

ATTACHMENT TWO: Submission summary and available evidence

This document summarises submitters' responses and the available research for each of the following issues:

Number	Issue
One	Off-licensed premises starting sales time
Two	Off-licensed premises final sales time
Three	Locations of new bottle stores
Four	New on-licensed premises in industrial areas
Five	Closing sales time for on-licensed premises in Tauranga Central City
Six	One-way door provision
Seven	Discretionary conditions for off-licensed premises

Full submissions are available here [Revised draft Local Alcohol Policy Submissions](#).

The Background report that considers the matters required to be considered under section 78 (2) of the Local Government Act 2002 is available with the agenda for the [1 November 2021 Committee meeting](#).

Issue One: Off-licensed premises starting sales time

Proposal: Change the starting sales time for alcohol at off-licensed premises (bottle stores, supermarkets and grocery stores) from 7am to 10am

Submissions analysis

Submitters are divided...

50 per cent of submitters support the later starting sales time and 47 per cent oppose it.

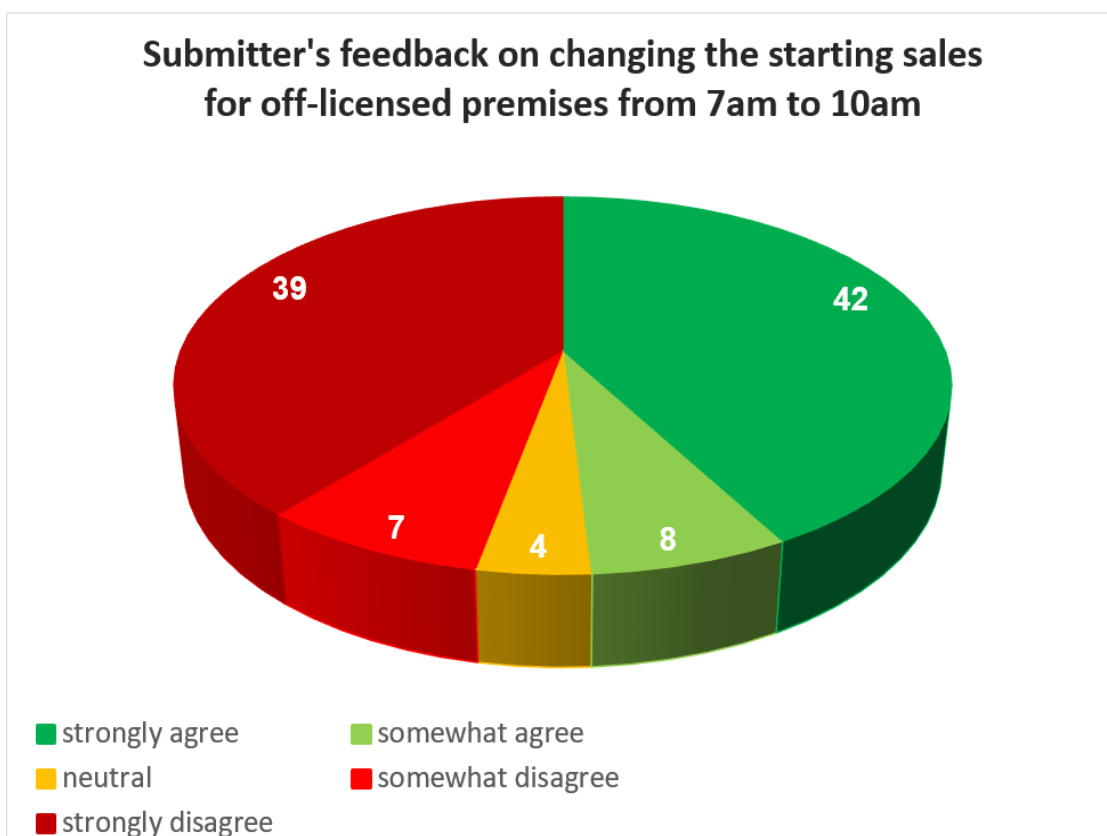


Table One: Changing the starting sales time for off-licensed premises from 7am to 10am

<i>Feedback from consultation survey</i>		
strongly agree	42%	
somewhat agree	8%	
neutral	4%	
somewhat disagree	7%	
strongly disagree	39%	
Reasons for agreement	Reasons for disagreement	Other issues raised
<ul style="list-style-type: none"> Will reduce harm Alcohol far too accessible in our community Opportunity to raise awareness of alcohol consumption 	<ul style="list-style-type: none"> Inconvenient for consumers (shift workers in particular) and supermarkets. Will not reduce harm - just change buying behaviour. Not required as there is no current problem. Removes rights. 	<ul style="list-style-type: none"> Reduce closing times as well – 6pm and 9pm closing times suggested. Later starting time needed – two submitters recommended 12 mid-day and two suggested 11am. Later starting sales time ok for bottle stores but not supermarkets.

	<ul style="list-style-type: none"> • Will result in more abuse for supermarket staff. • Time is not the issue, reckless sales at any hour is the problem. • Alcohol withdrawal can be fatal – a few hours extra wait could kill. 	<ul style="list-style-type: none"> • Supermarkets and grocery stores should not sell alcohol. • Spirits should be available in supermarkets. • Trading hours should apply to all off-licensed premises. • More concerned about bottle stores close to schools.
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Toi Te Ora’s Public Health Survey align will submission results...

72 per cent of respondents in Toi Te Ora’s Public Health Survey 2020¹ thought 10am or later was a suitable opening time for bottle stores and supermarkets to start selling alcohol.

Available research

Most very heavy drinking occurs in homes...

Over 80 per cent of all alcohol purchased in New Zealand comes from off licensed premises². New Zealand research shows that 73 per cent of all alcohol consumed in very heavy drinking occasions is consumed in private homes.³

The portion of alcohol sales in value purchased from off-licensed premises in New Zealand is 67 per cent, and 64 per cent for all large regional cities. In Tauranga this portion is slightly higher at 68 per cent⁴.

The significant proportion of alcohol purchased from off-licensed premises, the heavy drinking occurring in private homes, and the extent of alcohol harm in the community (see background report), provides support for considering changes to off-licensed premises in the LAP.

¹ Toi Te Ora Public Health 2021, Issues of Health and Wellbeing Population Survey 2020; https://toiteora.govt.nz/assets/Toi-Te-Ora-Public-Health/Publications-and-Resources/Population-Surveys/2020_Population_Survey_Low_Res_FINAL.pdf

613 questionnaires were completed by people in the Bay of Plenty District Health Board geographical area - 400 from the Western Bay of Plenty and 213 from Eastern Bay of Plenty.

² M.E. Consulting. New Zealand alcohol supply and demand structures: Research report. Wellington, N.Z.: Health Promotion Agency, 2018.

³ Huckle T, Callinan S, Pham C, Chaiyasong S, Parker K, Casswell S. Harmful drinking occurs in private homes in some high- and middle-income alcohol markets: Data from the International Alcohol Control Study: Harmful drinking in private homes in different alcohol markets. Drug Alcohol Rev 2020; published online Aug 17. DOI:10.1111/dar.13137.

⁴ M.E. Consulting. New Zealand alcohol supply and demand structures: Research report. Wellington, N.Z.: Health Promotion Agency, 2018.

Some evidence that reducing hours reduces harm...

There is evidence that reducing hours of sales reduces problems⁵. The World Health Organisation (WHO) includes strengthening restrictions on alcohol availability as one of the ‘best buys’ for reducing alcohol-related harm⁶.

Studies show that availability restrictions are associated with reductions in alcohol use and alcohol related problems, although effectiveness can vary depending on contexts.⁷

There are fewer New Zealand and international studies on the association between alcohol related harm and off-licensed trading hours than for on-licensed premises.

No New Zealand research could be identified that specifically looks at the impacts of the starting sales time for off-licensed premises on harm. The focus of the research has been on final sales time. As Alcohol Healthwatch note, in their submission ‘*Unfortunately there is a lack of New Zealand research on off-licence opening hours and harm*’.

Research from a small Western Australian community identified corresponding reductions in alcohol consumption, criminal charges, alcohol related hospital admissions and incidents of domestic violence with restrictions in the starting sales time for off-licensed premises.⁸

Reduced exposure can reduce harm...

Other than the impact on alcohol availability, a later starting sales time has the potential to reduce harm by reducing exposure of alcohol sales and advertising to children and youth. Exposure to in-store displays of alcohol may also predict an increased probability of drinking.⁹

Supreme Court decision on Auckland’s provisional LAP...

Although the Supreme Court’s decision (after six years of legal proceedings by Woolworths and Foodstuffs) was made before the changes to the Sale and Supply of Alcohol Act removed the appeal process, it provides clarity about the nature and content of LAPs.

⁵ Popova, S., Giesbrecht, N., Bekmuradov, D., & Patra, J. (2009). Hours and days of sale and density of alcohol outlets: impacts on alcohol consumption and damage: a systematic review. *Alcohol and alcoholism* (Oxford, Oxfordshire), 44(5), 500–516. <https://doi.org/10.1093/alcalc/agg054>

⁶ WHO (2019). Discussion Paper: Implementation of the WHO Global Strategy to reduce the harmful use of alcohol since its endorsement, and the way forward, Geneva, Switzerland: WHO.

⁷ Babor, T., Casswell, S., Graham, K., Huckle, T., Livingston, M., Room, R., Rossow, I & Sornpaisarn, B (2022) *Alcohol: No Ordinary Commodity – a summary of the third edition.*, <https://onlinelibrary.wiley.com/doi/epdf/10.1111/add.16003>

⁸ Douglas, M (1998) Restriction on the hours of sale of alcohol in a small community: A beneficial impact, *Australian and New Zealand Journal of Public Health*, 22, 714-719 <https://onlinelibrary.wiley.com/doi/epdf/10.1111/j.1467-842X.1998.tb01476.x>

⁹ Collins RL, Ellickson PL, McCaffrey D, Hambarsoomians K. Early adolescent exposure to alcohol advertising and its relationship to underage drinking. *J Adolescent Health* 2007; 40: 527–34.

The Supreme Court found that LAPs can be based on or influenced by community preferences. Trading hours which differ from the status quo set out in the Act do not have to be justified in terms of departure from these default hours.

The Supreme Court decision also confirmed that Councils are open to take a precautionary approach to justifying a restriction based on there being a reasonable likelihood (rather than proof) that it will reduce alcohol related harm.

Issue Two: Final Sales time for off-licensed premises

Submissions analysis

Some submitters recommended changing the final sales time..

Several submitters expressed their support for reduced trading hours overall and an earlier final sales time.

'Just a start, alcohol is too freely available in NZ' submission no. 132.

'Suggest a 9.00 pm close, after all, they are open 152 hours, more than enough time to purchase alcohol' submission no 003.

'They should certainly open later but also close earlier at, say, 6 p.m' submission no. 122

Submitters reported inconvenience from later starting sales time...

As noted in issue one above 46 per cent of submitters disagreed with the proposed later starting sales time. Many of these submitters reported that this would be a significant inconvenience to them as they would have to change their supermarket shopping habits and either shop twice or at busier times. They noted the impact of travelling at more congested times and the difficulties for shift workers.

'People shopping for alcohol at 7am -10am are often working people before work commitments or parents after school drop offs, not binge drinkers' submission no. 080.

'Penalising people who like to shop early, to have to make two trips' submission no.133

'You are forgetting about shift workers and those that do their shopping early in the day' submission no.231.

Changing the final sales time instead of the starting sales time is likely to result in less inconvenience for households.

Available research

Final sales times likely to have a greater impact...

Research from Russia cited in Alcohol Healthwatch's submission showed that later opening hours was associated with reduced alcohol use. However, this reduction was 3.5-4 times greater when the closing time was restricted¹⁰

New Zealand research shows that the purchase of alcohol from an off-licensed premises after 10pm was approximately twice as likely to be made by heavier drinkers (those drinking larger quantities and/or more frequently).¹¹ In the Auckland provisional LAP appeal proceedings Professor Connor¹² said *'Closing off-licences*

¹⁰ Kolosnitsyna M, Sitdikov M, Khorkina N. Availability restrictions and alcohol consumption: A case of restricted hours of alcohol sales in Russian regions. *Int J Alcohol Drug Res* 2014; 3: 193–201.

¹¹ Casswell, S., Huckle, T., Wall, M., & Yeh, L.C (2014) International Alcohol Control study: pricing data and hours of purchase predict heavier drinking. *Alcoholism Clinical and Experimental Research*. 2014; 38(5):1425-31

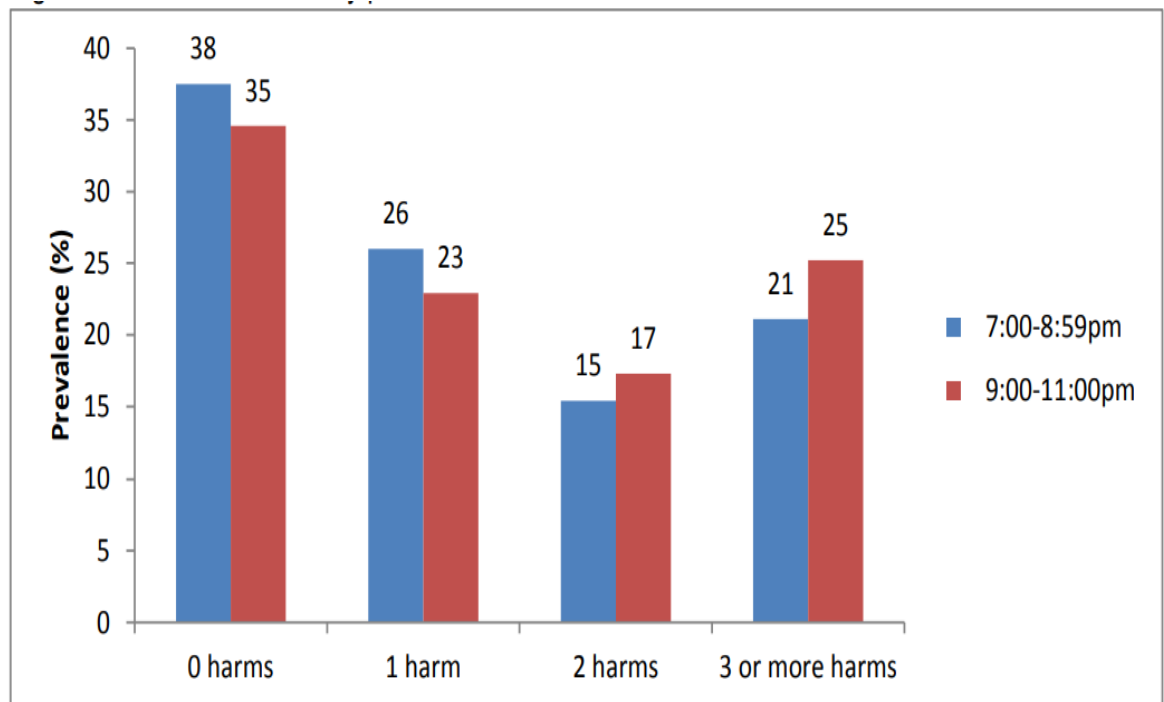
¹² Professor Jennie Connor, epidemiologist and Chair in Preventive Social Medicine at the University of Otago

earlier could be expected to particularly reduce access to alcohol for heavy drinkers, who suffer, and cause, the most alcohol-related harm'.¹³

A Wellington City based study of alcohol off-licensed purchases and subsequent harm¹⁴ found that earlier purchases (7:00pm-8.59pm) were associated with fewer harms experienced compared with later purchases (9:00pm -11:00pm). However, those who purchased earlier in the evening were just as likely to report having experienced a low-prevalence harm as those who purchased later (see chart two).

When asked about a range of times when bottle stores and supermarkets should be required to stop selling alcohol, 41 per cent stated times before 10pm¹⁵

Chart Two: Number of harms by purchase time Wellington Study 2017



¹³ Redwood Corporation Ltd v Auckland City Council [2017] NZARLA PH 247 – 254 [157]

¹⁴ Health Promotion Agency (2016). Alcohol off-licence purchases and subsequent harm: Summary Report. Wellington: Health Promotion Agency

¹⁵ Toi Te Ora Public Health 2021, Issues of Health and Wellbeing Population Survey 202; A reflection of community views across a range of public health topics https://toiteora.govt.nz/assets/Toi-Te-Ora-Public-Health/Publications-and-Resources/Population-Surveys/2020_Population_Survey_Low_Res_FINAL.pdf

Issue Three: Location for new bottle stores

Proposal: No new bottle stores to be established in areas with a deprivation index of 7 or more

Submission analysis

Strong submitter support...

The consultation survey revealed strong support for not allowing any more bottle stores in areas with a high deprivation index (7 or more). 64 per cent of submitters support the proposal, 12 per cent are neutral, and 24 per cent disagree (chart three).

The results correspond with Toi Te Ora's *Health and Wellbeing Population Survey 2020*¹⁶ where around two thirds of respondents' support reducing the number of places that sell alcohol.

Chart Three: Submissions on no new bottle stores in areas with a deprivation index of 7 or more

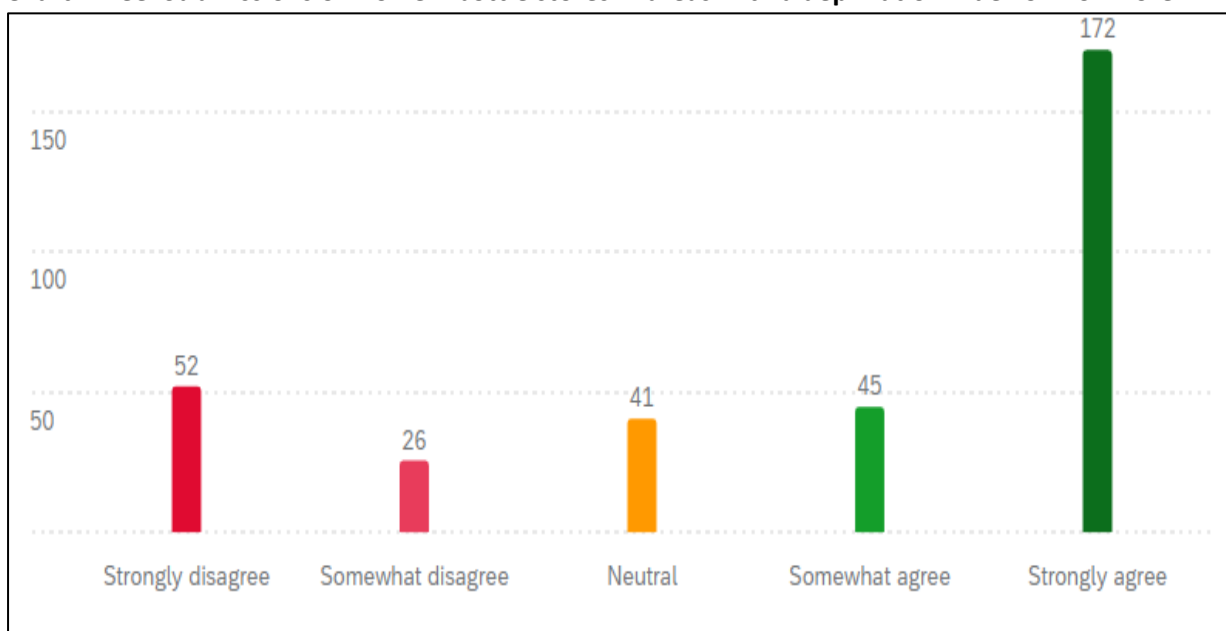


Table Two: No new bottle stores in areas with a deprivation index of 7 or more

<i>Results from consultation survey</i>		
strongly agree	51%	
somewhat agree	13%	
neutral	12%	
somewhat disagree	8%	
strongly disagree	16%	
Reasons for agreement	Reasons for disagreement	Other issues raised
<ul style="list-style-type: none"> Reduced harm. More than enough bottle stores and places to buy alcohol. 	<ul style="list-style-type: none"> No current problem and would cause unnecessary inconvenience. 	<ul style="list-style-type: none"> Do not renew licences in areas with more than a couple of stores

¹⁶ Toi Te Ora Public Health. Issues of Health and Wellbeing Population Survey 2020: A reflection of community views across a range of public health topics relevant to the Bay of Plenty and Lakes districts.

<ul style="list-style-type: none"> • Reduced impact on low socio-economic areas. • Alcohol industry has targeted these areas - time we made a stand against this discrimination. • Significant association between off-licence density and a range of alcohol- related harms. 	<ul style="list-style-type: none"> • Will not stop harm – people will just travel further. • Prevents expansion. • Applications should be considered on merit not a blanket ban. • If there is a cap it should apply to all off- licensed premises. • Would result in a commercial advantage for supermarkets. 	<ul style="list-style-type: none"> • Restrict stores opening next to schools, daycare and playgrounds. • Include Tauranga South, Burrows Street, Bellevue and 15th Ave. • Need a sinking lid policy. • Cap bottle stores across the City (using numbers at the time of policy adoption or specifying the maximum limit). • New licences should be limited to new urban growth areas.
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Available research

Outlet density and harm correlated...

The Law Commission’s review of regulatory frameworks for alcohol identified several studies on outlet density and alcohol related harm. It notes that:

‘studies in this area are by no means singularly conclusive. Even those studies that do show significant correlations are usually subject to various mythological limitations. Nevertheless, the theme that has emerged from this collection of studies has become increasingly clear: the higher the density of outlets, the greater the likelihood of alcohol-related problems.’¹⁷

A sample of studies identified relationships between the density of alcohol outlets and alcohol related harm.

- An Australian study found that the density of off-licensed alcohol outlets is positively related to the rate of alcohol use disorders.¹⁸
- Research from Sweden found that there was a consistent modest association between increased alcohol availability and the onset of alcohol use disorder.¹⁹
- A US expert panel reviewed studies assessing the effect of limiting alcohol outlet density on alcohol related harms, found that there was sufficient evidence to support reducing the density of alcohol outlets to decrease alcohol related harm.²⁰

¹⁷ New Zealand Law Commission. Alcohol in our Lives: Curbing the Harm: A report on the review of the regulatory framework for the sale and supply of liquor. Wellington, N.Z.: Author, 2010 pg. 130 <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20R114.pdf>.

¹⁸ Livingston M. A longitudinal analysis of alcohol outlet density and assault. Alcohol Clin Exp Res 2008; 32: 1074–9.

¹⁹ Karriker-Jaffe KJ, Ohlsson H, Kendler KS, Cook WK, Sundquist K. Alcohol availability and onset and recurrence of alcohol use disorder: Examination in a longitudinal cohort with co-sibling analysis. Alcohol Clin Exp Res 2018. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5997293/>

²⁰ Campbell, C., Hahn, R., Elder, R., Brewer, R., Chattopadhyay, S., Fielding, J., Naimi, T., Toomey, T., Lawrence, B., & Middleton, J. 2009. Effectiveness of Limiting Alcohol Outlet Density as a Means of reducing Excessive Alcohol Consumption and Alcohol-Related Harms. American Journal of Preventive Medicine, 37(6), 556-569. <http://doi:10.1016/j.amepre.2009.09.028>.

- Research by Cameron et al provides New Zealand evidence that links off-licensed alcohol outlets and harm. *'Off-licensed outlets have significant and positive un-moderated relationships with antisocial behaviour and sexual offences, where an additional off-licence outlet in an area is associated with a 1.3 percent higher incidence of antisocial behaviour and a 1.9 percent higher incidence of sexual offences.'*²¹
- A study of alcohol outlets in Manukau city, found that the number of off-licence outlets were higher in areas of high population density and high socio-economic deprivation. The research also found that areas with a higher number of off-licence outlets have higher competition among those outlets, leading to lower prices and longer operating hours.²²
- A recent New Zealand study confirms previous evidence and showed a strong association between geographic access to alcohol outlets and various crime outcome. It demonstrated that areas with the greatest access to alcohol outlets also had the highest incidence of crime and concludes *'policies to reduce the accessibility of alcohol should involve restricting access to alcohol outlets, particularly in socially disadvantaged neighbourhoods where the prevalence of alcohol where the prevalence of alcohol consumption, accessibility to alcohol outlets, and morbidity is the greatest'*.²³

The Medical Officer of Health's submission also noted research that finds high levels of alcohol outlets enable youth access to alcohol.²⁴

Those in more socio-economically deprived areas are at higher risk...

In New Zealand, Māori, men, young people, and those living in more socio-economically deprived areas are at higher risk of alcohol-related harm.²⁵ International research also shows that low-income drinkers experience more harm per litre of alcohol consumed, when compared to higher income drinkers with the same level of drinking.²⁶

²¹Cameron, M.P., Cochrane, W., Livingston, M. 2019, The relationship between alcohol outlets and harms: A spatial panel analysis for New Zealand, 2007-2014. version 3. page 37.

²² Cameron, M., Cochrane, W., McNeill, K., Melbourne, P., Morrison, S., Robertson, N. (2012) The Impacts of Liquor Outlets in Manukau City - summary Report - Revised. Alcohol Advisory Council of New Zealand: Wellington.

²³ Hobbs M, Marek L, Wiki J, et al. Close proximity to alcohol outlets is associated with increased crime and hazardous drinking: Pooled nationally representative data from New Zealand. *Health Place* 2020; 65: 102397. Page 7 <https://ir.canterbury.ac.nz/bitstream/handle/10092/101177/1-s2.0-S1353829220308224-main.pdf?sequence=2&isAllowed=y>

²⁴ Chen, M., Gruenewald, P., & Remer, L. (2009). Does Alcohol Outlet Density Affect Youth Access to Alcohol? *Journal of Adolescent Health: official publication of the Society for Adolescent Medicine*, 44(6), 582-589. <https://doi.org/10.1016/j.jadohealth.2008.10.136>

²⁵ Meiklejohn J, Connor J, Kypri K. 2012. One in three New Zealand drinkers reports being harmed by their own drinking in the past year. *The New Zealand Medical Journal*, 125(1360), 28-36

²⁶ Katikireddi SV, Whitley E, Lewsey J, Gray L, Leyland AH. Socioeconomic status as an effect modifier of alcohol consumption and harm: analysis of linked cohort data. *Lancet Public Health* 2017; 2: e267–76.

Off-licensed premises have grown faster than population...

Since 2015, the number of off-licensed premises in Tauranga has grown faster than the population. The total number of licences in Tauranga has increased by 21 per cent and the number of off-licensed premises have increased by 40 per cent. Over the same period Tauranga’s population is estimated to have increased by around 24 per cent.

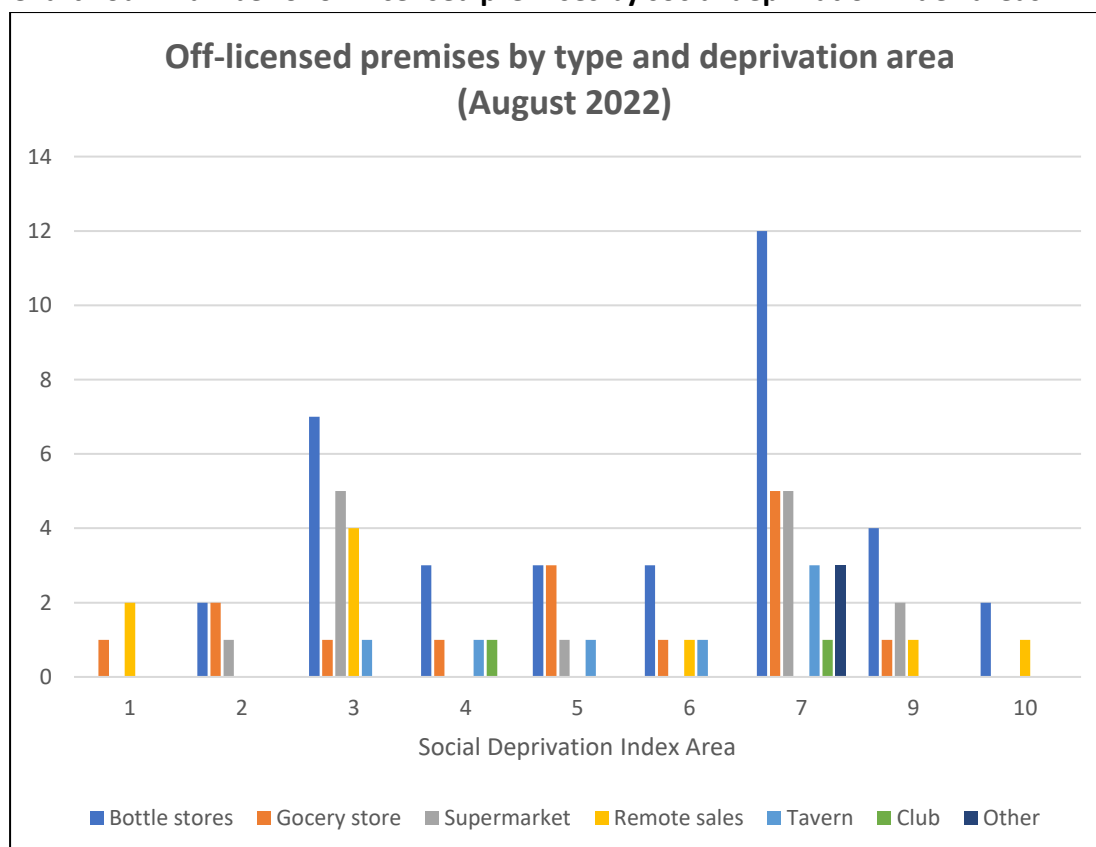
Table Three: Growth in licensed premises

Licence Type	Number (August 2015)	Number (September 2023)	% Change
Off-licensed premises	68	95	40%
On-licensed premises	200	239	20%
Club licences	41	39	-5%
Total licensed premises	309	373	21%

More bottle stores in areas of higher deprivation

Off-licensed premises in Tauranga are inequitably distributed - with more premises located in high deprivation areas. Analysis carried out last year showed that 50 per cent of all bottle stores were in areas with a deprivation index of 7 or more compared to 30 per cent located in areas with a deprivation index between 1 and 4.

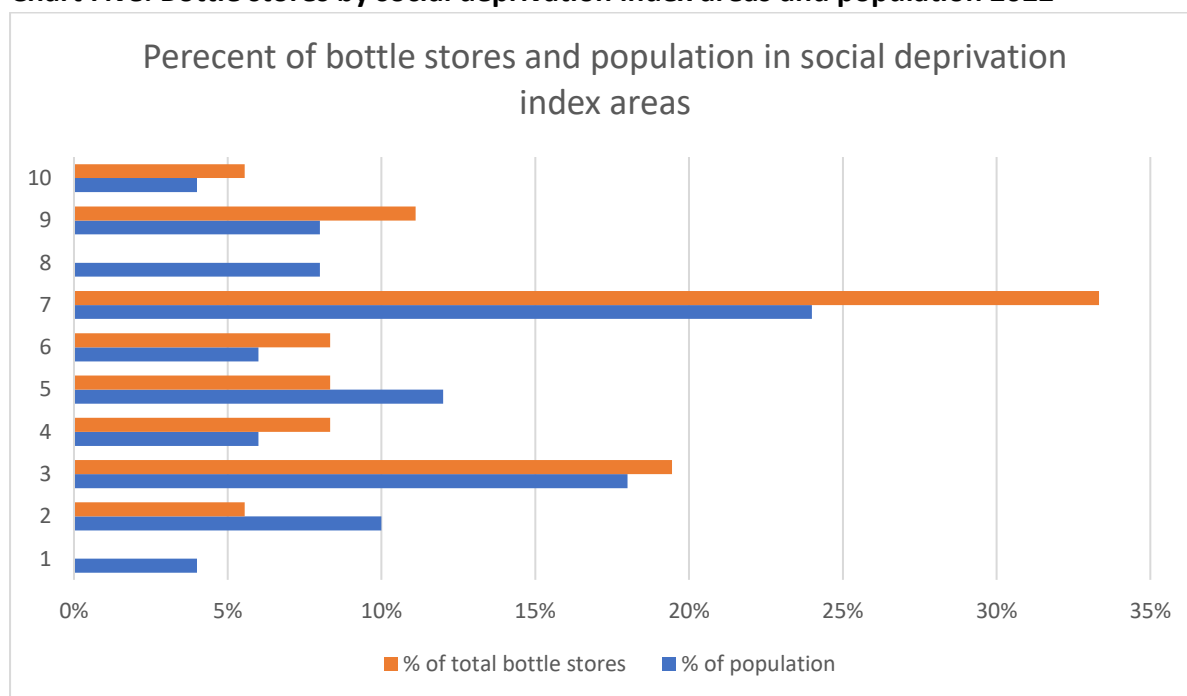
Chart Four: Number of off-licensed premises by social deprivation index areas



Another way of looking at the distribution of off-licences across the city is by population. The portion of bottle stores in areas with a lower social deprivation area

is greater than the portion of the estimated population living in these areas (see chart five below).

Chart Five: Bottle stores by social deprivation index areas and population 2022



This pattern is not unique to Tauranga. The Law Commission’s review on alcohol regulation reported that ‘there is no escaping the reality that high outlet density is more common in lower socio-economic neighbourhoods than higher socio-economic neighbourhoods’.²⁷ The review cited a University of Otago study that found that the average distance a person had to travel to get to an alcohol outlet was fifty per cent greater in the least deprived areas compared to the most deprived areas²⁸.

Cameron et al²⁹ identified several studies that show that alcohol outlet density is positively associated with social deprivation in New Zealand (as measured by the New Zealand deprivation index). People have greater access to alcohol outlets when they live in areas with a higher deprivation index.

²⁷ New Zealand Law Commission. Alcohol in our Lives: Curbing the Harm: A report on the review of the regulatory framework for the sale and supply of liquor. Wellington, N.Z.: Author, 2010 pg. 129 <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20R114.pdf>.

²⁸ G C Hay, P A Whigham, K Kypri and J D Langley “Neighbourhood deprivation and access to alcohol outlets: A national study” (2009) 15 Health and Place 1086. Cited in New Zealand Law Commission. Alcohol in our Lives: Curbing the Harm: A report on the review of the regulatory framework for the sale and supply of liquor. Wellington, N.Z.: Author, 2010 pg. 129 <https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20R114.pdf>

²⁹ Cameron, M.P., Cochrane, W., Livingston, M. 2019, The relationship between alcohol outlets and harms: A spatial panel analysis for New Zealand, 2007-2014. version 3.page 11.

Issue Four: New on-licensed premises in industrial areas

Proposal: No new on-licensed premises to be established in areas zoned as 'industrial'

Submissions analysis

Submitters have mixed views...

Submitters have mixed views on the proposal to not allow any new on-licensed premises in areas zoned as 'industrial'. 41 per cent of submitters agree, 34 per cent disagree, and 22 per cent are neutral on this proposal.

Table Four: New on-licensed premises in industrial areas

<i>Results from consultation survey</i>		
strongly agree	30%	
somewhat agree	11%	
neutral	22%	
somewhat disagree	11%	
strongly disagree	23%	
Reasons for agreement	Reasons for disagreement	Other issues
<ul style="list-style-type: none">• Reduction of new licences will have a positive effect.• Witness drunken people causing issues on their way home and see examples of drunk driving.• Less supervision and informal community control in these.• Away from public transport and have attracted a heavy drinking culture.	<ul style="list-style-type: none">• No problem and would cause unnecessary inconvenience.• Need free trading there is limited space available.• Beer after work is a kiwi tradition – should allow new establishments in growing city.• Noise does not cause the same issues as it would in residential area.• Tauranga would be a better place with more bars, pubs and restaurants.• Draws congestion away from main streets and can bring life to industrial areas.	<ul style="list-style-type: none">• Coordinate this change with safer licensed areas for all people.• Strong sinking lid policy.

Available research

Lack of research on on-licensed premises in industrial areas

No research could be identified that specifically looks at the impact of alcohol harm and the number of licensed premises in industrial areas.

The proposal to limit any further licensed premises stemmed from the initial consultation with the Police. The Police stated that they did not agree with locating licensed premises in areas zoned as industrial because these areas have a lack of community oversight, are often away from public transport and have attracted a heavy drinking culture.

Issue Five: Final sales time for on-licensed premises in the city centre

Proposal: Retain the current final sales time at 3am for on-licensed premises in the city centre

Submissions analysis

Submitters are divided...

Once again submitters have mixed views, although almost half of submitters support the retention of the 3am final sales time. 47 per cent of submitters agree, 33 per cent disagree and 20 per cent are neutral.

Table Five: 3am final alcohol sales time for on-licensed premises in city centre

<i>Results from consultation survey</i>		
strongly agree	31%	
somewhat agree	16%	
neutral	20%	
somewhat disagree	6%	
strongly disagree	27%	
Reasons for agreement	Reasons for disagreement	Other issues
<ul style="list-style-type: none"> Nightlife is an essential part of growing a diverse and young community. Safer to be in bars with better controls. Should be no further restrictions. 	<ul style="list-style-type: none"> Much of the damage and poor behaviour commences after midnight and the later the closing time the more problems. Later hours promote everything that is opposite of responsible sales and consumption – any stat will support this. Security staff cannot handle current problem, something needs to be done before someone is inadvertently killed. Alcohol harm decreases when trading hours are restricted - greatest impact amongst 15–29-year-olds. Strong evidence demonstrating the impact of on-licensed trading hours on alcohol-related harm. 3am is too late - the compounding effects of fatigue and intoxication are creating an unsafe environment in the Tauranga CBD. 	<ul style="list-style-type: none"> Stronger penalties for bars that break the law. Mandatory security guards between 12-3am. Some submitters also put forward a range of alternative times ranging from 12am up to 6am.

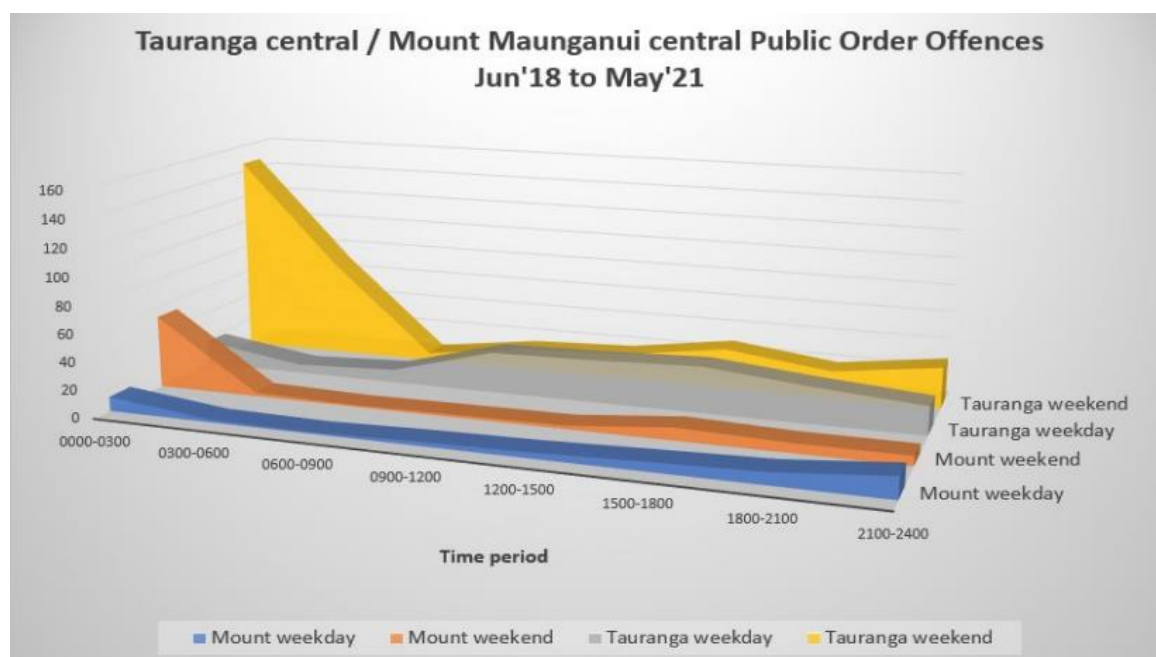
Table Six: Other final sales time put forward by submitters

Recommended final sales time	Number of submitters
11pm	2
Midnight	4
1am	15
2am	28
4am	1
6am	1

Available research

Evidence of harm in early mornings...

Analysis of public order offences in the city centre show peaks at midnight to 3am on the weekends (see graph below from the Western Bay of Plenty Police submission). Police also report that apprehension rates for roading operations are higher on Saturday nights with a noticeable increase from midnight through to 4am.



Impact of changing from 3am to 2am...

New Zealand research demonstrated that drinkers who bought alcohol after 2am from on-licences were 2.9 times more likely to drink high amounts of alcohol compared to those who purchased before 2am. They were also twice as likely to drink frequently.³⁰

Impacts from general reductions in final sales time...

Although no research could be identified specifically relating to the impact on alcohol related harm from moving from a 3am to 2am closing, there is research showing:

- Hospitalizations and assaults reduced significantly following restrictions on late night alcohol sales in New Zealand. Most significant amongst 15-29 years-olds who made up half of all hospitalisations.³¹
- Although only a small proportion of premises (1 per cent of alcohol shops, 9 per cent of supermarkets and 6 per cent of bars and night clubs) were affected by the national

³⁰ Casswell, S., Huckle, T., Wall, M., & Yeh, L.C (2014) International Alcohol Control study: pricing data and hours of purchase predict heavier drinking. *Alcoholism Clinical and Experimental Research*. 2014; 38(5):1425-31. <https://www.hamilton.govt.nz/our-council/policies-by-laws-legislation/policies/Documents/LAP%20Handout%20-%20International%20Alcohol%20Control%20Study%2007-04-14.pdf>

³¹ Connor, J., Maclennan, B., Huckle, T., Romeo, J., Davie, G., & Kypri, K. (2020). Changes in the incidence of assault after restrictions on late-night alcohol sales in New Zealand: evaluation of a natural experience using hospitalization and police data. *Society for the Study of Addiction*, 116, 788-798. <https://doi.org/10.1111/add.15206>

trading hour restrictions set in the Act a significant gradual permanent decrease of 12.4 per cent was found for late-night assaults between 4am and 6am.³²

- 37 per cent decrease in assaults in Newcastle, Australia when premises reduced their trading hours (from 5am to 3.30am). No displacement to other neighbours or premises took place as a result of reducing hours in one particular area.³³
- An agent-based stimulation model suggests that restricting trading hours of licensed venues reduces rates of alcohol harm.³⁴
- A review of ten qualifying studies in high income countries concluded that increasing hours of sale by two or more hours increases alcohol related harm. Policies decreasing hours of sale by two or more at on-premises outlets may be an effective strategy for preventing alcohol related harm.³⁵
- Reducing on-licence trading hours in Timaru from 5am to 3am resulted in a 64% decrease in recorded violent assaults.³⁶

³² Huckle, T., Parker, K., Mavoa, S and Casswell, S., (2020) Reduction in Late-Night Violence following the Introduction of National New Zealand Trading Hour Restrictions
<https://onlinelibrary.wiley.com/doi/10.1111/acer.14285>

³³ Kypri, K., Jones, C., McElduff, P., & Barker, D. (2011) Effects of restricting pub closing times on night-time assaults in an Australian city. *Addiction* 106(2), 303-310. <https://doi.org/10.1111/j.1360-0443.2010.03125.x>

³⁴ Atkinson, J., Prodan, A., Livingston, M., Knowles, D., O'Donnell, E., Room, R., Indig, D., Page, A., McDonnell, G and Wiggers, J (2018) Impacts of licensed premises trading hour policies on alcohol related harms, *Addiction Research Report* https://iogt.org/wp-content/uploads/2018/07/Atkinson_et_al-2018-Addiction.pdf

³⁵ Hahn, R., Kuzara, J., Elder, R., Brewer, R., Chattopadhyay, S., Fielding, J., Naim, T., Tommey, T., Middelton, J., Lawrence, B and the Task Force on Community Preventive Services (2010) Effectiveness of Policies Restricting Hours of Alcohol Sales in Preventing Excessive Alcohol Consumption and Related Harms, *Am J Preventive Medicine* 2010 Dec; 39(6) 590-604 <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3712516/>

³⁶ NZ Police (2009) Policing Fact Sheet: Licensed premises trading hours. Prepared by Organisational Performance Group, Police National Headquarters.

Issue Six: One way door provision in the city centre

Proposal: Remove the one-way door provision

Submissions analysis

46 per cent of submitters agree, 34 per cent disagree and 19 per cent are neutral.

Table Six: Removing the one-way provision in the city centre

<i>Results from consultation survey</i>		
strongly agree	30%	
somewhat agree	16%	
neutral	19%	
somewhat disagree	11%	
strongly disagree	23%	
Reasons for agreement	Reasons for disagreement	Other issues
<ul style="list-style-type: none">• Increased alcohol fuelled violence as people get angry when they cannot come in.• Give business the best chance at profiting.• Would cause people to hang around longer out of fear of not being able to re-enter.• Impingement on freedom of movement.• Proven not to work.• People can be left outside alone and vulnerable.	<ul style="list-style-type: none">• Prevents fighting and tanked-up patrons going from door to door.• Will increase harm.• Will put bouncers and security staff under more pressure.• Helps disperse departures.• Prevents excessive drinking that ends up on the streets.	<ul style="list-style-type: none">• Start earlier

Available research

Assists Police in reducing harm

Police report 'The one-way door restriction set out in the LAP... has assisted in the reduction of alcohol related harm. The one-way door restrictions offer a simple effective method of lowering the risk of late night (pending premises closure) binge drinking. It also has the benefit of reducing the risk of people loitering outside licensed premises as they know they will not be admitted'.

Studies have mixed and inconclusive results..

Nepal et al's review of eight studies found two showed declines in assaults, one showed decline but only inside premises, two showed an increase and three showed no effect³⁷.

Studies evaluating one-way door policies in Australia have shown:

- the introduction of a one-way door restriction in Newcastle reduced the incidence of assault by 37%³⁸; and

³⁷ Nepal S, Kypri K, Pursey K, Attia J, Chikritzhs T, Miller P. Effectiveness of lockouts in reducing alcohol-related harm: Systematic review. *Drug Alcohol Rev.* 2018;37:527–536.

³⁸ Kypri, K., Jones, C., McElduff, P., & Barker, D. (2011) Effects of restricting pub closing times on night-time assaults in an Australian city. *Addiction* 106(2), 303-310. <https://doi.org/10.1111/j.1360-0443.2010.03125.x>

- a five year follow up study showed that these results were maintained. However, it also found no evidence that the one-way door and other management strategies were effective in nearby Hamilton.³⁹

Evaluation on the one-way door policy implemented in Whangarei CBD⁴⁰: 'Cannot definitively conclude from the quantitative analysis that the one-way door policy has decreased Police calls-for-service or observed antisocial behaviour in the Whangarei CBD. However, the qualitative evidence based on the observations of those who are likely to be best able to evaluate the on-the ground reality of the implementation and effects of the policy, suggests that the overall impacts have been positive.'

Evaluation of the Christchurch one-way door intervention in 2008 found that while there was no overall reduction in alcohol related crime in the inner city, there were reductions in some subsets of crime – offences on Saturday-Sunday night decreased by 4 per cent and serious violence offences were decreased by 22 per cent. It also showed that the one-way door intervention relied on effective working relationships by all parties.⁴¹

³⁹ S. Kypri, K., McElduff, P., & Miller, P. (2014). Restrictions in pub closing times and lockouts in Newcastle, Australia five years on. *Drug and Alcohol Review*. Doi: 10.1111/dar.12123.

⁴⁰ Cameron, M., Brown, J., Cochrane, W and Robertson., N (2018) An evaluation of the Whangarei one-way door policy, University of Waikato commissioned research report.

⁴¹ Kirkwood, L and Parsonage, P (2008) Evaluation of the Christchurch city one-way door intervention

Issue Seven: Discretionary conditions for off-licensed premises

Proposal: Add a range of discretionary conditions

Submission analysis

Mixed views with more submitters agreeing

46 per cent of submitters agree, 38 per cent disagree and 16 per cent are neutral (see table seven).

Some misunderstanding around discretionary conditions...

Some submitters wanted more detail on the specific conditions being proposed. These were set out in the revised draft LAP but as there were nine proposed conditions, they were not directly listed in the survey question itself.

Comments from a few submitters who disagree with the proposal indicate that they may support the intention of the conditions. For example:

'Discretionary power is never attractive make it law instead and enforce it'
submission 032

'Operators need to be held to account much more with tighter rules' submission 047

Table Seven: Discretionary conditions for off-licensed premises

<i>Results from consultation survey</i>		
strongly agree	34%	
somewhat agree	12%	
neutral	16%	
somewhat disagree	15%	
strongly disagree	25%	
Reasons for agreement	Reasons for disagreement	Other issues
<ul style="list-style-type: none"> • More accountability. • Reduced harm. 	<ul style="list-style-type: none"> • Discretionary power is never attractive - make it law and enforce this instead. • Rules should be the same for all. • Operators need to be held to account much more. • Already enough restrictions. • Education is what is needed. • Some conditions will cause more harm e.g. not being able to buy a single can of beer means buying a 6 pack and drinking that in 1 night. • Craft beer is difficult to define. 	<ul style="list-style-type: none"> • More detail on conditions. • Need support team on hand 24/7 include counsellor, doctor, security, and addiction expert. • Alcohol marketing needs to be addressed including the banning of free samples in stores. • Control the amount of alcohol advertising visible within 500m from schools and early childhood facilities. • Single cases conditions to include 500ml or less. • Must have a range of zero alcohol beverage options. • Prohibition of buy now pay later services.