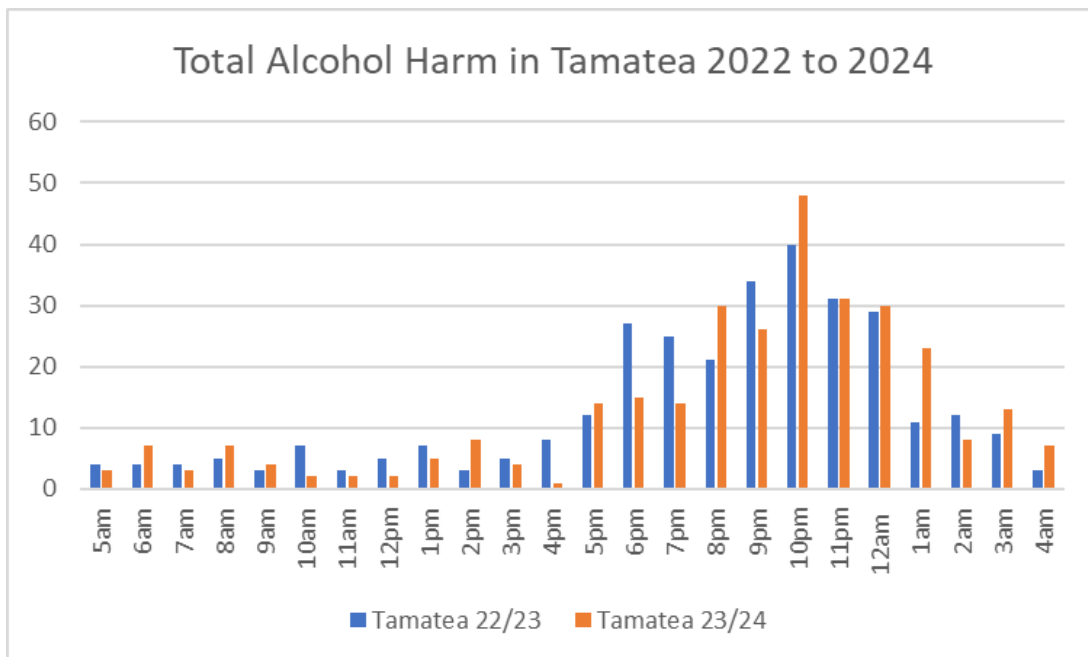
Graph 8: Napier City CBD alcohol related incidence (NIA Data – NZ Police) by time of the day 2022-23 / 2023-24

In Napier CBD the late-night trends showing a substantial increase in incidents occurring during the 9:00 PM - 9:59 pm window, and 11pm to 11.59pm this time period likely correlates with social gatherings, bars being open, and heightened alcohol consumption.

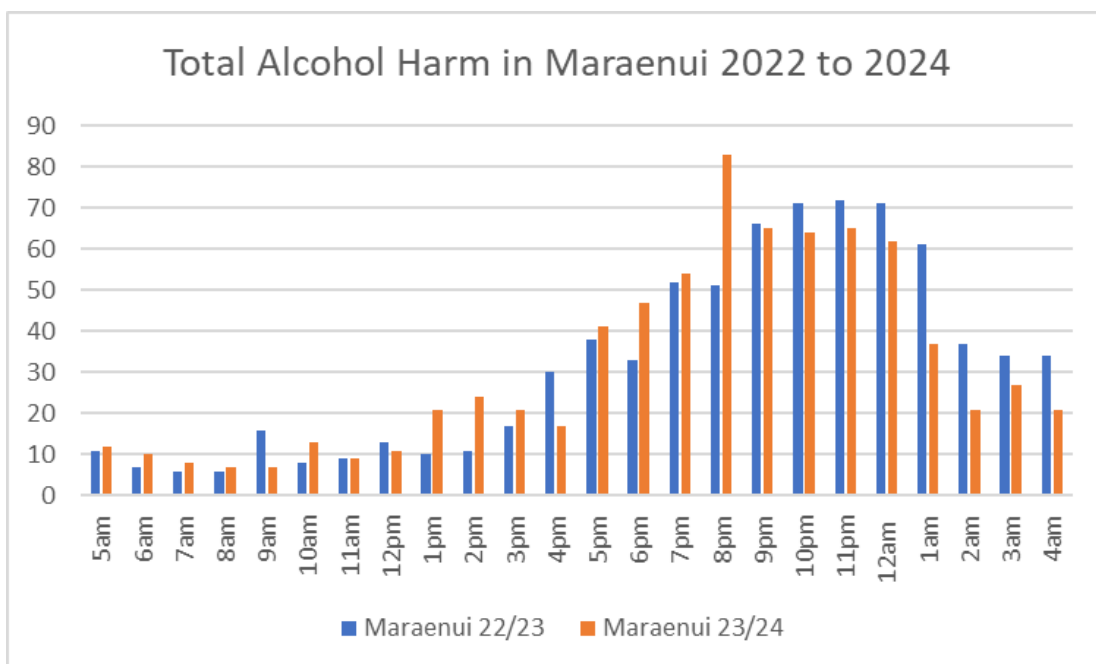


Graph 9: Taradale alcohol related incidence (NIA Data – NZ Police) by time of the day 2022-23 / 2023-24

Late afternoon 3.00pm to 5.59pm shows a notable spike in alcohol-related harm, possibly due to post-work drinking sessions or events where alcohol is consumed after the working day ends or perhaps day time drinking.



Graph 11: Tamatea alcohol related harm incidence (NIA Data – NZ Police) by time of the day 2022-23 / 2023-24



Graph 12: Maraenui alcohol related harm incidence (NIA Data – NZ Police) by time of the day 2022-23 / 2023-24

In summary, a significant proportion of alcohol-related harm is concentrated during late evening hours (8:00 PM - 9:59 PM) through to the early morning hours (12:00 AM - 2:59 AM), while the late afternoon (3:00 PM - 5:59 PM) also shows a noticeable spike. This is a trend that occurs in many of the suburbs within Napier including Ahuriri, Napier CBD, Taradale, Tamatea, and Maraenui,

Longer trading hours and consequent greater availability increases alcohol-related harm at a community level

There is strong evidence that supports the proposition that the longer alcohol licenced premises are open, the more alcohol related harm that can be attributed to them. Studies include:

- A systematic review of studies examining on-licence trading hours provided evidence that extended trading hours at on-licence premises was typically followed by increases in the incidence of assault, unintentional injury or drink driving offences and that conversely, restricting trading hours was typically followed by decreases in the incidence of assault and hospitalisation” (Nepal, et al., 2020).
- 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 Healthwatch, 2024, Hahn, et al., 2010).
- Rossow and Norstrom (2012) highlights the significant impact that even small extensions in trading hours can have on violent crime, underscoring the importance of carefully considering the optimal trading hours for reducing harm.
- Graham (2012) suggests that research should focus not only on when to close, but also on the potential displacement effects of early closures, where drinking may shift to unsupervised locations.

Alcohol-related harm is higher among communities who live in high levels of deprivation

This research identifies evidence nationally that alcohol-related harm is higher among communities who live in high levels of deprivation (New Zealand Health Survey (2023/24). As advised by the Medical Officer of Health, this is also evident in the Napier community, with the majority of alcohol-related presentations to Hawke’s Bay Hospital’s Emergency Department (ED) from Decile 8 - 10 suburbs (see Table 2, pg 12).

Alcohol harm in scene type being a public space

NZ Police provided data on alcohol harm reported in public spaces which included the following:

Category	2021-2022	2022-2023	2023-2024
1000 - Violence	117	98	83
2000 - Sexual	4	2	6
3000 – Drugs & Antisocial	81	78	74
4000 – Dishonesty	9	19	9
5000 – Property Damage	15	29	15
6000 – Property Abuse	3	5	5
7000 - Administrative	3	4	5
Incidents	133	124	135
Tasks	0	0	0
Traf Offs – Precedent Codes	492	668	747
TOTAL	857	1027	1079

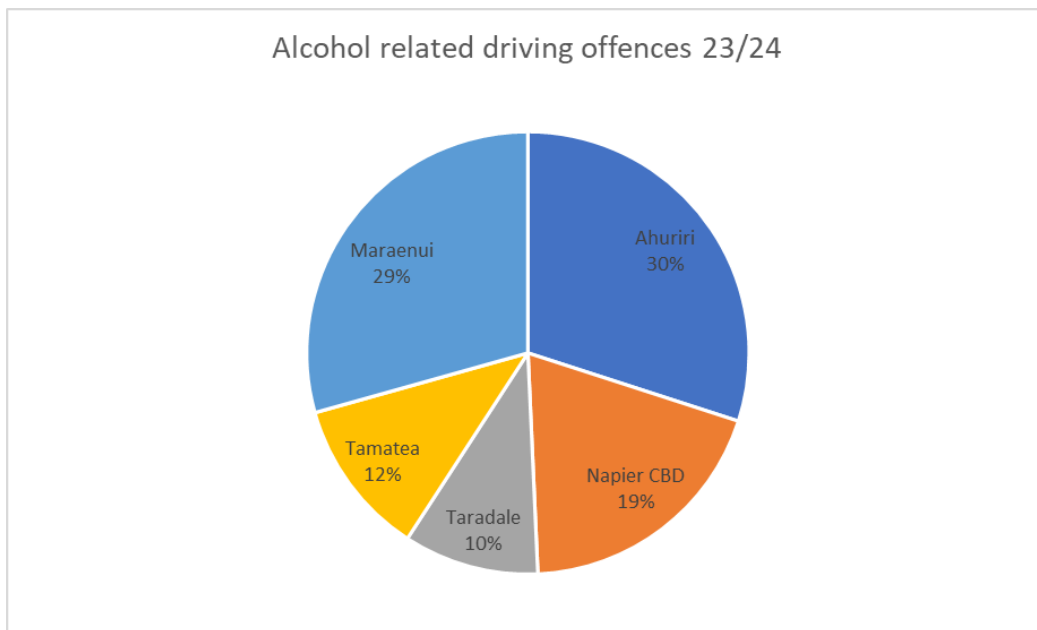
Table 3: Alcohol Harm in Scene Type =Public Space

Drink driving related offences

Note that drug specific driving related offences and those that do not differentiate between being alcohol related or drug related are unable to be excluded from the data provided.

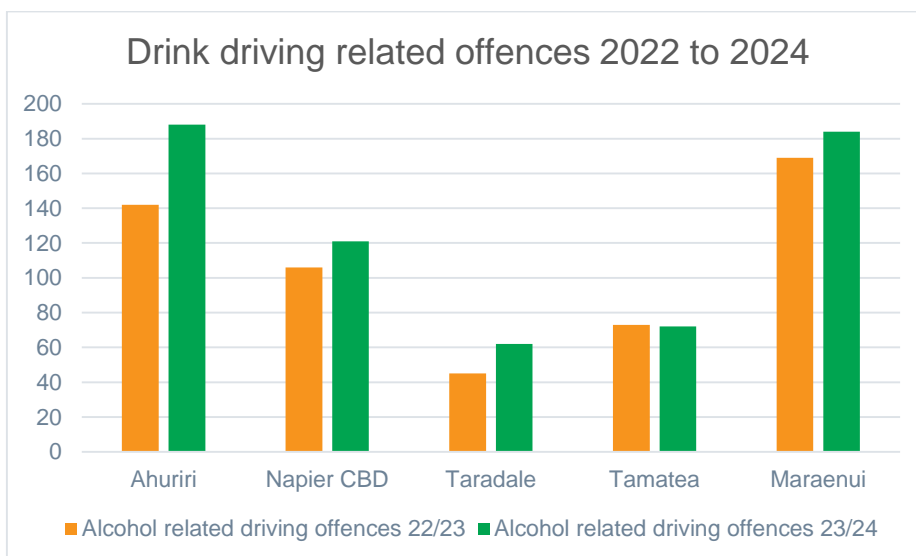
Data is provided on drink driving related offences in Ahuriri, Napier CBD, Taradale, Tamatea and Maraenui were provided by NZ Police.

In 2024, Ahuriri and Maraenui contributed to nearly 60% of alcohol related driving offences reported by NZ Police.



Graph 13: Alcohol related driving offences 23/24

The trend of drink driving related offences in many suburbs within Napier City is increasing for example, in Ahuriri, the number detected increased by 46 from 142 to 188 from 22/23 to 23/24, and Maraenui the number detected increased by 15 from 169 to 184 in 22/23 to 23/24.



Graph 13: Drink driving related offences 2022 to 2024

Crash data – Ministry of Transport and Waka Kotahi NZ Transport Agency

Crash data are derived from Traffic Crash Reports completed by police officers who attend fatal and injury crashes. The detailed information about crash circumstances and causes is extracted and reported by the Ministry of Transport and Waka Kotahi NZ Transport Agency.

In 2023, in NZ, there were:

- 138 fatal crashes,
- 293 serious injury crashes, and
- 726 minor injury crashes where driver alcohol/drugs was a contributing factor.

In these crashes, 155 people died, 413 people were seriously injured, and 1086 people suffered minor injuries.

For more information about driver alcohol reporting in the Crash Analysis System, please see Research Report 694 Alcohol related crash trends (NZ Transport Agency Waka Kotahi)(<https://www.nzta.govt.nz/resources/research/reports/694/>)

Conclusion

This report and information provided by the Medical Officer of Health and New Zealand Police identify that alcohol has a large effect on the health and wellbeing of our residents in Napier City. A summary of key points is noted below:

- There has been an increase in the number of new licences being applied for, showing demand and potential increase in the number of licences in the future.
- High deprivation across Napier City including suburbs of including Marewa, Maraenui, and Onekawa puts our region at a higher risk of harms relating to alcohol.
- Napier has a large population of Māori (24.2%) and research indicates that Māori are disproportionately affected by the harms of alcohol.
- Data provided by Health New Zealand has shown that a large proportion of hospital admissions in Napier City are contributed to by alcohol, with numbers higher at in areas of higher deprivation and a peak from Saturday 9pm and again at midnight Saturday / Sunday morning.
- Hospital admission rates start to rise from Friday night 10pm through to 4am Sunday morning. A total of 46% of the alcohol related presentations occur over the weekend (298 of the 641 total alcohol related presentations).
- Feedback provided from the Medical Officer of Health and NZ Police indicates that there is great potential and support to strengthen the provisions in our LAP. This includes placing tighter restrictions maximum trading hours and venue density.
- Such reductions in trading hours are associated with reduced alcohol-related harm.
- In 2023/24, violence offences made up the highest proportion of alcohol-related offending in Napier City with 19% and 16% respectively in 2022/23 and 2023/24. Drug and anti-social offences made up the next highest proportion of alcohol-related offending with approximately 7% of incidents in Napier City in 2022/23 and 2023/24.
- According to the Ministry of Transport, over the years 2021 - 2023, driver alcohol/drugs was a factor in 48 percent of fatal crashes, 13 percent of serious injury crashes, and 10 percent of minor injury crashes.

Recommendations

This research report reviewed recent evidence on alcohol harm from available sources including data provided by the Medical Officer of Health and NZ Police.

Officers recommend Napier City Council consider policy provisions for:

- location of licenced premises (broad areas, or proximity restrictions on new licences being issues in communities with high levels of alcohol-related harm), such as Marewa, Maraenui and Onekawa.
- further reductions in the maximum trading hours.
- a range discretionary conditions to be considered across all licence types including on, off, club and special licences.
- one-way door restrictions.

Officers will provide further detail on these policy provisions within the issues and options paper.

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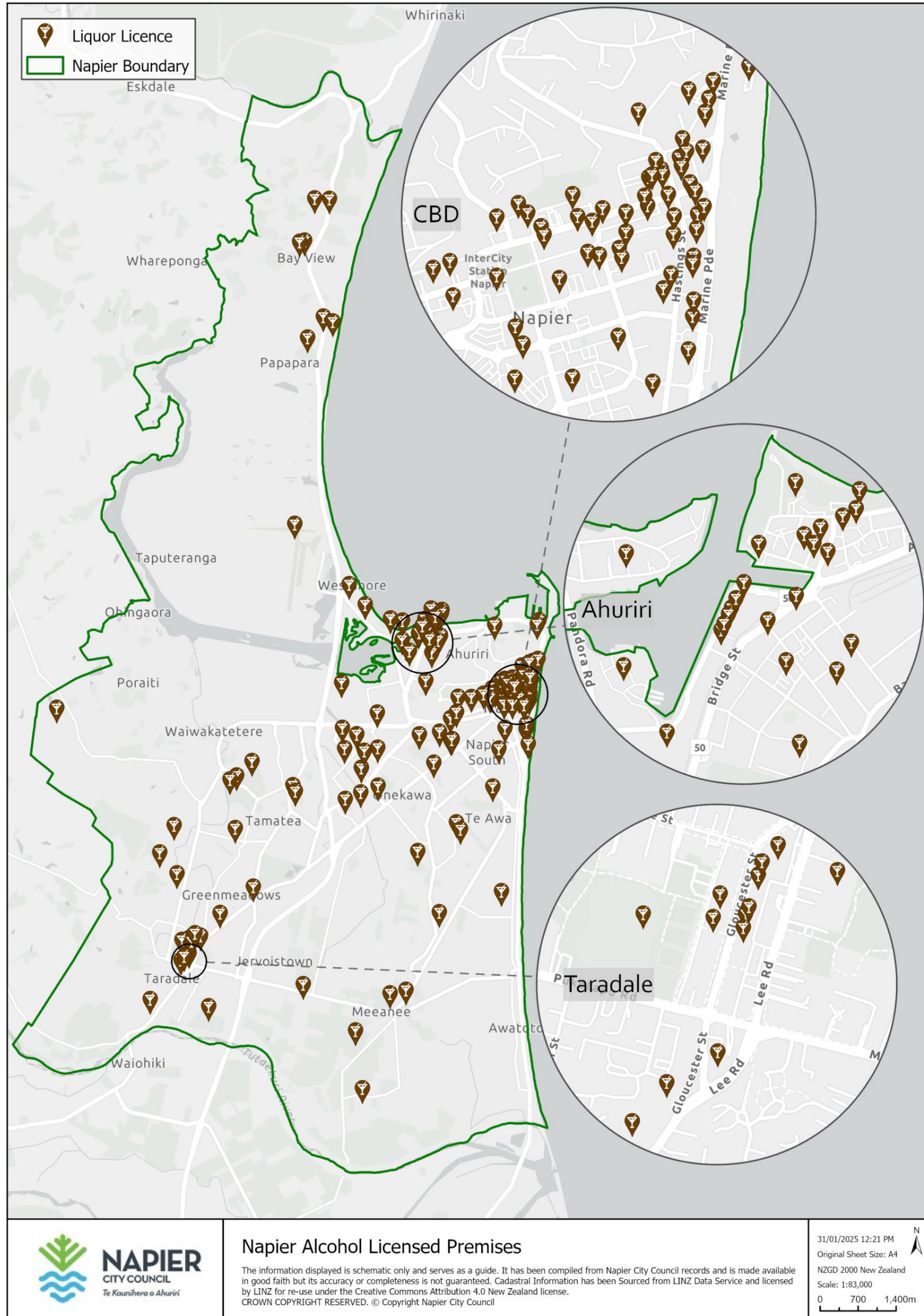
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Appendix 1: Map of licenced premises in Napier

Map downloaded from Napier City Council Geographical Information System with Licenced Premises (Liquor Licences selected). Map can be viewed online at: [Liquor Licences and Licenses](#)

A download and snapshot is provided below:



Napier City Council Local Alcohol Policy

Issues and Options Report January 2024

To support the review of Napier City Council's Local Alcohol Policy

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Section 1: Introduction

Purpose

This report provides information and background to support the Napier City Council's (Council) decision-making process regarding the review of its Local Alcohol Policy (LAP). It also provides information to inform individuals and organisations who wish to make a submission to Council during the consultation period in March/April 2024.

The report outlines the policy provisions in the LAP (2019) and seeks discussion on any alternative direction following review of the LAP in 24/25.

For comprehensive details on research, please refer to the accompanying research paper available on the Council's website at <https://www.sayitnapier.nz/ncc/>

Sale and Supply of Alcohol Act 2012 (the Act)

The object of 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.

In the Act, harm caused by the excessive or inappropriate consumption of alcohol includes—

- (a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and
- (b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).

Local Alcohol Policy (LAP)

The Act allows a Council to develop a Local Alcohol Policy (LAP). A LAP consists of a set of decisions made by Council in consultation with the Police, Medical Officers of Health and licensing inspectors as well as the community about the sale and supply of alcohol.

Once the LAP is in place, the Council's District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority (ARLA) will have to consider the policy when they make decisions regarding licence applications. This includes the four licence types permitted under the Act, namely:

- On-licences, that allows the sale or supply of alcohol for consumption on the premises such as bars, pubs, taverns, hotels, restaurants, (including BYO), cafes, entertainment venues, planes and caterers.
- Off-licences, that allows the sale or supply of alcohol for consumption off the premises or for sale for delivery or sales at a distance or direct delivery

and samples on site. Holders of an off-licence include bottle stores (including within taverns), supermarkets, grocery stores, wine growers and auctioneers.

- Club licences, that allows the sale of alcohol to authorised customers of the club who are on the premises (section 60 of the Act), such as sports and other recreational clubs. Clubs with a “permanent charter”⁴⁶ are not subject to licensing under the Sale and Supply of Alcohol Act 2012 and are not covered by the provisions in a LAP, including trading hours.
- Special licences, that allows the sale or supply of alcohol at an event or series of events or consumed at another place (also free samples). Only some LAP policies apply to special licences, i.e. sections 77(1)(e)-(g) relating to trading hours, discretionary conditions, and one-way door restrictions (section 77(2) of the Act).

Contents of a Local Alcohol Policy (LAP)

A Local Alcohol Policy (LAP) allows Council to have a policy relating to the sale, supply or consumption of alcohol within its District. Section 77(1) of the Act states that a LAP may include policies on any or all of the following matters relating to licensing (and no others):

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

Note that Paragraphs (a) to (d) above do not apply to special licences, or premises for which a special licence is held or has been applied for.

The Act provides that there will be one LAP for Napier City Council. However, the policy may include different rules for different areas (e.g. policies based on ward boundaries, land use zones, or targeted policies for high-risk areas, etc.)

LAP (2019) provisions

The LAP (2019) includes the following provisions:

- Maximum trading hours
 - On-licence:
 - Taverns / bars / pubs / night-clubs – 8.00am to 3.00am the following day Monday to Sunday. One way door restriction: Mandatory from 2.00am).
 - Cafes / restaurants / wineries / winery restaurants – 8.00am to 2.00am the following day Monday to Sunday.

- Entertainment venues – Licensing hours are to be consistent with the nature and activities of the premises and in general shall range from: 8.00am to 2.00am the following day Monday to Sunday.
 - Off-licence:
 - Grocery stores and supermarkets - 7.00am to 10.00pm Monday to Sunday.
 - All other off-licenses – 9.00am to 10.00pm Monday to Sunday.
 - Club licence:
 - Hours for Club Licence is 8.00am to 1.00am the following day Monday to Sunday.
- Location of licensed premises:
 - No further off-licenses are to be issued for any premises being a bottle store on land located within:
 - Flaxmere Commercial Service or Suburban Commercial zone or Flaxmere Village Centre Zone.
 - Camberley.
 - Maraenui.
- Discretionary conditions:
 - Various provisions which are guided by the principles of:
 - CONNECTION – whether there is a connection between the problem to be addressed and the proposed activity.
 - IMPACT – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm.
 - REASONABLENESS – whether it is within the capabilities of the applicant or licensee to satisfy this condition.
 - Examples of discretionary conditions include – CCTV, lighting, no glass serves, number of door staff, limit on drink sizes and type at events.

LAP Review 2024/25

On 24 October 2024, Napier City Council's Future Napier Committee approved transition to an individual LAP for Napier, as part of the review process, to simplify administration and improve efficiencies and effectiveness. Officers recommended this approach as it captures efficiency gains whilst enabling the two Councils to administer consistent policies and collaboratively contribute to reductions in alcohol related harm in Hawke's Bay.

Napier City Council wishes to have a LAP, therefore Council must produce a draft policy in consultation with Police, the Medical Officer of Health and Inspectors.

Section 2: Issues Analysis

Pursuant to s78(2) of the Sale and Supply of Alcohol Act 2012 (the Act), when producing a draft policy, Council have regard to—

- (a) the objectives and policies of its district plan.

- (b) the number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises.
- (c) any areas in which bylaws prohibiting alcohol in public places are in force.
- (d) the demography of the district's residents.
- (e) the demography of people who visit the district as tourists or holidaymakers.
- (f) the overall health indicators of the district's residents.
- (g) the nature and severity of the alcohol-related problems arising in the district.

A Local Alcohol Policy research report sets out information regarding the considerations above, to inform Council decision making regarding the review of the LAP. The research report is available online at <https://www.sayitnapier.nz/ncc/>

Research Summary

Evidence indicates that alcohol-related harm is present within Napier City, with Māori, youth, and individuals residing in areas of socio-economic deprivation experiencing disproportionate impacts.

In response, Napier City Council may wish to consider exploring a variety of policy measures aimed at further reducing alcohol-related harm.

Overall, there is continued harm from alcohol in the Napier community.

A summary of the key points in the Research Report are:

- Alcohol causes significant harms to individuals, whānau and communities, costing NZ an estimated \$9.1 billion each year (NZIER, 2024).
- 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 (Chambers, et al., 2024).
- A study by Crossin, et al., 2023 indicated that alcohol remained the most harmful drug for the total population when separately considering harm to those who use it, and harm to others. Māori tend to be overrepresented in drug harm incidents and have disproportionate alcohol-related harm (as cited in Crossin, et al., 2023).
- 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 Healthwatch, 2024, Hahn, et al., 2010). Specifically,
 - A systematic review of studies examining on-licence trading hours provided evidence that extended trading hours at on-licence premises was typically followed by increases in the incidence of assault, unintentional injury or drink driving offences and that conversely, restricting trading hours was typically followed by decreases in the incidence of assault and hospitalisation (Nepal, et al., 2020, Casswell, et al., 2020).

- A study by Rossow and Norstrom (2012) highlights the significant impact that even small extensions in trading hours can have on violent crime, underscoring the importance of carefully considering the optimal trading hours for reducing harm.
- Graham (2012) suggests that research should focus not only on when to close, but also on the potential displacement effects of early closures, where drinking may shift to unsupervised locations.
- Off-licences, including supermarkets and grocery stores, sell over 80% of all alcohol in New Zealand. These outlets are easily accessible and often operate with long trading hours, which increases the potential for alcohol-related harm, as alcohol is consumed in unregulated environments where supervision is minimal.
- Lastly, the absence of regulation concerning remote sales from off-licenses is a significant issue, particularly in a market where an increasing proportion of the population is turning to online platforms to purchase alcohol. This is an area that warrants attention in order to mitigate alcohol-related harm.

Alcohol related harm data

Analysis of NZ Police incident data and the Health Emergency Department data is provided as a part of the research requirements.

See the research report for further detail on alcohol-related harm data.

In summary, Saturday and Sunday have the highest rates of alcohol related presentations into Hawkes Bay Hospital Emergency Department, followed closely by Friday. Rates of alcohol related ED presentations peak Saturday 9pm and again at midnight Saturday / Sunday morning.

Rates start to rise from Friday night 10pm through to 4am Sunday morning. A total of 46% of the alcohol related presentations occur over the weekend (298 of the 641 total alcohol related presentations).

The NZ Police data provided shows that a significant proportion of alcohol-related harm is concentrated during late evening hours (9:00 PM - 9:59 PM) and early morning hours (12:00 AM - 2:59 AM), while the late afternoon (3:00 PM - 5:59 PM) also showing a noticeable spike.

Additionally, the consistent patterns observed further reinforce the need for ongoing targeted interventions to mitigate harm during these critical times.

Section 3: Considerations

Council can develop a Local Alcohol Policy (LAP) to influence the location, number and trading hours of businesses licensed to sell alcohol. Specifically, section 77(1) of the Sale and Supply of Alcohol Act 2012 states:

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

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

Paragraphs (a) to (d) above do not apply to special licences, or premises for which a special licence is held or has been applied for.

A LAP must not include policies on any matter not relating to licensing.

During development of its draft LAP, Council consulted with the Police, and Medical Officer of Health to gauge their opinions to assist Council in its decision-making.

Council's Licensing inspectors have been directly involved with the LAP process.

The sections below detail the current LAP provisions, proposed changes to the LAP provisions and brief commentary for those changes. (for a more in-depth commentary and detailed research please see the Research Report at <https://www.sayitnapier.nz/ncc/>)

The options that have been considered as part of the LAP (2025) review have been detailed by licence type (e.g. on, off, club and special licence) below.

Location and density provisions

Location of licensed premises by reference to broad areas - section 77(1)(a)

Section 77(1)(a) enables a LAP to include policies on the location of licensed premises (on, off and club licences) by reference to a "broad area." The Act does not define the term "broad areas." However, it can be taken as meaning a large general area such as a ward, or a class of area such as a town centre or by planning zone, e.g. residential areas.

Whilst the LAP (2019) includes location policies as:

- No further off-licences are to be issued for any premises being a bottle store on land located within Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 3.
- In all areas not listed above the District Licensing Committee may grant an on, off or club licence for any premises located in any zone where the sale and supply of alcohol is a permitted activity under the relevant District Plan.

Applications will not be considered in other areas unless resource consent has been granted.

The current LAP has no broad area restriction (other than the area in Maraenui).

Research found that zoning policies would have greatest impact on the most deprived neighbourhoods that were estimated to experience reductions in violent crime (Trangenstein, et al., 2020). However, there is a lack of published outcome evaluations relevant to New Zealand to inform an understanding of the effectiveness of zoning changes on indicators of alcohol-related harm (Alcohol Healthwatch, 2024).

Additionally, the district plan prohibits the establishment of licensed premises in certain zones, such as residential areas. This limitation could remove the need for location restrictions in relation to broad areas.

Options for consultation:

Options	Advantages	Disadvantages
Option 1: Status Quo is no broad area restriction.	No additional implementation costs	May not be supported by stakeholders.
Option 2: Alternative provision: Cap on the number of off licences being a bottle store on land within a suburban area.	Allows Council to consider strengthening, the provisions to restrict further off-licences being granted in communities with high levels of alcohol-related harm. Could be supported by stakeholders.	Limited evidence that zoning changes impact alcohol-related harm. May be too restrictive and limit growth. Potential impact on businesses in selected suburban areas in future depending on cap selected.

Location of licensed premises by reference to proximity to premises or facilities of particular kinds - section 77(1)(b) and section 77(1)(c)

Section 77(1)(b) and section 77(1)(c) of the Act refers to polices on the location of licensed premises and allows limits to be placed in relation to the location of other licensed premises or facilities in the relevant area.

There are no such proximity provisions in the current LAP (2019).

Generally, this provision poses many practical issues. By way of example, if an exclusion or buffer zone is considered around schools, there is almost no area left for new development.

Options for consultation:

Options	Advantages	Disadvantages
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Option 1: Status Quo is no proximity restriction.	No additional implementation costs.	No control outside of district plan processes and resource consenting limiting proximity of licenced premises to other types of premises.
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Density provisions - section 77(1)(d)

Section 77(1)(d) of the Act provides for polices regarding whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district.

The LAP (2019) restricts the approval of further bottle store licences for particular areas of Maraenui in order to try to minimise alcohol related harm.

There is strong support for the current provisions. Specifically:

- Medical Officer of Health states there is strong rationale for retaining these provisions, including high levels of alcohol related harm and socioeconomic deprivation in these and neighbouring communities.
- ActionPoint state that the more places to buy alcohol in an area, the more hazardous drinking is likely to occur, therefore leading to more alcohol-related harm (including violence, assaults, drink driving and child maltreatment). High concentration of alcohol outlets is also associated with heavy drinking amongst young people.
- The Law Commission's report recognises that high outlet density of off licences especially, is associated with cheap alcohol products which then in turn facilitates heavy drinking and that the higher the density of outlets, the greater the likelihood of crime and anti-social behaviour.
- Consultation conducted by the Law Commission found strong support for halting the expansion of licences, particularly off-licences. The primary reasons cited for reducing the number of licences included the significant negative impact of bottle stores on low socio-economic and vulnerable communities, the role of small suburban outlets in facilitating alcohol access for young people, and the detrimental effects on neighbourhood amenity, such as increased rates of offending, vandalism, and disorderly or offensive behaviour.

Density provision Options	Advantages	Disadvantages
Option 1: Retain status quo	Easier to implement. Bottle store restriction area remains in place for Maraenui only which allows some provisions aiming to control alcohol related harm in that community.	Restriction not applied to other suburban areas where alcohol related harm is present. Provision not targeted to other communities living in high levels of socioeconomic deprivation.

<p>Option 2: No further off licences are to be issued for any premises being a bottle store on land located within:</p> <ul style="list-style-type: none"> All suburban areas 	<p>Allows Council to consider strengthening, the provisions to restrict further off-licences being granted in communities with high levels of alcohol-related harm.</p> <p>This may have stakeholder support from the Medical Officer of Health.</p>	<p>Could be too restrictive.</p> <p>May limit economic growth in suburban areas.</p> <p>Discretion needed to define suburban areas accurately and requires evidence.</p>
<p>Option 3: No further off licences are to be issued for any premises being a bottle store on land located within specified suburban areas:</p> <ul style="list-style-type: none"> Marewa Greenmeadows Maraenui Onekawa and Nelson Park 	<p>Allows Council to consider strengthening, the provisions to restrict further off-licences being granted in communities with high levels of alcohol-related harm.</p> <p>This may have stakeholder support from the Medical Officer of Health.</p>	<p>May be too restrictive and limit growth.</p> <p>Potential impact on businesses in selected suburban areas selected.</p> <p>Limitations in how suburban areas are defined as related to areas causing harm and sales of alcohol.</p>

Maximum trading hours

Section 77(1)(e) of the Act provides for polices regarding maximum trading hours of licensed premises.

This provision enables Council to extend or restrict the default national maximum trading hours contained in the Act, which are:

- On-licence and club licences: between 8am to 4am on the next day
- Off-licences: between 7am to 11pm

The LAP (2019) provides the following maximum trading hours, as follows:

On-licence type	Maximum trading hours
Taverns/bars/pubs/night-clubs	<p>8.00am to 3.00am the following day Monday to Sunday</p> <p>One way door restriction: Mandatory at 2.00am</p>

Cafes/restaurants/wineries/winery restaurants	8.00am to 2.00am the following day Monday to Sunday
Entertainment Venues	Licensing hours are to be consistent with the nature and activities of the premises and in general shall range from: 8.00am to 2.00am the following day Monday to Sunday

Off-licence type	Maximum trading hours
Grocery stores and supermarkets	7.00am to 10.00pm Monday to Sunday
All other off licenses	9.00am to 10.00pm Monday to Sunday

Club type	Maximum trading hours
	Licensing hours are to be consistent with the nature and activities of the club and in general shall range from: 8.00am to 1.00am the following day Monday to Sunday

As provided in the research paper, there is a strong correlation between the availability of alcohol, both geographically and temporally, and the incidence of alcohol-related harm. The research recommends restricting the overall hours that alcohol is available in order to decrease alcohol-related harm. This is applicable to both retailers selling alcohol to take away and to alcohol sold for consumption on-site.

While there are several studies which recommend reduced trading hours as a means of reducing alcohol related harm, it is also important to note that there is also strong support from a range of stakeholders including Napier City Council

Inspector, NZ Police and the Medical Officer of Health for a reduction in off-licence trading hours.

There is also support for having maximum trading hour restrictions on the remote sales delivery aspect to try to alleviate purchases and deliveries of alcohol late at night when intoxication levels and harm levels are at their highest (as cited in Public Health Communication Centre, 2024).

Policy Provisions	Proposed LAP	Advantages	Disadvantages
On licence maximum trading hours: Taverns / Bars Pubs/ Night-clubs	Retain status quo i.e. 3.00 am close for Taverns / Bars Pubs/ Night-clubs)	Six businesses that operate until 3am may continue to do so.	May not be supported by stakeholders. Does not align with the research that recommends restricting the overall hours that alcohol is available in order to decrease alcohol-related harm. Potential for policy divergence.
On licence: café/ Restaurant / winery / winery restaurant	Retain status quo (8.00 am to 2.00 am the following day Monday to Sunday)	As above.	As above.
On licence – Entertainment facilities	Retain status quo (Licensing hours are to be consistent with the nature and activities of the premises and in general shall range from: 8.00 am to 2.00 am the following day Monday to Sunday)	As above.	As above.
Off licence – Grocery Stores and Supermarkets	Alternative to status quo Grocery Stores and Supermarkets	There is alcohol related harm data showing alcohol related harm increases from	All statutory stakeholders support a general reduction in hours. (NZ Police, Medical Officer of Health & Inspectors).

Policy Provisions	Proposed LAP	Advantages	Disadvantages
	9.00 am to 9.00 pm – Monday to Sunday	9pm each day of the week.	<p>Potential impact on people inconvenience for factor / shift workers.</p> <p>May impact business through less sales in early morning and late night.</p>
Off licence – All other off licences	Alternative to status quo All other off licences: 9.00 am to 9.00 pm – Monday to Sunday	As above, consistent provisions for all off-licences.	As above.
Club Licence	<p>Retain status quo - Licensing hours 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.</p> <p>Note: Officers did not seek direction for club licences at the workshop.</p>	<p>Easier to implement as clubs able to retain a 1.00 am maximum closing time, if applicable.</p> <p>Allows Council to provide guidance to licensing bodies on hours with case-by-case situations accounted for.</p>	Potential for policy divergence.
Special Licence	Maximum trading hours are 8.00am to 2.00am the following day, unless the event is deemed suitable to extend beyond these hours, and the applicant can provide justification for	<p>May be consistent with other Councils.</p> <p>Allows Council to provide guidance to licensing bodies on hours with case-by-case situations accounted for.</p>	Hours may be extended on a case-by-case basis but could provide uncertainty for licensing bodies as to Council intent.

Policy Provisions	Proposed LAP	Advantages	Disadvantages
	the need for the extended hours.		

Discretionary conditions

Section 77(f) provides that the LAP may include policies on the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions.

The Act also allows a District Licensing Committee (DLC) or the Alcohol Regulatory & Licensing Authority (ARLA) to issue any licence subject to any reasonable conditions not inconsistent with this Act. Discretionary conditions that may be imposed include:

- one-way door restrictions on on-licences and club licences (section 110(1)(d) of the Act).
- designated areas to which minors must not be admitted (section 119(2) of the Act).
- the people to whom alcohol may be sold or supplied and the kind of alcohol that may be sold from off-licences (section 116 of the Act).

Section 117 of the Act also gives a DLC and ARLA the general mandate to issue a licence subject to any reasonable condition that is not inconsistent with the Act. This might include conditions that reflect the principles of Crime Prevention Through Environmental Design (CPTED), and host responsibility, or impose more restrictive conditions where a licence is granted for the first time.

The sections below detail the discretionary conditions in LAP (2019), proposed changes to the discretionary conditions in LAP (2025) provisions and brief commentary on the evidence for those changes. For more in-depth commentary and detailed research please see the Research Paper at: <https://www.sayitnapier.nz/ncc>.

Discretionary conditions in LAP (2019)

The LAP (2019) has the following guidance for discretionary conditions. In using its discretion to apply conditions, the DLC will be guided by the following:

- CONNECTION – whether there is a connection between the problem to be addressed and the proposed activity.
- IMPACT – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm.
- REASONABLENESS – whether it is within the capabilities of the applicant or licensee to satisfy this condition.

The LAP (2019) provides following examples of conditions which may be applied to alcohol licences by the DLC:

On-Licences – Discretionary conditions

- CCTV cameras (location and number).
- Provision of effective exterior lighting.
- No serving in glass containers at specified times.
- Number of door-staff and provision of additional security staff after specified times.
- Management of patrons queuing to enter the licensed premises.
- Limit on the number of drinks per customer at specified times.
- No shots or types of drinks to be served after specified times.
- Limit on drink sizes after specified times.
- Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc
- One way door restrictions.
- Provision of transport for patrons.
- Restriction on the use of outdoor areas after a specified time.

Club Licences - Discretionary conditions

- Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number.

Off Licences - Discretionary conditions

- Display of safe drinking messages/material.

Special Licences - Discretionary conditions

- Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in.
- One way door restrictions.

Discretionary conditions Options	Advantages	Disadvantages
Option 1: Status Quo is that the LAP (2019) provides the following discretionary conditions (see list above)	Familiar to DLC. Less time involved with analysis and checking of potential examples of conditions.	May not meet stakeholder expectations. May cause policy divergence with other Councils. Does not provide licensing bodies with up-to-date discretionary conditions that could be selected.
Option 2: Updated list of example discretionary conditions	Allows Council to guide licensing bodies on conditions.	Lack of national level guidance available to

Discretionary conditions Options	Advantages	Disadvantages
Note: if option 2 is selected a list of proposed options is available.	Aligns with stakeholder feedback.	guide Council thinking on discretionary conditions. List could be unfamiliar to licensing bodies and require further interpretation or guidance on examples.

Option 2: Proposed Discretionary Conditions

Officers were requested to provide further information on discretionary conditions. See Officer Report and proposed discretionary conditions below.

Section 117 of the Act permits a District Licensing Committee to issue any licence subject to any reasonable conditions not inconsistent with the Act.

Discretionary conditions are in addition to the mandatory conditions specified within the Act. This provision allows the District Licensing Committee a wide-ranging discretion as to conditions that may be applied to a licence. To provide guidance to the District Licensing Committee and some certainty to applicants, the following conditions are a list of those which may be imposed by the District Licensing Committee where they are considered appropriate. In using its discretion to apply conditions, the District Licensing Committee will be guided by the following:

- **Connection** – whether there is a connection between the problem to be addressed and the proposed activity.
- **Impact** – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm.
- **Reasonableness** – whether it is within the capabilities of the applicant or licensee to satisfy this condition.

Note: While the District Licensing Committee has the discretion to add any condition(s) that it deems to be appropriate, it is anticipated that an applicant would have the opportunity to submit comments to the District Licensing Committee prior to the imposition of any condition that may have a financial or management impact on their business.

The following are conditions which may be applied to alcohol licences by the District Licensing Committee based on their discretion.

On-Licences and Club Licences

- CCTV cameras (location and number and keep recording for a minimum of 28 days).
- Provision of effective exterior lighting.
- No serving in glass containers at specified times.
- Number of door-staff and provision of additional security staff after specified times.
- Management of patrons queuing to enter the licensed premises.
- Limit on the number of drinks per customer at specified times.
- Three substantial food options must be provided.
- No shots or types of drinks to be served after specified times.
- Limit on drink sizes after specified times.

- Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc.
- One way door restrictions.
- Provision of transport for patrons.
- Restriction on the use of outdoor areas after a specified time.
- Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have ARH issues. This impact assessment should detail how the applicant will mitigate any issues with amenity and good order and may result in conditions imposed on the licence to ensure the minimisation of alcohol related harm on the surrounding community.
- Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.
- Maintain and provide upon request a duty manager roster.
- Mandatory reporting of violent incidents to NZ Police.
- Utilise the principles of Crime Prevention through Environmental Design. (CPTED).

Club Licences

- Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number.
- Three substantial food options must be provided.

Off-Licences

- Display of safe drinking messages/material.
- CCTV cameras (location and number and holding or recordings for at least 28 days).
- Provision of effective exterior lighting.
- Limit on alcohol related exterior signage or advertising to 30% of the building or glass exterior.
- No single sale of Ready to Drink (RTD) or mainstream beer under 500ml.
- Utilise the principles of Crime Prevention through Environmental Design. (CPTED).
- Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have issues.
- Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.
- Maintain and provide upon request a duty manager roster.

- Low-alcohol drinks and non-alcoholic drinks to be available for sale.

Special Licences

- Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in.
- One way door restrictions.
- Requirement of a separate line or service area for non-alcoholic beverages where the special licence is likely to have patrons that are under the legal drinking age.
- Three substantial food options must be provided.
- For class one events:
 - Security Staff, porta loos and rubbish bins provided in the surrounding areas to assist with issues with amenity and good order.
 - No full bottle wine sales for onsite consumption.
 - Serve reduction systems in place to manage intoxication levels – maximum serves of 2 per sale reducing to 1.
 - Prescribed ratio of security staff to patrons.
 - High visibility clothing to be worn by security staff and be visible to others.
 - Means of egress for emergency services.
 - Submission of Applications at least 25 working days prior to the event to allow for processing and potential stakeholder meetings.
 - A sufficiently detailed Alcohol Management Plan as per Section 143 of the SSAA 2012.

Further discussion on examples of other discretionary conditions from other Councils

In addition to the examples of discretionary conditions above, Officers have noted other discretionary conditions in place within other Territorial Authorities, including:

- **Conditions restricting single sales of alcohol (off licence provision)**
A restriction on single sales could improve compliance with alcohol control measures such as alcohol bans and help reduce pre-loading and side-loading near licensed venues.

Alcohol-related harm increases when alcohol is easily accessible, particularly when businesses encourage impulsive purchases or offer affordable pricing (New Zealand Law Commission, 2010). The sale of

single cans or bottles of beer, cider, or Ready-To-Drink (RTD) beverages is often cheaper than purchasing packs, making it more appealing to those who are looking to consume alcohol immediately, and are heavy drinkers, namely, adolescents, young adults, and those with alcohol dependence (Alcohol Healthwatch, 2024).

International studies have linked the sale of single units to increased alcohol-related violence and crime. For example, an intervention to restrict single sales reduced alcohol-related ambulance attendances among 15 to 24-year-olds (Masho, et al., 2014).

Inspectors have observed that many off-licenses in Napier do not sell single-serve products, with the exception of high-end, high-strength, large cans of beer. Inspectors note that many off-licenses have voluntarily accepted conditions on their licenses to restrict the sale of single-serve products.

The inclusion of a discretionary condition in a LAP on single sales would provide guidance to the DLC, and aligns and reinforces decisions made by the DLC and ARLA that address availability and accessibility and the associated risk of alcohol-related harm.

- Conditions restricting alcohol related signage and advertising**
 There are few protections in the Act to protect communities from the known effects of exposure to alcohol advertising at licensed premises. Section 237 (irresponsible promotion) of the Act does not address the volume of advertising found on the exterior of licensed premises, and the self-regulatory system for alcohol advertising administered by the Advertising Standards Authority does little to address exposure.

Alcohol marketing has a proven causal relationship with youth alcohol initiation and heavy drinking (Sargent and Babor, 2020). Young people are frequently exposed to alcohol advertisements through various platforms, including store promotions and displays, especially in areas with high levels of deprivation with studies suggesting that restrictions in alcohol advertising near schools may be warranted (Chambers, et al., 2018, Pasch, et al., 2007).

Individuals with alcohol dependence or problematic drinking patterns are especially susceptible to alcohol-related marketing, which can act as a trigger for relapse or reinforce ongoing alcohol misuse (Babor et al., 2017; Witteman, et al., 2015).

DLCs and ARLA have applied conditions on a case-by-case basis to manage alcohol-related marketing. These conditions have included limiting signage to only the store name and logo, restricting alcohol advertisements to no more than 25% of the exterior of the premises, and prohibiting the use of bright colours, flags, sandwich boards, or promotional displays for specific products or prices outside the store.

- **Utilising the principles of Crime Prevention Through Environmental design**

Crime Prevention Through Environmental Design (CPTED) is a strategy focused on modifying the physical and social environments to reduce opportunities for crime and enhance public safety. In the context of alcohol licenses, CPTED principles can be applied to design, manage, and regulate the physical layout of licensed premises to reduce alcohol-related harm and criminal activity.

Key CPTED strategies for alcohol licenses include:

- **Natural Surveillance:** This involves designing licensed premises and surrounding areas to maximise visibility, ensuring that staff and the public can observe behaviours and activities. This may include the strategic placement of windows, lighting, and layout that allow for better monitoring and discourage undesirable behaviours.
- **Access Control:** Limiting access to certain areas of a licensed premises can help manage crowd control and minimise opportunities for illegal activities. This could involve controlling entry points, monitoring exits, and using barriers or physical layouts to guide movement within the venue.
- **Territorial Reinforcement:** Creating a sense of ownership and responsibility over public spaces can deter crime. Clear boundaries between licensed premises and other public or private spaces can be established through physical markers, signage, and consistent maintenance. Well-defined areas help establish authority and discourage undesirable activity.
- **Maintenance and Environmental Quality:** Maintaining the physical environment of licensed premises and their surroundings is crucial. Well-kept areas are associated with fewer instances of crime and antisocial behaviour. A well-maintained environment signals that the area is monitored and cared for, which can deter criminal activity.
- **Activity Support:** Ensuring that alcohol-serving environments foster positive activities, such as promoting safe and responsible drinking, entertainment, and socialization, helps reduce the likelihood of alcohol-related incidents. Activities should encourage safe behaviour and provide patrons with alternatives to risky or antisocial activities.

By integrating CPTED principles into the design and regulation of licensed premises, communities can reduce alcohol-related harm, prevent criminal activity, and improve the safety and well-being of both patrons and the wider public.

- **Requirement to complete an impact assessment**

An impact assessment in the context of alcohol licensing is a systematic evaluation used to understand the potential effects of alcohol sales and supply on a community or area. It helps identify the social, economic, environmental and public health impacts that could result from granting or

modifying alcohol licenses. Incorporating an impact assessment into the licensing process allows for informed decision-making and better regulation of alcohol-related harm.

Use of Impact Assessment in Alcohol Licensing includes:

- **Evaluate Local Context:** An impact assessment considers the specific characteristics of the community, including population demographics, crime rates, and health statistics, to determine the potential effects of alcohol availability.
- **Identify Risks and Benefits:** It helps assess both the positive and negative consequences of alcohol licensing, such as economic benefits (e.g., increased business activity) and social risks (e.g., increased alcohol-related harm or anti-social behaviour).
- **Informed Decision Making:** The assessment provides evidence-based recommendations for regulating alcohol licenses, considering factors such as proximity to schools, residential areas, and other vulnerable zones, which helps determine whether new licenses or license variations should be approved.
- **Stakeholder Engagement:** It often involves consultation with key stakeholders, including local communities, public health organizations, police, and local authorities, to gather diverse perspectives on potential impacts.

Advantages of Using an Impact Assessment include:

- **Evidence-Based Regulation:** Impact assessments provide objective data and evidence to support decisions, ensuring that licensing decisions are not based solely on subjective opinions or political pressures.
- **Prevention of Harm:** By identifying potential risks early on, impact assessments help prevent alcohol-related harm, such as crime, violence, and health issues, before they manifest in the community.
- **Tailored Solutions:** They allow for more tailored and targeted measures, such as setting specific conditions on licenses (e.g., restrictions on trading hours, the types of alcohol sold, percentage of alcohol advertising outside or on a premises) to mitigate identified risks.
- **Community Involvement:** The process encourages community input, fostering greater public trust and ensuring that local concerns about alcohol-related harm are addressed in licensing decisions.
- **Promote Responsible Drinking:** Impact assessments can help design environments that encourage responsible alcohol consumption by identifying factors that contribute to overconsumption or unsafe drinking patterns.
- **Long-Term Benefits:** By considering long-term social, economic, and health outcomes, impact assessments contribute to the sustainable development of communities, balancing economic growth with public health and safety.

- Incorporating an impact assessment into the alcohol licensing process ensures a comprehensive approach to regulation, balancing the economic and social benefits of alcohol sales with the need to protect public health and reduce harm in the community.

Some Councils have discretionary conditions on Special licences

Some Councils have considered inclusion of discretionary conditions on special licenses, including:

- Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in.
- Requirement of a separate line or service area for non-alcoholic beverages where the special licence is likely to have patrons that are under the legal drinking age.
- Three substantial food options must be provided.
- For class one special licences:
 - Security Staff, porta loos and rubbish bins provided in the surrounding areas to assist with issues with amenity and good order.
 - No full bottle wine sales for onsite consumption.
 - Serve reduction systems in place to manage intoxication levels – maximum serves of 2 per sale reducing to 1.
 - Prescribed ratio of security staff to patrons.
 - High visibility clothing to be worn by security staff and be visible to others.
 - Means of egress for emergency services.
 - Submission of Applications at least 25 working days prior to the event to allow for processing and potential stakeholder meetings.
 - A sufficiently detailed Alcohol Management Plan as per Section 143 of the SSAA 2012.

Additional elements may provide DLC's with options for the licensing process to help alleviate issues with amenity and good order, reduce issues at larger events and assist in the reduction of alcohol related harm.

One-way door restrictions

Section 77(1)(g) provides for policies on one-way door restrictions. One-way door restrictions impose a condition on a licence that allows people to leave places such as bars, taverns, pubs and nightclubs but not enter or re-enter after a certain time.

Policy provision	Advantages	Disadvantages
One way door restriction - Status Quo is that the LAP (2019) includes a mandatory one-way door restriction at 2.00am for taverns / bars /pubs /night-clubs.	No new provision for six businesses that currently operate a one-way door policy at 2.00 am.	May not meet stakeholder expectations. May cause policy divergence with other Councils.

SECTION 4: Stakeholder feedback

Section 78(4) of the Act states that the authority 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 authority to do so, make reasonable efforts to give the authority any information they hold.

On 11 November 2024, following a stakeholder meeting in September, both NZ Police and the Medical Officer of Health were requested to provide formal feedback on the current Local Alcohol Policy.

On 10 December 2024 and 12 December 2024 feedback was received from the Medical Officer of Health and NZ Police.

Inspectors from Napier City Council and Hastings District Council were directly involved with the LAP process and contributed to the research directly.

SECTION 5: Summary and conclusions

The evidence and data discussed in this report and in the associated research report clearly confirms that there are still a wide range of alcohol-related issues in Napier. The issues identified include:

- Alcohol related harm has a high community cost.
- Harm disproportionately impacts Māori, youth, and individuals residing in areas of socio-economic deprivation.
- Patterns of heavy consumption of alcohol, especially among the young.
- Acute and chronic health problems.
- Alcohol related traffic and crime offences.
- Alcohol related issues and harm is more prevalent during the weekends, particularly Saturday nights and early Sunday morning.
- Alcohol related harm generally increases in the summer months of the year.
- Alcohol related harm starts to increase from 9pm.

Data indicates that there has been some positive change in alcohol-related harm within Napier both before and after the implementation of the LAP (2019). There is evidence suggesting slight temporal shifts in harm following changes in operating hours for both on- and off-licenses.

While many of the issues identified in this report cannot be directly addressed through the LAP, literature suggests that regulating the sale and supply of alcohol can have an indirect impact. It is not a single policy provision, but rather a combination of provisions, national and local policies, and community initiatives that contribute to reducing harm.

The effects of any individual policy provision are likely to result in only minor changes to overall harm levels due to the complex nature of alcohol-related harm and the many external factors that influence it. The full extent of harm reduction may be diffused throughout the community, and the available evidence may not fully capture the true scope of these changes.

Stakeholders, including the Medical Officer of Health, NZ Police, and alcohol licensing inspectors, agree that the current policy provisions in the LAP are effective and should be maintained. At present, there are no significant practical or administrative issues with the policy.

The policy, as it currently stands, is fit for purpose and contains strong provisions aimed at minimising harm in Napier.

The proposed changes should seek to strengthen provisions and enhance efforts to reduce alcohol-related harm in the community.

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) Retain maximum trading hours of 8.00 am to 3.00 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:** No further off-licences are to be issued for any premises being a bottle store in all suburban areas in Napier City.
 3. **New range of Discretionary Conditions:** Additional discretionary conditions including conditions
 - a. restricting single sales of alcohol (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.
 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 2.00 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, and Council's consultation web page.
14 April 2025	Submissions close 5.00 pm.
29 April – 30 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 currently 29 to 30 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
- 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.

PUBLIC POLICY



Local Alcohol Policy			
Approved By	Napier City Council		
Department	City Strategy		
Original Approval Date	August 2025	Review Approval Date	
Next Review Deadline	August 2031	Control Document ID	
Relevant Legislation	Sale and Supply of Alcohol Act 2012		
NCC Docs Referenced		Published Document ID	

For information all administrative aspects of reviewing policy, please refer to Policy Review Procedure, document ID 667482

Purpose

The purpose of this Local Alcohol Policy is to provide guidance to the District Licensing Committee and Alcohol Regulatory and Licensing Authority when making decisions on alcohol licence applications in Napier City, and to provide a guide for those applying for an alcohol licence in the City.

Policy

Introduction

The Sale and Supply of Alcohol Act 2012 (the Act) was enacted on 18 December 2012. The Act allows Territorial Authorities to develop a Local Alcohol Policy (LAP). This policy applies to any licensing application made to a District Licensing Committee within Napier City.

This LAP has been developed in consultation with NZ Police, Medical Officers of Health and licensing inspectors as well as the community about the sale and supply of alcohol. Once the LAP is in place, the Council's District Licensing Committee and the Alcohol Regulatory and Licensing Authority will have to have regard to the policy when they make decisions on licence applications.

The Local Alcohol Policy:

- May restrict or extend the default maximum trading hours set out in the Act.
- May impose conditions on types of licences such as one-way door conditions whereby a patron is allowed to leave a premises after a certain time but not enter or re-enter after a certain time.
- May specify restrictions on the location of licensed premises in particular areas or near facilities of particular kinds.
- May specify whether further licences (or licences of a particular kind or kinds) should be issued for premises in a particular area.
- May recommend discretionary conditions.

This Local Alcohol Policy will guide decisions on alcohol licence applications by the District Licensing Committee in the aim of:

- Creating a safe and healthy community while minimising alcohol related harm
- Fostering safe and responsible drinking environments
- Reflecting community views on the sale and supply of alcohol within the district.

Objectives of the LAP

The objectives of the Sale and Supply of Alcohol Act (2012) are that:

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

Beyond the objectives stated in the Act, the objectives of Napier City Local Alcohol Policy are:

- To support the purpose and intent of the Sale and Supply of Alcohol Act 2012.
- To identify what types of harm caused by the excessive or inappropriate consumption of alcohol the community is concerned about and address those harms to the extent appropriate.
- To provide a framework for the District Licensing Committee and Alcohol Regulatory and Licensing Authority to guide their decisions on alcohol licence applications.
- To promote transparency and provide clarity for the public and applicants about whether an application will meet the provisions of the LAP.
- To demonstrate leadership to achieve a safe drinking culture.
- Work collaboratively with community and agencies on initiatives to reduce alcohol related harm.

Policy provisions of the LAP

1. Hours

The following maximum trading hours apply to all licensed premises within the Napier City.

On-licence Hours

On-licence Type	Maximum Trading Hours
Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer	8.00am to 3.00am the following day Monday to Sunday. One way door restriction: Mandatory at 2.00 am.

Cafes / restaurants/ wineries / winery restaurants / Hotels (accommodation)	8.00am to 2.00am the following day Monday to Sunday.
Entertainment Venues and 'otherwise not specified' (as per definition under the Sale and Supply of Alcohol (fees) Regulations 2013.	Licensing hours are to be consistent with the nature and activities of the premises and in general shall range from: 8.00am to 2.00am the following day Monday to Sunday.

Note: The owner / operator of an on-licensed premises will be constrained by the hours defined by any resource consent or District Plan requirements. The above-stated hours do not imply any right to operate outside any requirements set under the Resource Management Act 1991.

Off-licence Hours

Off-licence Type	Maximum Trading Hours
Grocery stores and Supermarkets	9.00am to 9.00pm Monday to Sunday
All other off licenses	9.00am to 9.00 pm Monday to Sunday.

Club Licence Hours

Club Licence Type	Maximum Trading Hours
All Club Licence types	Licensing hours are to be consistent with the nature and activities of the club and in general shall range from: 8.00am to 1.00am the following day Monday to Sunday.

Special Licences

Special Licences may be issued for the on-site or off-site consumption of alcohol for a special event or series of events. The Sale and Supply of Alcohol Act 2012 allows special licences to be issued

for up to 12 months. Special licences are to allow the sale and supply of alcohol at events and are not intended to be a substitute for an “on”, “off” or “club” licence.

Applications for special licences should be filed 25 working days prior to the intended event. This time period allows sufficient time for reporting by the Police, Medical Officer of Health and Licensing Inspector. Applications submitted with less than 25 working days available to the District Licensing Committee may not be processed in time for the event and are submitted at the applicant’s risk.

All applications must comply with the provisions of the District Plan. Conditions may be imposed on any special licence to mitigate the potential for noise or other environmental effects. Where an objection to an application is received the application will be referred for a formal hearing to the District Licensing Committee for a decision.

Special licence Hours

Special licence	Maximum Trading Hours
	8.00am to 2.00am the following day, unless the event is deemed suitable to extend beyond these hours, and the applicant can provide justification for the need for the extended hours.

2. Location of licensed premises

From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within:

- All suburban areas in Napier City.

Note: In all areas not listed above the District Licensing Committee may grant an on, off or club licence for any premises located in any zone where the sale and supply of alcohol is a permitted activity under the relevant District Plan. Applications will not be considered in other areas unless resource consent has been granted.

3. Discretionary Conditions

Section 117 of the Act permits a District Licensing Committee to issue any licence subject to any reasonable conditions not inconsistent with the Act.

Discretionary conditions are in addition to the mandatory conditions specified within the Act. This provision allows the District Licensing Committee a wide-ranging discretion as to conditions that may be applied to a licence. To provide guidance to the District Licensing Committee and some certainty to applicants, the following conditions are a list of those which may be imposed by the District Licensing Committee where they are considered appropriate. In using its discretion to apply conditions, the District Licensing Committee will be guided by the following:

- **Connection** – whether there is a connection between the problem to be addressed and the proposed activity.
- **Impact** – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm.
- **Reasonableness** – whether it is within the capabilities of the applicant or licensee to satisfy this condition.

Note: While the District Licensing Committee has the discretion to add any condition(s) that it deems to be appropriate, it is anticipated that an applicant would have the opportunity to submit comments to the District Licensing Committee prior to the imposition of any condition that may have a financial or management impact on their business.

The following are conditions which may be applied to alcohol licences by the District Licensing Committee based on their discretion.

On-Licences and Club Licences

- CCTV cameras (location and number and keep recording for a minimum of 28 days).
- Provision of effective exterior lighting.
- No serving in glass containers at specified times.
- Number of door-staff and provision of additional security staff after specified times.
- Management of patrons queuing to enter the licensed premises.
- Limit on the number of drinks per customer at specified times.
- No shots or types of drinks to be served after specified times.
- Limit on drink sizes after specified times.
- Three substantial food options must be provided.
- Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc.
- One way door restrictions.
- Provision of transport for patrons.
- Restriction on the use of outdoor areas after a specified time.
- Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have ARH issues. This impact assessment should detail how the applicant will mitigate any issues with amenity and good order and may result in conditions imposed on the licence to ensure the minimisation of alcohol related harm on the surrounding community.
- Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.
- Maintain and provide upon request a duty manager roster.
- Mandatory reporting of violent incidents to NZ Police.

Club Licences

- Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number.

- Three substantial food options must be provided.

Off-Licences

- Display of safe drinking messages/material.
- CCTV cameras (location and number and holding or recordings for at least 28 days).
- Provision of effective exterior lighting.
- Limit on alcohol related exterior signage or advertising to 30% of the building or glass exterior.
- No single sale of Ready to Drink (RTD) or mainstream beer under 500ml.
- Utilise the principles of Crime Prevention through Environmental Design. (CPTED).
- Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have issues.
- Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents.
- Maintain and provide upon request a duty manager roster.
- Low-alcohol drinks and non-alcoholic drinks to be available for sale.

Special Licences

- Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in.
- One way door restrictions.
- Requirement of a separate line or service area for non-alcoholic beverages where the special licence is likely to have patrons that are under the legal drinking age.
- Three substantial food options must be provided.
- For class one events:
 - Security Staff, porta loos and rubbish bins provided in the surrounding areas to assist with issues with amenity and good order.
 - No full bottle wine sales for onsite consumption.
 - Serve reduction systems in place to manage intoxication levels – maximum serves of 2 per sale reducing to 1.
 - Prescribed ratio of security staff to patrons.
 - High visibility clothing to be worn by security staff and be visible to others.
 - Means of egress for emergency services.

- Submission of Applications at least 25 working days prior to the event to allow for processing and potential stakeholder meetings.
- A sufficiently detailed Alcohol Management Plan as per Section 143 of the SSAA 2012.

4. One way door restriction:

Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer a one-way door restriction is:

- Mandatory at 2.00 am.

Definitions

Alcohol: means a substance—

(a) that—

(i) is or contains a fermented, distilled, or spirituous alcohol; and

(ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or

(b) that—

(i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and

(ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or

(c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people (refer section 5(1) of the Act).

Alcohol related harm:

(a) means the harm caused by the excessive or inappropriate consumption of alcohol; and

(b) includes -

(i) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and

(ii) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i) (refer section 5(1) of the Act).

Bottle store: means retail premises where at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 31(1) of the Act).

Bar: in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1) of the Act).

Brewery: A premises or a facility or establishment where beer is produced, brewed, and often packaged for sale.

Café: has the same meaning as restaurant in terms of the licence.

Cidery: A premises or facility or establishment where cider is produced. Cider is an alcoholic beverage made from the fermentation of apple juice (or sometimes other fruits) which manufactures cider on site.

Club : means a body that -

(a) Is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or

(b) a body corporate whose object is not (or none of whose objects is) gain; or

(c) Holds a permanent club charter (refer section 5(1) of the Act).

Class One Club: As per the definition in the Sale and Supply of Alcohol (fees) Regulations 2013 - a club licence that has at least 1000 members of the purchase age and in the opinion of the TA, operates any part of the premises in the nature of a tavern at any time.

Class Two and Three Clubs: As per the definition in the Sale and Supply of Alcohol (fees) Regulations 2013 - that is not a class one or a club that has fewer than 250 members of the purchase age and operates a bar for no more than 40 hours each week.

Club Licences: where the licensee (e.g. a club) can sell and supply alcohol for consumption on the club premises by authorised customers (see section 21 of the Act);

Distillery: a premises or a facility where alcoholic beverages, such as whiskey, vodka, rum, gin, and other spirits, are produced through the process of distillation.

Endorsed Caterer: means a catering business with an on-licence endorsed under s38 of the Sale and Supply of Alcohol Act 2012.

Entertainment Venue: means premises used or intended to be used in the course of business principally for providing any performance or activity such as but not limited to theatre, cinema, bowling, pool/snooker/billiard hall, brothel, function centre, wedding venue, live entertainment venue, strip club.

Grocery Store: means a shop that has the characteristics normally associated with shops of the kind commonly thought of as grocery shops such as but not limited to annual sales revenue, product range; and comprises premises where a range of food products and other household items are sold; but the principal business carried on is or will be the sale of food products (refer section 33(1) of the Act). In most cases grocery stores will be less than 1,000 m² in size.

Hotel: means premises used or intended to be used in the course of business principally for providing to the public -

- (a) Lodging; and
- (b) Alcohol, meals, and refreshments for consumption on the premises (refer section 5(1) of the Act)

Night-club: has the same meaning as tavern in terms of the licence.

On-licence: where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there (see section 14 of the Act).

Off-licence: where the licensee sells alcohol from a premises for consumption somewhere else (see section 17 of the Act).

Pub: has the same meaning as tavern in terms of the licence

Restaurant: means premises that -

- (a) Are not a conveyance; and
- (b) Are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises (refer section 5(1) of the Act)

Special licences: can be either on-site or off-site special licences. With an on-site special, the licensee can sell or supply alcohol, for consumption there, to people attending an event described in it. With an off-site special, the licensee can sell the licensee's alcohol, for consumption somewhere else, to people attending an event described in it (see section 22 of the Act).

Supermarket: means premises commonly thought of as a supermarket with a floor area of at least 1000m², including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items.

Tavern:

- (a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but
- (b) does not include an airport bar (refer section 5(1)). (ie, an airport bar is not treated as a tavern for alcohol licensing purposes).

Winery: means an activity carried out on the same site as a vineyard involving wine making and cellar door sales (the retail sale of the wine produced on the site), and any related entertainment facilities including the serving of food and beverages.

Policy Review

The review timeframe of this policy will be no longer than every six years.

Document History

Version	Reviewer	Change Detail	Date
0.1	Team Leader Compliance	First draft for Council Consideration	31 January 2025

Location and density of licenced alcohol premises

At the Local Alcohol Policy Workshop on 30 January 2025, Council sought further information regarding the location and density of licenced alcohol premises in Napier City.

Further information is provided on this in the report for full Council on 20 February 2025 entitled Draft Local Alcohol Policy and associated documents.

Location of licenced premises maps

The following map is available to assist Council with the location of licenced premises in Napier:

- Napier Alcohol Licenced Premises (see attachment 1).

Density of licenced alcohol premises

Council requested further information on density of licenced alcohol premises. The following table provides density by land area for suburban areas with licenced premises:

Suburb	OFF	ON	CLUB	Grand Total	Area (km2)	Density (licenced premises / km2)
Ahuriri	7	28	3	38	1.01	37.47
Napier South	16	69	5	90	2.54	35.46
Bluff Hill	3	1	2	6	1.42	4.23
Marewa	3	2	4	9	2.27	3.96
Onekawa	5	5	3	13	3.70	3.51
Tamatea	2	3	2	7	2.15	3.26
Greenmeadows	4	2	1	7	3.09	2.27
Taradale	5	15	4	24	11.38	2.11
Maraenui	2			2	1.05	1.90
Pandora	2			2	1.23	1.62
Pirimai	2			2	1.43	1.40
Te Awa	1			1	1.03	0.97
Westshore	2	5	1	8	9.80	0.82
Hospital Hill		1		1	1.31	0.76
Bayview	4	3	3	10	17.33	0.58
Meeanee	3	3	1	7	17.39	0.40
Awatoto		1	1	2	5.91	0.34
Poraiti	1		2	3	17.76	0.17
Grand Total	62	138	32	232	102	

Table 1: density by land area for suburban areas with on, off and club licenced premises

In summary, Ahuriri and Napier South, have highest density likely as areas where a number of restaurants and bars are located. There are four suburbs with between 2 and 4 licenced premises per Km² these are Bluff Hill, Marewa, Onekawa, Tamatea, Greenmeadows and Taradale. Maraenui has just under 2 licenced premises per Km².

Proposed options for consultation: location and density restriction

Council required further information on three options regarding location and density restrictions. Further detail is outlined in the report entitled Draft Local Alcohol Policy and associated documents intended for the Council meeting on 20 February 2025. Options considered are:

Option 1: Retain status quo

The LAP (2019) restricts the approval of further bottle store licences for particular areas of Maraenui in order to try to minimise alcohol related harm. A new map of the Maraenui Bottle Store Restriction Area is available should Council wish to retain the provision in the current LAP (see attachment 2).

Option 2: Location and density restriction for all suburban areas

No further off licences are to be issued for any premises being a bottle store on land located within: All suburban areas. Maps for this option are not yet available.

Option 3: Location and density restriction for specified suburban areas

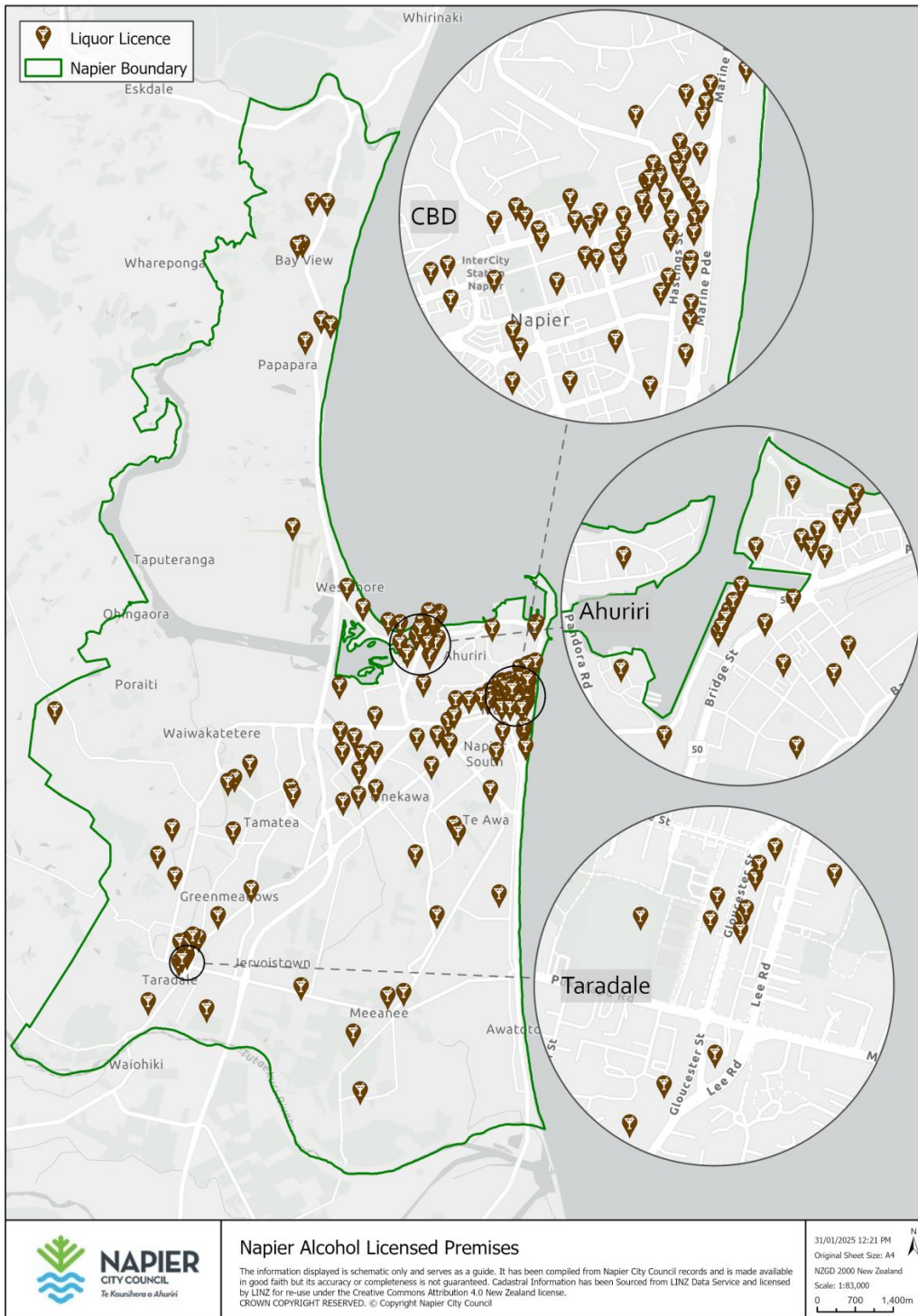
No further off licences are to be issued for any premises being a bottle store on land located within specified suburban areas: Marewa, Greenmeadows, Maraenui, Onekawa and Nelson Park.

Four other maps have been produced should Council which to consider Bottle Store Restrictions in other suburban areas:

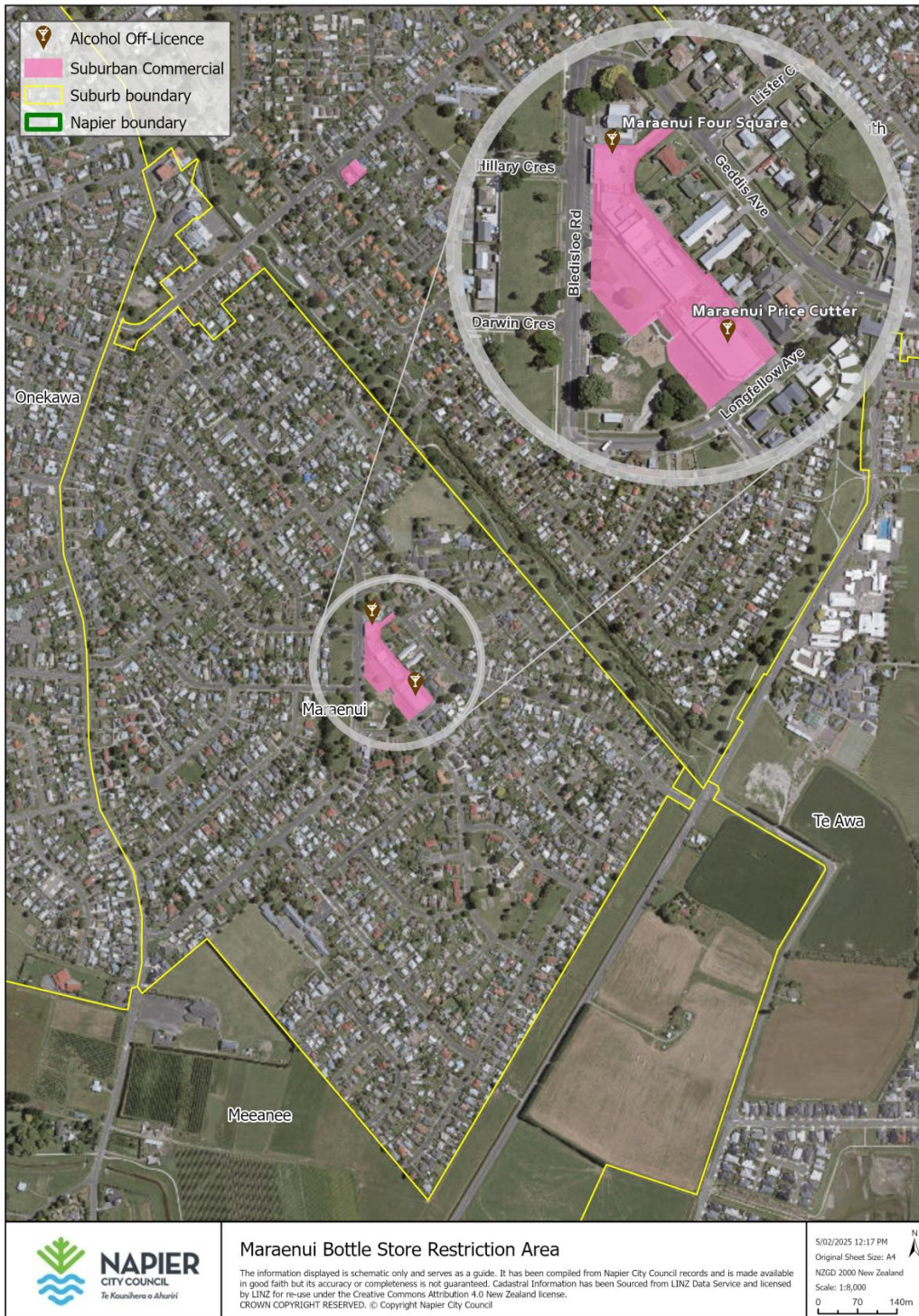
1. Greenmeadows Bottle Store Restriction Area (see attachment 3).
2. Marewa Bottle Store Restriction Area (see attachment 4).
3. Onekawa Bottle Store Restriction Area (see attachment 5).
4. Napier South Bottle Store Restriction Area (see attachment 6).

See attachments for Maps.

Attachment 1: Napier Alcohol Licenced Premises

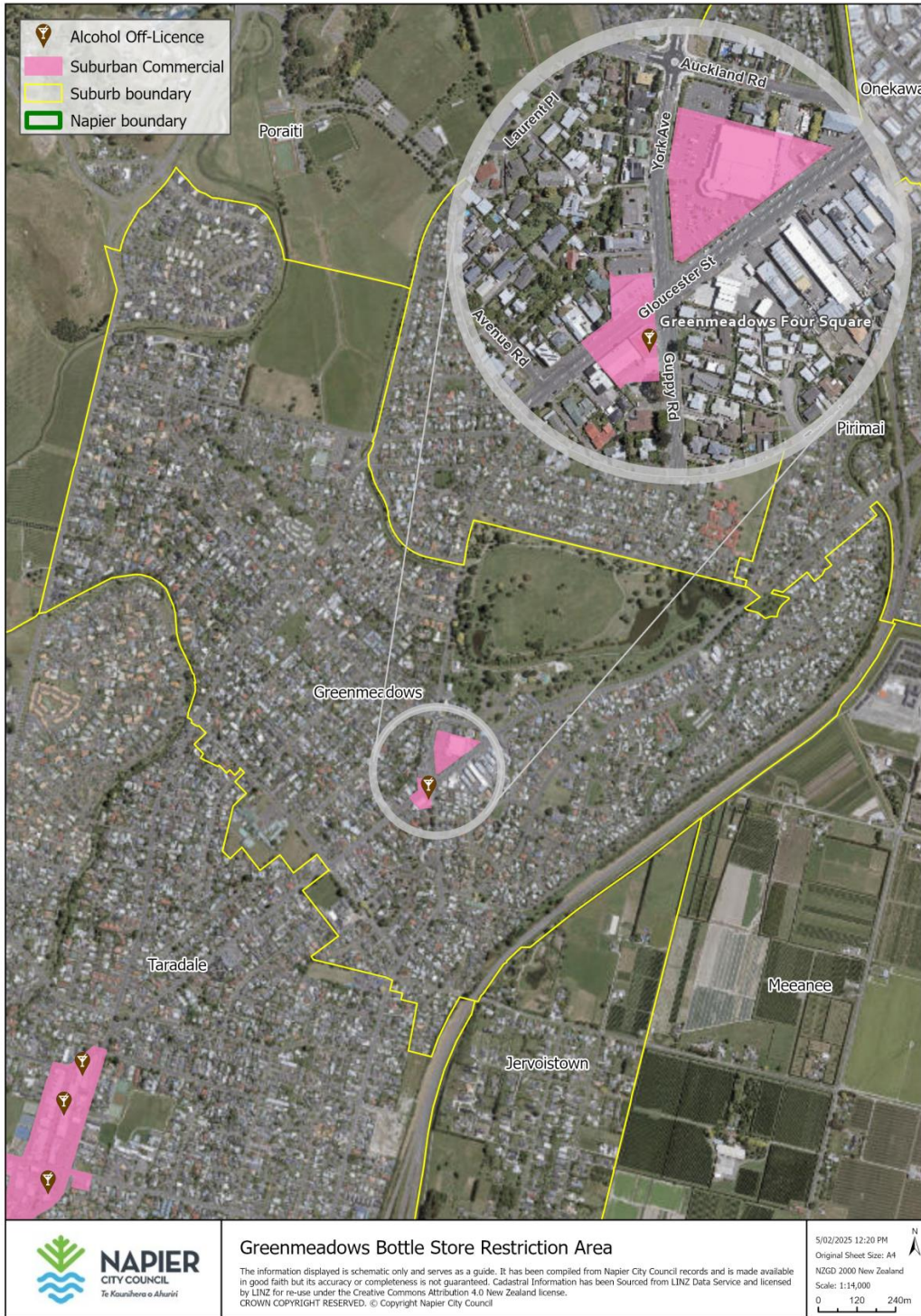


Attachment 2: Maraenui Bottle Store Restriction Area



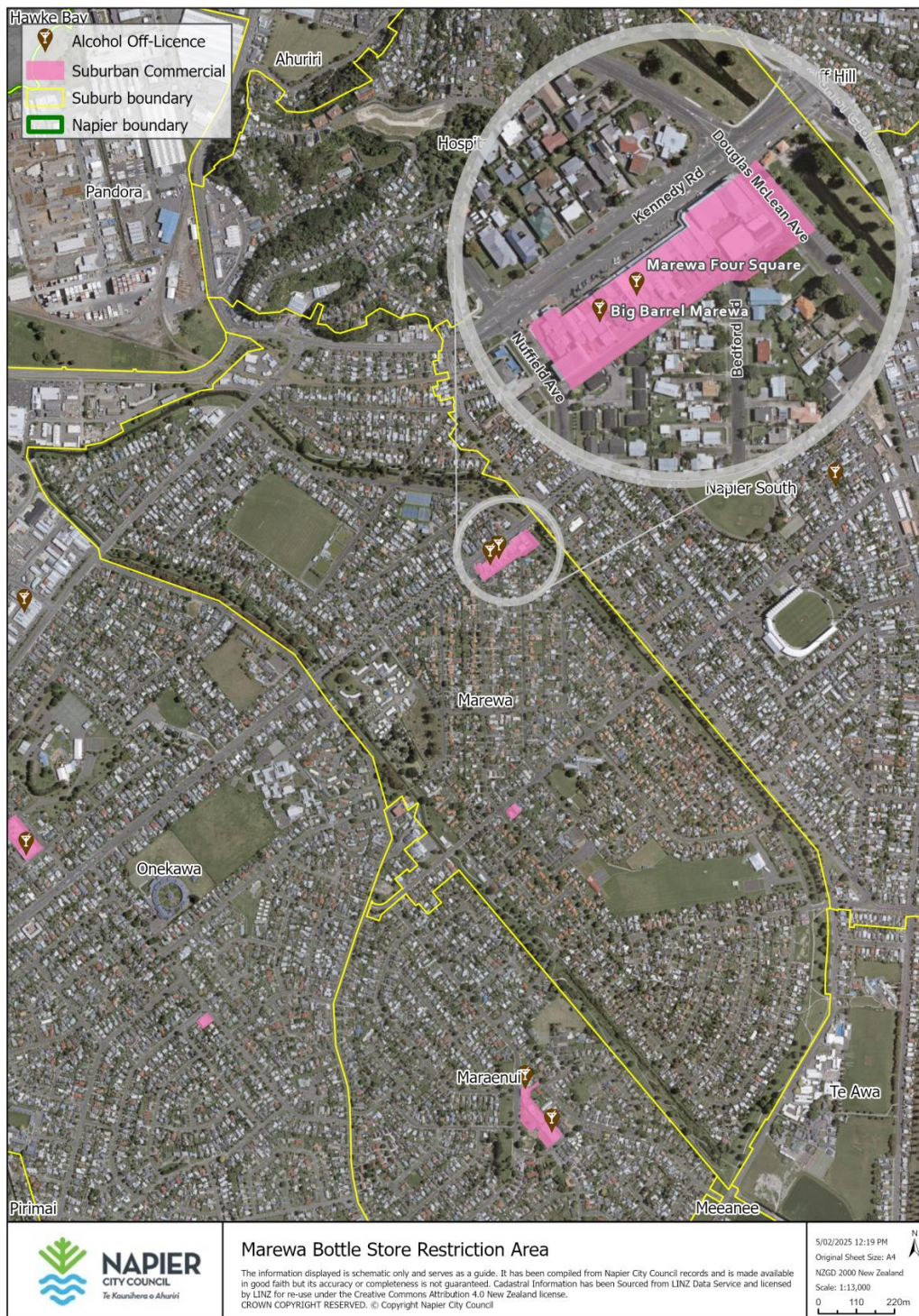
DRAFT: Example: Not Council Policy

Attachment 3: Greenmeadows Bottle Store Restriction Area



DRAFT: Example: Not Council Policy

Attachment 4: Marewa Bottle Store Restriction Area



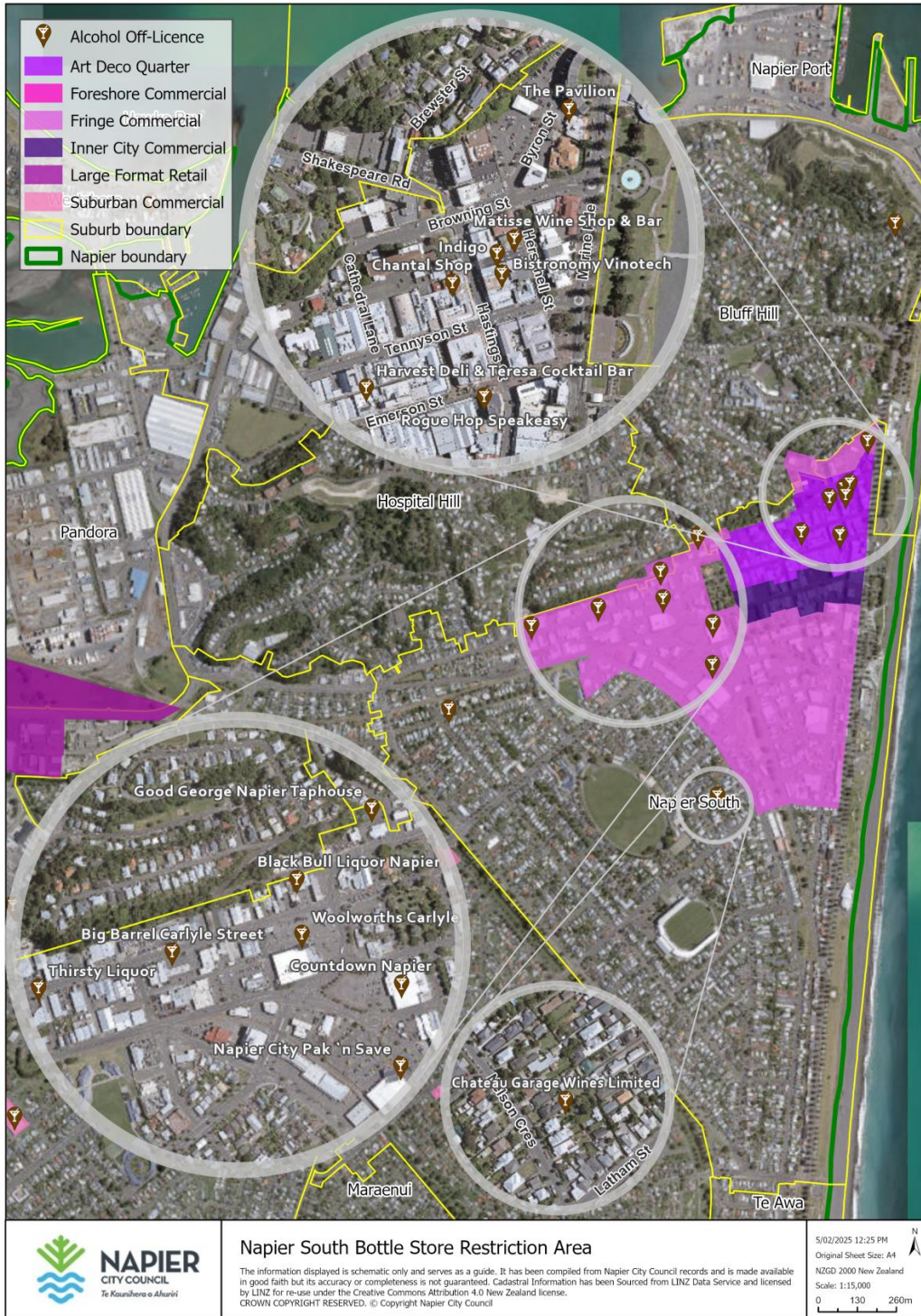
DRAFT: Example: Not Council Policy

Attachment 5: Onekawa Bottle Store Restriction Area



DRAFT: Example: Not Council Policy

Attachment 6: Napier South Bottle Store Restriction Area



DRAFT: Example: Not Council Policy

10 February 2025 updated 13 February 2025
Project leads: Janine Green and Stephen Bokkerink

Background information for Joint LAP Working Reference Group

Introduction

The Local Alcohol Policy Joint Working Reference Group was established, focusing on areas such as policy alignment, collaboration, and political coordination.

On 30 January 2025 in Napier, and 4 February 2025 in Hastings, Councillors attended Local Alcohol Policy (LAP) workshops. Following the workshops, Officers from the Councils would like to provide additional information to support the decision-making process to the working group.

From general discussions at the workshops, it was noted by officers that there may be differences in policy provision guidance between Hastings and Napier in two policy areas: Trading hours and location provisions.

On-licence hours

	NCC	HDC
Taverns/bars/pubs/night-clubs	Mixed views - Discussion on status quo primarily	Mixed views - Discussion on reduced closing hours primarily

Evidence:

- Both Police and the Medical Officer of Health data and recommendations strongly support a reduction in hours for on-licences.
- Saturday and Sunday have the highest rates of alcohol related presentations into the Hospital Emergency Department (ED), followed closely by Friday. Rates of alcohol related ED presentations:
 - peak Saturday 9.00pm and again at midnight Saturday / Sunday morning.
 - start to rise from Friday night 10.00pm through to 4.00am Sunday morning.
 - a total of 46% of the alcohol related presentations occur over the weekend (298 of the 641 total alcohol related presentations).
- The Medical Officer of Health has indicated support for a reduction of hours for all licence types, stating that restricting alcohol availability is one of the most effective ways to reduce alcohol-related harm.
- Police also believe that the maximum trading hours for on-licence premises should be between 8.00am to 2.00am with a one-way door restriction from 1.00am.
- Police data provided shows the time blocks with the highest alcohol-related harm were in the early hours of the morning and late evening periods. The peak periods of alcohol related incidents in the early morning hours (12:00am - 2:59am) consistently show the highest alcohol-related harm (accounting for nearly 20% of the total incidents).
- Studies of the relationship between alcohol availability, trading hours, and alcohol-related harm is well-established. Harm occurs across different licence types—on-licences, off-licences, club licences, and special licences—research consistently shows that extended trading hours are linked to higher levels of alcohol consumption and an increased risk of harm, including violence, injury, and impaired driving. Specifically:
 - longer trading hours and consequent greater availability increases alcohol-related harm at a community level (Alcohol Healthwatch, 2024 and Hahn., et al 2010).

10 February 2025 updated 13 February 2025
Project leads: Janine Green and Stephen Bokkerink

- significant impact that even small extensions in trading hours can have on violent crime, underscoring the importance of carefully considering the optimal trading hours for reducing harm (Rossow and Norstrom, 2012).
- closing bars and pubs (on-licences) earlier leads to fewer physical harms including assaults, injuries and vehicle crashes (Connor et al., 2021, Nepal, et al., 2020, and Wilkinson, et al., 2016).
- increasing trading into the early hours of the morning will result in increased alcohol use and related harms, such as violence. Adding or subtracting just one or two hours of trading after midnight can make a substantial difference to rates of violence.
- Shifts in licensed premises maximum trading hours may have unintended consequences including:
 - With larger reductions (several hours) in hours for on-licenses there is the potential displacement of drinking to private, unregulated environments once licensed premises close. In these settings, factors such as pour sizes, intoxication levels, and alcohol mixes are less likely to be managed, which could result in increased intoxication and associated harm.
 - Changes could place additional strain on police resources, as police officers would be required to respond to multiple, dispersed incidents across the city/district, rather than concentrating efforts on areas where licensed premises are located.
- In NZ, the top 80 per cent of licensed premises associated with enforcement over the past three financial years include: On-licence taverns (31 per cent); Off-licence bottle stores (25 per cent); Off-licence grocery stores (10 per cent); On-licence hotels (7 per cent); On-licence restaurants (6 per cent).
- In summary, there is sufficient evidence to support reduced trading hour provisions across all licence types. A reduction aligns with the time when peak harm typically begins, around 9.00pm. However, any policy changes would need to be carefully considered to avoid unintended consequences.

Off-licence hours

	NCC	HDC
Off-licence: Grocery stores and Supermarkets	Reduction in hours - similar to the MoH and Police discussed	Mixed views - Discussion on reduced closing hours primarily

Evidence:

- Both Police and the Medical Officer of Health data and recommendations strongly support a reduction in hours for both off-licences.
- The Medical Officer of Health and NZ Police recommended all off licences 9.00am – 9.00pm. There is no evidence to suggest that there is less harm occurring from sales from the supermarkets / grocery stores.
- In NZ, 80% of all alcohol is sold from off-licences, including supermarkets and grocery stores. The supermarket and grocery store market share is approximately 60% and 30% of all off-licence wine and beer sales, respectively. This illustrates that the public are purchasing large quantities of alcohol from the supermarket and grocery stores.
- The same literature and evidence are relevant for off-licence hours – availability theory. The relationship between alcohol availability, trading hours, and alcohol-related harm is well-

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established. It does not distinguish between licence types. There is some literature to suggest that the harms experienced tend to be slightly different and just at different times of the day.

- European studies indicate limiting off-premises trading hours has benefits and reduces consumption (Babor et al., 2023).
- Significant reductions in trading hours yield benefits, although smaller changes may have limited effects. Ultimately, the evidence suggests that more significant reductions in trading hours—especially for off-licences, and late-night on-licences—could lead to substantial public health benefits (Trollidal, 2005); Chikritzhs and Stockwell, 2005; and Babor et al., 2010).

Club licence and Special licence – hours

Club licence – hours

	NCC	HDC
Club Licence	Not discussed in detail – potential for Status quo	<p>Discussions regarding the possibility of splitting the club class categories to more align with the size of club and actual trading hours of clubs within the region.</p> <p>Discussion of the general reduction in hours for smaller clubs</p> <p>Officers comment: Class One Club Licenses (as per the definition in the Sale and Supply of Alcohol (fees) Regulations 2013) - a club licence that has at least 1000 members of the purchase age and in the opinion of the TA, operates any part of the premises in the nature of a tavern at any time.)</p> <p>Class Two and Three Clubs (as per the definition in the Sale and Supply of Alcohol (fees) Regulations 2013) - All other clubs</p> <p>Licensing hours are to be consistent with the nature and activities of the club (current LAP)</p>
Special licence	<p>Not directly discussed at the workshop on 30 Jan 25.</p> <p>Officers comment: Hour's restrictions could more closely align with other on</p>	Discussion regarding hours restrictions more closely aligning with on licence hours and current event hours.

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	licence hours and current event hours.	
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Commentary: Officers believe if there is slight divergence in club licence hours between the two councils it may not be as risky and could have less unintended consequences than differences in the on-licence closing hours. For club licence hours, the risk is further mitigated as you must be a member to go to a club. Hours of clubs in the LAP could be aligned better to actual trading hours of clubs which in most cases for small clubs is not beyond 12.00 am midnight. Classes of clubs exist in the Act and fees regulations and therefore for ease of administration the hours could be aligned to the definitions in the Act and Regulations.

Both NZ Police and the Medical Officer of Health recommendations are not specific for club licences and special licences. However, a general reduction in hours based on the availability theory is recommended and there is research and evidence to support this notion.

Location and Density controls

Section 77(1)(d) of the Sale and Supply of Alcohol Act 2012, provides for polices regarding whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district.

Location and density

	NCC	HDC
Location and density controls: whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district:	Sought further information from officers to inform future decision making around location and density restrictions.	Further information has been requested from officers to align with the MoH recommendations.

Evidence: Officers note there is mixed evidence on the efficacy of location and density controls, specifically,

- The Medical Officer of Health states there is strong rationale for retaining the current provisions under the LAP and expanding the suburb list, due to high levels of alcohol related harm and socioeconomic deprivation in these and neighbouring communities.
- ActionPoint state that the more places to buy alcohol in an area, the more hazardous drinking is likely to occur, therefore leading to more alcohol-related harm (including violence, assaults, drink driving and child maltreatment). High concentration of alcohol outlets is also associated with heavy drinking amongst young people.
- The Law Commission's report recognises that high outlet density of off licences especially, is associated with cheap alcohol products which then in turn facilitates heavy drinking and that the higher the density of outlets, the greater the likelihood of crime and anti-social behaviour.
- Some may argue that restricting outlet density and location is anti-competitive and gives an unfair advantage to certain retailers. Further, such provisions can have unintended

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consequences if the locations for exclusions are not carefully chosen or too large – e.g., clustering or increased density in areas just outside the exclusion areas.

- Recent evidence suggests outlet density has a greater impact on high-risk drinking among lower income groups and in NZ, higher off-licence premises density has been linked to a greater likelihood of binge drinking (Connor, et al., 2011)
- Clustering leads to shorter travel distances to outlets, price competition or longer opening hours, particularly amongst off-licences and in poorer areas (Cameron et al., 2010).
- In some studies, however, alcohol-related harms did not appear to be related to outlet numbers. For example, there is research suggesting that in areas where outlet density is reduced, people may be prepared to travel outside their local area to purchase alcohol (Anderson and Baumberg, 2006).

Additional considerations - Careful wording of 'new' in "no new licences to be granted" to ensure current owners can still sell their business if they need or want to.

NOTE:

This paper and minutes from the meeting will be attached to the full council report to support decision making.

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Minutes

Date: 12.2.25

Time: 2.00pm

Location: Landmarks Room- HDC / Teams online

Attendance:

Stephen Bokkerink – NCC Project Lead

Janine Green – HDC Council Lead

Luke Johnson – NCC

HDC Councillor Buddo

HDC Councillor Fowler

HDC Councillor Apatu

NCC Councillor Greig

NCC Councillor Chrystal

NCC Councillor Taylor

1. Minutes

The handout detailing additional research was sent out prior to the meeting.

Officers from NCC and HDC discussed associated material for on licence, off licence, club licence and special licence hours and location provisions.

Officers discussed evidence and unintended consequences of each option and provision.

2. On licence hours

Officers highlighted the recommendations from both police, Medical Officer of Health, and inspectors; regarding a reduction in hours for on-licences / the importance of aligning off-licence opening hours between supermarkets and bottle stores.

Officers highlighted that the unintended consequences of varying on-licence closing hours would likely be more problematic than having different hours for clubs (which require membership), off-licences opening hours for supermarkets, or special licences. Officers advised that the council may want to consider, at the final draft stage, on-licence hours be aligned between NCC and HDC.

There were concerns expressed that there are no quantitative statistics to accurately measure how a one-hour reduction in trading time correlates with a specific percentage of harm reduction. That makes evaluation of the benefits difficult e.g. what benefit are we buying with the reduction in trading times.

Officers responded that it would be inaccurate and problematic to assume that a one-hour reduction in trading time would result in the same percentage of harm reduction across different locations, given the many varying environmental factors involved.

However, there is ample evidence and studies completed showing that hazardous drinking increases with longer hours and greater availability. That when trading hours for alcohol sales are reduced, especially late at night, there is often a decrease in incidents of violence and other alcohol-related harm. This is because fewer people are consuming alcohol during high-risk late-night hours.

There are many case studies where Cities or regions have implemented reduced alcohol sale hours, such as early closing times or restricted late-night sales, and have seen reductions in emergency service calls, violent crime, and hospital admissions related to alcohol. (please see section 6 for additional quantitative research on this matter.)

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3. One way door provisions

There were discussions on whether the one-way door could alleviate some risk of harm if the one-way door was consistent between the two LAP's. Officers' response was it could assist to alleviate some harm, if the one-way doors were consistent, even though the closing times were not consistent. However, people could simply leave one area to travel to the other prior to the one-way door policy coming into force to utilise one districts longer trading hours, therefore still posing risk. Officers do not advise taking that risk.

A question was asked regarding evidence of the possibility of people moving around the region at closing time or was it anecdotal? The Officer's reported this is Police feedback and is there is evidence to support what may occur.

4. Location provisions

Further analysis has been completed by both Officers assessing the options of additional suburbs to be added to the density provisions already in the LAP.

Officers discussed unintended consequences and the need to ensure the areas are not too large to then cause clustering, increased density, and consequently alcohol related harm. Or conversely, push alcohol licences further into residential areas where there may be pockets of commercial land that could be utilised.

A member of the group asked if there is an optimal/recommended number of premises per square kilometre. Officers commented that these metrics provide limited insight into the development of effective harm reduction strategies, as there is no universally applicable "ideal" ratio of licenses to population or specific demographic characteristics. If this provision were implemented, it would likely be based on an arbitrary number or simply the current number of licenses in the district, offering little real benefit. This is particularly evident given that the number of licenses remains relatively stable year on year.

Additionally other tools exist for example the DLC may consider discretionary conditions or decline an application if it is contrary to the object of the Act based on evidence.

5. Options

Officers noted 2 options if policy divergence were to occur after the two full council meetings (HDC 18.2.25 and NCC 20.2.25)

1. Present the Council with an evidence-based draft policy for approval and consultation to seek public feedback on the proposed policy. While policy divergence between the two councils may arise at this first stage, it is acceptable and does not present a significant obstacle to the overall development of the policy. Any divergences can be addressed and resolved during the final draft stage, once the Special Consultative Procedure is completed and the Councils have considered feedback from the public and stakeholders.
2. Additional meeting required to negotiate a consistent policy provision outcome for hours provisions prior to the SCP.

6. Additional Information

Changes to the Sydney liquor licensing laws in 2014 have been associated with a significant reduction in assault related presentations to the ED at St Vincent's Hospital. The reduction in assault related presentations since 2014 has been sustained for 5 years.

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One NZ piece of research was completed over the period of time when the NZ late night trading restrictions were introduced, (introduction of national maximum trading hours for all on-licence - 8 a.m.–4 a.m. and off-licence premises -7 a.m.–11 p.m., abolishing existing 24-hour licences, on 18 December 2013) showed statistical changes in harm due to the reduction in hours. (*“Changes in the incidence of assault after restrictions on late-night alcohol sales in New Zealand: evaluation of a natural experiment using hospitalization and police data.”* (Jennie Connor, Brett Maclennan, Taisia Huckle, Jose Romeo, Gabrielle Davie, Kypros Kypril)

Findings; Following the restrictions, weekend hospitalized assaults declined by 11% [incidence rate ratio (IRR) = 0.89; 95% confidence interval (CI) = 0.84, 0.94], with the greatest reduction among 15–29-year-olds (IRR = 0.82; 95% CI = 0.76, 0.89). There was an absolute reduction (step change) of 1.8% (95% CI = 0.2, 3.5%) in the proportion of police-documented assaults occurring at night, equivalent to 9.70 (95% CI = 0.10, 19.30) fewer night-time assaults per week, out of 207.4.

Conclusions; The 2013 implementation of national maximum trading hours for alcohol in NZ was followed by reductions in two complementary indicators of alcohol-related assault, consistent with beneficial effects of modest nation-wide restrictions on the late-night availability of alcohol.

The most comprehensive study of late-night trading hour changes comes from Norway, where Rossow and Norström examined the impact of small changes (< 2 hours) in allowable late night trading for bars in 18 Norwegian cities.³⁰ They found that each 1-hour change in trading hours was associated with a change of 16% in recorded assaults. This is the only study to include both extensions and restrictions on trading hours, and the findings were similar for changes in both directions, adding more evidence that effects were causally related to the policy changes

An evaluation of extended trading hours in two entertainment precincts in Amsterdam, Netherlands, produced similar findings – a 34% increase in alcohol-related ambulance attendances in the intervention areas, occurring late at night and not matched in the control regions.³¹