# HPA Logo Horizontal CMYK.jpgLocal alcohol policies

## **Introduction**

These guidelines[[1]](#footnote-1) are intended to help territorial authorities considering a local alcohol policy (LAP). They will be updated from time to time as information becomes available from finalised LAPs. Your feed back is always welcome to assist with this.

##### What is a local alcohol policy?

A LAP is a set of decisions made by a territorial authority in consultation with its community about the licensing of alcohol in its geographical area. Territorial authorities are not required to have LAPs but provision is made under **sections 75 – 97 of the** [Sale and Supply of Alcohol Act 2012](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339557.html) **(the Act) for them to be introduced by those territorial authorities that want to.** Each territorial authority can only have one LAP although it may contain different conditions for different areas within the district.

District licensing committees (DLCs) and the Alcohol Regulatory and Licensing Authority (ARLA) are required to take the provisions of the LAP into account when they are considering licence applications.

The Ministry of Justice provides some [basic information](http://www.justice.govt.nz/policy/sale-and-supply-of-alcohol/policy/sale-and-supply-of-alcohol/alcohol-in-the-community/local-alcohol-policies-laps) about the LAP provisions in the Act.

##### How will a LAP be applied to licensing decisions?

### New licences and renewals

In deciding whether to issue a licence, the DLC concerned, or ARLA if it is making the decision, [must have regard to a number of things](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339585.html), including any relevant LAP.

A new licence application [may be refused](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339587.html) if it is contrary to the LAP.

The local alcohol policy may set out [licence conditions](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339588.html) that may be imposed by the DLC or ARLA.

When a licence is due for renewal it cannot be refused on the grounds of inconsistency with the LAP but [conditions can be added](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339611.html) to bring the licence into line with it.

In effect, this means that if the LAP has policies, for example, about the numbers and location of premises, then these policies cannot be used as a way of refusing to renew a licence but they can be used to refuse a new licence application.

### Special licences

A special licence may be [refused](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339626.html) if it is contrary to the LAP.

Licence [conditions](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339627.html) may be imposed on a special licence to bring it into line with the LAP

### One-way door restrictions

If a LAP contains a requirement for a one-way door restriction for on-licences or club-licences, then that requirement [must be complied with](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3951531.html) even if it is not specifically made a condition of the licence.

##### What if there is no lap?

If there is no LAP in force then the provisions of the Act apply.

The [default](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339515.html) maximum national [trading hours](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339514.html) are:

* the hours between 8am and 4am for on licences and club licences
* the hours between 7am and 11pm for off licences.

A DLC may issue or renew a licence subject to conditions that require more restrictive trading hours.

There are restrictions on trading hours related to Anzac Day, Good Friday, Easter Sunday and Christmas day, which apply to [on-licences](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339519.html) and [off-licences](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339520.html).

One-way door restrictions may be set by licence conditions when there is no LAP.

The licensing authority or the DLC must take into account a number of criteria including the impact of the licence on [amenity and good order](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339585.html) that may be a reason for not issuing a licence.

Licensing [conditions](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339589.html) can be set when a licence is granted to ensure that the premises comply with the [object of the Act](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339340.html).

##### Joint laps

Two or more territorial authorities may [share a LAP](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339558.html) for their districts. If they choose to work together with one LAP, then it applies as if they were a single territorial authority with a single district. A joint LAP could provide differently for different parts of the combined district, and may apply to only part of a district.

##### What a local alcohol policy can include

LAPs adopted by territorial authorities, will be able to:

* limit the location of on, off and club licensed premises in particular broad areas or near certain types of premises or facilities
* limit further on, off and club licences in a particular area
* restrict or extend the maximum trading hours set in the Act
* recommend discretionary conditions to be applied to licences or kinds of licences
* impose ‘one-way door’ restrictions that would allow patrons to leave licensed premises but not enter or re-enter during specified times.

LAPs may apply to all types of licences (with the exception that the first two dot points above are not applicable to special licences). LAPs cannot include policies on matters unrelated to licensing and must be reasonable and consistent with the object of the Act.

There is as yet no case law on LAPs so legal advice about specific content can do little more than repeat the provisions in the legislation. Authoritative guidance on what LAPs can and cannot include will emerge as the ARLA creates case law. In the interim, territorial authorities, in developing draft LAPs, may find it useful to consider some of the ideas presented in this document with the proviso that they have yet to be tested in law.

### Location

Location is largely about where licensed premises are allowed within the geographical area covered by the LAP. There is good evidence that limiting access in certain areas is associated with reducing levels of violent offending and other risky behaviours and may reduce location specific harms.[[2]](#footnote-2),[[3]](#footnote-3) In addition public concern about alcohol sales in particular areas can be addressed.

The location of licensed premises can already be addressed through district plans under the Resource Management Act. Territorial authorities need to have regard for the objectives and policies of their district plans when drafting the LAP. The LAP may be more restrictive than the district plan but may not authorise anything that is forbidden by it.

Policies for location of premises may be by reference to:

* broad areas
* premises of a particular kinds
* facilities of a particular kind.

Subject to confirmation through case law:

1. Broad locational areas could involve:

* a particular part, or parts, of the district considered to be the entertainment precinct or specified business districts where alcohol licences may be allowed
* other parts of the district where licences may be allowed
* residential, industrial or other areas (eg, where there is direct access to major highways) where alcohol licences will not be allowed
* near public parks or reserves where alcohol licences will not be allowed
* areas where one type of licence is allowed but another type is not allowed.

2. Proximity to premises of particular kinds could involve being near:

* schools or early childhood centres
* hospitals or rest homes
* churches, marae, and other religious or community premises
* residential housing
* other licensed premises.

3. Proximity to facilities of particular kinds could mean things like:

* a sporting complex or swimming pool
* a public transport hub or taxi stand
* sports grounds or playgrounds
* other community facilities.

In drafting the LAP, the territorial authority may wish to make provision for licensed premises not to be allowed in certain locations or in buffer zones around those locations.

### Limiting further licences

The limitation of further licences is about the acceptable density of alcohol licences in a particular area. The LAP could identify a threshold below which DLCs or ARLA may issue new licences and above which they may not. Decisions on what threshold is appropriate are likely to be an outcome of consultation among stakeholders and with the community.

There are significant associations between off-licence density and high-risk drinking among young people.[[4]](#footnote-4) There is also strong evidence that substantial changes in the number of alcohol outlets result in significant changes to alcohol consumption and related harm. A growing number of studies have found higher rates of alcohol related problems in areas with higher outlet densities and an association of higher density with the socio-economic status of the neighbourhood.[[5]](#footnote-5),[[6]](#footnote-6) However, the relationship between density and harm is also variable and in some areas a high outlet density may have little or no effect in terms of these outcomes.[[7]](#footnote-7) It is, therefore, important that policies around density are locally specific.

Subject to confirmation through case law the LAP could require:

* there to be no more than x off-licences in the district, or part of the district
* there to be no more than y on-licences in the district, or part of the district
* the entertainment precinct for the city to be limited to z licences
* a ‘sinking lid’, whereby the number of licensed premises is reduced over time.

### Hours

Default maximum trading hours are provided in the Act. They are:

* between 8am and 4am the next day for on-licences and clubs
* between 7am and 11pm on any day for off-licences.

A LAP can have different maximum trading hours to the national default hours.

There is strong and reasonably consistent evidence from a number of countries that changes to hours or days of trade have significant impacts on volume of alcohol consumed and on the rates of alcohol related problems. When hours and days of sale are increased, consumption and harm increase, and vice versa.[[8]](#footnote-8)[[9]](#footnote-9)

Subject to confirmation through case law the LAP could include:

* more restrictive maximum trading hours (either later opening or earlier closing or both) than the default maximum hours providing they are reasonable in the light of the object of the Act
* less restrictive maximum trading hours (either earlier opening or later closing or both) than the default maximum hours providing they are reasonable in the light of the object of the Act
* different maximum trading hours for different parts of the district. For example, entertainment precincts may have later closing hours than licences in other parts of the district.

### Discretionary conditions

The Act allows a DLC or ARLA to impose any condition that is consistent with it. The Act specifies a number of mandatory and discretionary conditions as well as requirements that licensees and managers must observe. On-licences, club licences, off-licences, and special licences must be issued with conditions that are specified in Part 2 of the Act (in particular sections 109 – 118).

There are also minimum requirements for licences that must be observed even if there is no specific licence condition – such as making sure non-alcoholic drinks, low-alcohol drinks, and food are available, as well as help with, and information about, transport. A summary of the requirements referred to in the legislation is contained in Appendix One.

Territorial authorities can include policies about discretionary conditions that could be imposed in certain circumstances in their LAPs. The DLC or ARLA must have regard to these conditions when deciding the conditions to be imposed on a particular licence. Conditions must be reasonable and consistent with the Act.

Subject to confirmation through case law there are a range of matters that could be considered for inclusion in LAPs as discretionary conditions. Inclusion would provide guidance to the DLC when deciding which licence conditions are necessary to ensure that the object of the Act is achieved such as those to do with the design and layout of premises. Any matters for inclusion will be highly dependent on local conditions and an exhaustive list has not been attempted. However, examples of such conditions could include:

* minimum seating or maximum occupancy requirements
* no serving in glass containers at specified times
* use of certain containers at public events
* a limit on drink sizes after specified times
* number of door staff required at certain hours
* management of patrons entering the premises
* surveillance equipment eg, cameras and exterior lighting
* provision of free water in each room or bar area
* a limit on the use of outdoor areas after specified times
* training of staff in host responsibility and other necessary skills
* special conditions for premises that are authorised or licensed under the Gambling Act 2003
* designation of bottle stores to prevent entry by unaccompanied minors
* display of safe drinking messages in off licences
* signage indicating intoxicated persons or minors will not be sold alcohol
* signage in on- and club licences advising that food is available
* managers to be on duty at certain busy periods for BYO licences.

Discretionary conditions could also be more restrictive when licences are being issued for the first time. They may apply to certain types of licences or to licences in certain parts of the district.

### One-way door restrictions

One-way door restrictions are requirements that no person[[10]](#footnote-10) can be admitted or re-admitted to licensed premises or sold alcohol while such a restriction applies. For example, the restriction could be that from 1am to closing time at 3am, people may leave a licensed premises, but noone will be admitted or re-admitted.

The purpose of one-way door restrictions is to reduce the migration of patrons between licensed premises in the late night drinking environment in order to reduce high levels of alcohol-related problems, and consequent high police workloads. It is expected that one-way door restrictions would apply in the hours before closing time although they could potentially be applied at other times if it was justified in terms of the purpose of the Act. One-way door restrictions are more likely to be effective if they are consistent and in areas with a high density of outlets – such as entertainment precincts – where there is high police presence. They may be less effective in low density areas or for isolated licensed premises where enforcement might be more difficult and costly and where the migration opportunities are less.

One-way door restrictions apply to on-licences and club licences.[[11]](#footnote-11) They could apply to the whole district or part of the district. One-way door restrictions may also be imposed by the DLC or ARLA as a condition on any licence independently of a LAP.[[12]](#footnote-12) If there is a difference between the requirements of the LAP and a one-way door condition imposed on the licence, the most restrictive requirement applies.

Before adopting one-way door restrictions, territorial authorities should consider potential unintended impacts and take any steps necessary to mitigate any problems arising from them. Potential problems could include:

* an unfair advantage to some premises over others – for example popular premises or those that hold a higher number of patrons
* aggressive behaviour directed at door staff and the need for licensees to hire more security staff
* the possibility of special promotions just before the start of the one-way door restriction in order to attract an increased captive market
* the impact on food outlets and other businesses operating late at night that could be adversely affected by the restriction
* the impact on patrons needing to leave the premises to smoke or talk on the phone
* people who need to enter to the premises in an emergency
* potential isolation of friends and family members outside the premises who may be more vulnerable to crime and violence.

It is also conceivable that one-way door policies may result in some patrons drinking for longer hours than they would have otherwise – for example they may in the absence of a one-way door restriction leave the licensed premises to seek alternative services (such as fast food outlets) before returning later to the licensed premises.

Apart from a Christchurch evaluation[[13]](#footnote-13) the literature on regulated one-way door systems is largely limited to a number Australian studies in areas where one-way door restrictions (lockouts) have been introduced. There is some evidence supporting the efficacy of one-way door systems in reducing crime and violence in the late night drinking environment but other studies have found either a negligible impact or have been unable to identify the specific contribution of one-way door restrictions over other interventions such as increased police surveillance operating at the same time. It will therefore be important to take the opportunity to evaluate particular policies in order to add to the body of evidence.

##### What is the process for making a local alcohol policy?

The Act sets out a process for making a LAP. There are a number of steps that are the minimum requirements.

1. draft policy developed in consultation with Police, licensing inspectors and Medical Officers of Health
2. consult with community using the special consultative procedure
3. prepare a provisional policy that takes account of consultation feedback
4. publicly notify and release provisional policy (it is than open to appeal)
5. provisional policy adopted 30 days after above public notification, or after appeals resolved
6. public notification of council adoption of final policy.

Further information of the first three steps above is found on the [Ministry of Justice website](http://justice.govt.nz/policy/sale-and-supply-of-alcohol/policy/sale-and-supply-of-alcohol/alcohol-in-the-community/local-alcohol-policies-laps).

### Preliminary requirements

The following [information](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3951542.html) must be taken into consideration when drafting a LAP:

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

The council will need to be able to demonstrate that this information has been considered. However, it is important to note that all of this information, along with consultation, helps to bring together a picture of the actual or potential impact of alcohol in the council area. It is difficult to identify one particular item of information that directly justifies a particular element of a LAP.

#### Examples

Some councils have already published information reports:

Auckland’s is available here:

<http://www.aucklandcouncil.govt.nz/EN/planspoliciesprojects/reports/technicalpublications/Documents/localalcoholpolicyresearchreport.pdf>

Porirua City Council published an issues paper to aid its consultation process. The paper is available here:

<http://www.pcc.govt.nz/DownloadFile/News---Events/Public-Consultation/Local-Alcohol-Policy/Local-Alcohol-Policy---Issues-Paper>

Waimakariri District Council local alcohol policy research report is available here:

<http://www.waimakariri.govt.nz/Libraries/Consultations/Local_Alcohol_Policy_Research_Report.sflb.ashx>

A study of data available to the Queenstown Lakes District for making a liquor policy was conducted in June 2012. It contains some useful data sources. The report is available here:

<http://www.alcohol.org.nz/research-resources/research-publications/assessment-data-quality-examining-alcohol-related-issues-qu>

##### Where can information required in the Act be found?

### Council information

The district plan, the numbers of licences, and alcohol ban bylaws are information that a council holds.

#### The district plan

Was there background work, consultation, or surveys conducted to contribute to previous work carried out by the council that could be relevant to a LAP?

Does the long-term plan for the region contain relevant information?

Note that a LAP may be more restrictive than the relevant district plan, but it [cannot authorise](http://legislation.govt.nz/act/public/2012/0120/latest/DLM3339570.html) anything forbidden by the relevant plan. (s 93)

#### Current licensed premises

It could be useful to plot information about the location of licensed premises on a map layered with zoning or other relevant information.

Can you collect information about opening hours and closing times in the district?

#### Alcohol control bylaws

Existing alcohol control bylaws (liquor bans) could also be shown on maps.

Alcohol control bylaw breach information should be available from Police, for example:

* age and gender of people arrested/convicted with breaches
* analysis of breaches by time and day of the week.

The alcohol harm reduction officer in your Police district should be able to help.

### The demography of the district’s residents and visitors

Some information about the people in your district is available from the 2006 and 2013 [Census](http://www.stats.govt.nz/Census.aspx) at Statistics New Zealand.

Local Government [profiles](http://www.localcouncils.govt.nz/lgip.nsf/wpg_URL/Profiles-Index?OpenDocument) are available on the Department of Internal Affairs website.

A number of New Zealand councils have [community profiles](http://home.id.com.au/index.php?nodeId=23) put together by a specialist company **.id** **(informed decisions)**. (Click on NZ and scroll down to see their NZ clients)

The Ministry of Business, Innovation & Employment has a number of [tourism profiles](http://www.med.govt.nz/about-us/publications/publications-by-topic/tourism-publications/tourism-sector-profiles) available here:

[Visitor accommodation statistics](http://www.stats.govt.nz/browse_for_stats/industry_sectors/accommodation/AccommodationSurvey_HOTPDec12.aspx) are available by region here:

Has the council produced demographic profiles for another purpose?

Is there a visitor strategy for the district? It may be helpful. Some useful examples are Wellington’s [visitor strategy](http://www.wellingtonnz.com/about-us/visitor-strategy), Northland’s [visitor strategy](http://www.northlandinc.co.nz/images/uploads/NVS_2008_2013_Final_11Sept08.pdf), and Taranaki’s [visitor strategy](http://www.taranaki.info/business/list.php/page/taranaki-regional-visitor-strategy-2010-2019).

### Overall health indicators

#### Public health units

Your local [public health unit](http://www.health.govt.nz/new-zealand-health-system/key-health-sector-organisations-and-people/public-health-units/public-health-unit-contacts) should be able to help you find information about alcohol related chronic diseases. They may be able to provide or refer you to where in the DHB you can obtain information about hospital emergency departments and alcohol-related presentations or admissions.

#### ACC

Your local community injury prevention consultant may be able to help with information about injuries in your district.

#### Further useful health related links

The Ministry of Health report *[Alcohol](http://www.health.govt.nz/publication/alcohol-use-new-zealand-key-results-2007-08-new-zealand-alcohol-and-drug-use-survey)**[Use in New Zealand](http://www.health.govt.nz/publication/alcohol-use-new-zealand-key-results-2007-08-new-zealand-alcohol-and-drug-use-survey): Key results of the 2007/08 New Zealand Alcohol and Drug Use Survey* has general information about deprivation levels (but not geographic areas) and ethnicity and alcohol.

[Regional results](http://www.health.govt.nz/publication/regional-results-2011-12-new-zealand-health-survey) from the Ministry of Health’s 2011/12 New Zealand health survey are available.

There is general information about young people and alcohol use in [*Youth ‘07*](http://www.alcohol.org.nz/sites/default/files/research-publications/pdfs/Youth'07_Alcohol_Report.pdf)*: The Health and Wellbeing of Secondary School Students in New Zealand. Young People and Alcohol.*

*Health Impact Assessment*

A health impact assessment could be a useful tool to consider the impact of a local alcohol policy.

Health impact assessment (HIA) is a systematic way of identifying the potential impacts on the wellbeing and health of the population of any proposed policy, strategy, plan or project, prior to implementation. International experience has found that without an explicit process, such as HIA, the availability of technical information on the expected health and wellbeing impacts is unlikely to be sufficient to influence decision-making to any significant degree.

You may be able to get help with a health impact assessment from your Public Health Unit (a list of them is available [here](http://www.health.govt.nz/new-zealand-health-system/key-health-sector-organisations-and-people/public-health-units)) or your Medical Officer of Health (a list of them is available [here](https://www.healthed.govt.nz/resource-table/table-medical-officers-health))

**Further information**

Guidance for health impact assessments is available from:

* HPA’s guide to Health Impact Assessment for Local Alcohol Planning [here](http://www.alcohol.org.nz/sites/default/files/useruploads/LatestResources/Health_Impact_Assessment_Guidelines_FA03_LR.pdf)
* the Public Health Advisory Committee’s [A Guide to Health Impact Assessment](http://www.nhc.health.govt.nz/resources/publications/guide-health-impact-assessment-2nd-edition)
* the Ministry of Health: [Whānau Ora Health Impact Assessment](http://www.health.govt.nz/publication/whanau-ora-health-impact-assessment-2007).

### Nature and severity of alcohol problems in the district

#### Police

Your local Police alcohol harm reduction officer will be able to help you with data requests or you can consult the The Police [National Alcohol Assessment](http://www.police.govt.nz/sites/default/files/Police-National-Alcohol-Assessment.pdf) 2009

#### Road Traffic Crashes

The Ministry of Transport publishes comprehensive traffic [crash data](http://www.transport.govt.nz/research/roadcrashstatistics/) and in particular there are [local body casualties and crashes](http://www.transport.govt.nz/research/Documents/Motor-Vehicle-Crashes-2011-Local-body-casualties-and-crashes.pdf) available

#### Safe Communities

Are there [designated Safe Communities](http://www.safecommunities.org.nz/sc/summary/view) in your district?

Some of the information gathered to meet the requirements for a safe community application may be useful.

# Appendix 1: MATTERS THAT MAY BE SUBJECT TO LICENCE CONDITIONS

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Condition** | **On-licence** | **Club Licence** | **Off-licence** | **Special-licence** |
| Days and hours that alcohol may be sold | M (s.110(2)(a)) | M (s.110(2)(a)) | M (s.116(2)(a)) | M (s.147(3)(a))  D (s.147(1)(k)) |
| Hours of opening signs to be displayed at principal entrances | R (s.56) |  | R (s.56) |  |
| Days / hours alcohol may be delivered |  |  | R (s.59(1)) |  |
| Kinds of alcohol that may be sold or delivered |  |  | D (s.116(1)(c))  R (s.58 | D (s.147(1)(c))  D (s.147(1)(k))  R (s.55(a)) |
| Type of container in which alcohol is provided |  |  |  | D (s.147(1)(i)(i)) |
| Type of container in which alcohol is not to be provided |  |  |  | D (s.147(1)(i)(ii)) |
| Provision of food for consumption | R (s.53) | R (s.53) |  | D (s.147(1)(d)) |
| Low alcohol beverages available | R (s.52(1))  NR (s.52(2)) | R (s.52(1))  NR (s.52(2)) |  | D (s.147(1)(e)) |
| Non-alcoholic beverages available | R (s.51) | R (s.51) |  | D (s.147(1)(f)) |
| Assistance with information about transport | R (s.54) | R (s.54) |  | D (s.147(1)(g)) |
| Location of free drinking water | M (s.110(2)(c)) | M (s.110(2)(c)) | M (s.116(2)(c)) | M (s.147(3)(b))  D (s.147(1)(k)) |
| Steps to ensure prohibited persons are not sold alcohol | D (s.110(1)(a)) | D (s.110(1)(a)) | D (s.116(1)(a))  R (s.59(3&4)) | D (s.147(1)(a))  D (s.147(1)(k)) |
| People to whom alcohol may be sold or supplied | D (s.110(1)(c)) | D (s.110(1)(c))  R (s.60) | D (s.116(1)(b)) | D (s.147(1)(b))  D (s.147(1)(k)) |
| Only alcohol sold on premises may be consumed |  | R (s.62) |  |  |
| Exclusion of the public from premises |  |  |  | D (s.147(1)(h)) |
| One-way door restrictions | D (s.110(1)(d))  R (s.50(1) | D (s.110(1)(d))  R (s.50(1) |  | D (s.147(1)(k)) |
| Single display area for supermarkets and grocery stores |  |  | M (s.112(2)) |  |
| Designation of restricted or supervised areas | M (s.119(1)) | D (s.119(2)) | D (s.119(2)) | D (s.147(2)) |
| Management plans, RMA certificates & liaison for large scale events |  |  |  | D (s.143(1)) |
| No free alcohol on premises not open for off premises sale. |  |  |  | R (s.55(b)) |
| Licence to be displayed | R (s.57(1)) | R (s.57(2)) | R (s.57(1)) | DR (s.57(3)) |
| Information provided by remote sellers |  |  | R (s.59(5-7)) |  |
| Fees payable | M (s.110(2)(b)) | M (s.110(2)(b)) | M (s.116(2)(b)) | D (s.147(1)(k)) |
| Requirements for the management of premises | D (s.110(1)(b)) | D (s.110(1)(b))  R (s.61)) |  | D (s.147(1)(k)) |
| Manager to be appointed | R (s.212) | R (s.212) | R (s.212) | R (s.213) |
| Manager to be on duty | R (s.214)  D (s.37(2)(b))  D (s.110(1)(e)) | D (s.110(1)(e))  NR(s.215(1)(a)) | R (s.214)  NR (s.215(1)(c)) | R (s.214)  D (s.147(1)(k)) |
| Filing of returns on alcohol sold |  |  |  | D (s.147(1)(j)) |
| Any reasonable condition | D (s.117(1)) | D (s.117(1)) | D (s.117(1)) | D (s.117(1))  D (s.147(1)(l)) |

Key M = mandatory condition to be imposed

D = discretionary condition that may be imposed

R = a requirement of the Act

NR = not a requirement of the Act

DR = discretionary requirement

##### References

### General

Babor T, et al. 2010. Alcohol: No Ordinary Commodity Research and Public Policy(2nd ed.). Oxford: Oxford University Press.

New Zealand Law Commission 2010. Alcohol in our lives: curbing the harm.

### Location

Hill L. 2004 Planning for the sale of alcohol : an issues paper for the Ministry of Health. Report [344.9713 HIL] Wellington, N.Z. : Ministry of Health, 2004. 0478282125 Accessed at:

<http://www.ndp.govt.nz/moh.nsf/indexcm/ndp-publications-planningsalealcohol?Open>

*The aim of this paper is to contribute to debate and strategic thinking about local alcohol licensing and planning issues as local governments consult their communities and develop their long term Council Community Plans. It explores issues and opportunities in planning for licensed premises that may contribute to the reduction of local alcohol-related harm.*

Truong K, Sturm R. 2009. ‘Alcohol environments and disparities in exposure associated with adolescent drinking in California’. American Journal of Public Health 2009 Feb; 99(2) : 264-270. Accessed at: <http://search.ebscohost.com/login.aspx?direct=true&db=sih&AN=36300998&site=ehost-live>

*Alcohol outlets are concentrated in disadvantaged neighborhoods and can contribute to adolescent drinking. To reduce underage drinking, environmental interventions need to curb opportunities for youth to obtain alcohol from commercial sources by tightening licensure, enforcing minimum-age drinking laws, or other measures.*

Berke E, et al. 2010. ‘Alcohol retail density and demographic predictors of health disparities : a geographic analysis’ American Journal of Public Health 2010 Oct; 100(10) ; 1967-1971. Accessed at <http://search.ebscohost.com/login.aspx?direct=true&db=sih&AN=53724892&site=ehost-live>

*Greater density of alcohol retailers was associated with higher levels of poverty and with higher proportions of Blacks and Latinos in urban census tracts. These disparities could contribute to higher morbidity in these geographic areas.*

Day P, Breetzke G, Kingham S, & Campbell M. 2012, ‘Close proximity to alcohol outlets is associated with increased serious violent crime’. New ZealandAustralian and New Zealand Journal of Public Health 2012 Feb; 36(1) : 48-54

*Having greater geographic access to alcohol outlets was associated with increased levels of serious violent offending across study areas.*

Wilkinson C, & Livingston M. 2012. ‘Distances to on- and off-premise alcohol outlets and experiences of alcohol-related amenity problems’ Drug and Alcohol Review 2012 Jun; 31(4) : 394-401

*This paper examines the association between the proximity of someone's home to alcohol outlets and their experience of public amenity problems. A possible interpretation of the results is that respondents living close to on- and off-premise outlets experience more amenity problems than those living further away, but that these experiences are concentrated among demographic groups who live in these areas. Direction of influence cannot be inferred from these cross-sectional findings.*

Chilenski S, 2010. ‘From the Macro to the Micro: A Geographic Examination of the Community Context and Early Adolescent Problem Behaviors’.American Journal of Community Psychology, Dec2011, Vol. 48 Issue 3/4, p352-364.

*Results demonstrated that the number of alcohol and tobacco retail locations within a one-mile radius of each adolescent's home positively associated with student-reported problem behaviors above and beyond the influence of school district and individual characteristics.*

Halonen Jet al. 2013. ‘Living in proximity of a bar and risky alcohol behaviours : a longitudinal study.’ Addiction 2013 Feb; 108(2) : 320-328.

*Moving place of residence close to, or far from, a bar appears to be associated with a small corresponding increase or decrease in risky alcohol behaviour.*

Pearce J, Day P, Witten K. 2008. ‘Neighbourhood provision of food and alcohol retailing and social deprivation in urban New Zealand’. Urban policy and research 2008 Jun; 26(2) : 213-227. Accessed at:  
 <http://www.tandfonline.com/doi/abs/10.1080/08111140701697610>

*The association between food retail and licensed alcohol outlet locations was examined against deprivation for urban neighbourhoods across New Zealand. A range of retail options tended to be better in more deprived neighbourhoods*.

[Wechsler](http://www.sciencedirect.com/science/article/pii/S0277953601002593) H. et al 2002. ‘Secondhand effects of student alcohol use reported by neighbors of colleges: the role of alcohol outlets’. [Social Science & Medicine](http://www.sciencedirect.com/science/journal/02779536): [Volume 55, Issue 3](http://www.sciencedirect.com/science/journal/02779536/55/3), August 2002, Pages 425–435

*The results suggest that neighborhood disruptions around colleges due to heavy alcohol use may be reduced by limiting the presence of alcohol outlets in those areas, and the marketing practices that this engenders.*

Ashe M, Jernigan D, Kline R, Galaz R. 2003. ‘Land Use Planning and the Control of Alcohol, Tobacco, Firearms, and Fast Food Restaurants’. American Journal of Public Health: September 2003, Vol. 93, No. 9, pp. 1404-1408.

*We found that land use regulations are a public health advocacy tool that has been successfully used to lessen the negative effects of alcohol retail outlets in neighborhoods. More research is needed to determine whether such regulations are successful in reducing the negative effects of other retail outlets on community health.*

### Density

Campbell C, et al. 2009. ‘The Effectiveness of Limiting Alcohol Outlet Density As a Means of Reducing Excessive Alcohol Consumption and Alcohol-Related Harms’ [American Journal of Preventive Medicine](http://www.sciencedirect.com/science/journal/07493797): [Volume 37, Issue 6](http://www.sciencedirect.com/science/journal/07493797/37/6), December 2009, Pages 556–569

*Most of the studies included in this review found that greater outlet density is associated with increased alcohol consumption and related harms, including medical harms, injury, crime, and violence. Primary evidence was supported by secondary evidence from correlational studies. The regulation of alcohol outlet density may be a useful public health tool for the reduction of excessive alcohol consumption and related harms.*

LIANG W, CHIKRITZHS T. 2011. ‘Revealing the link between licensed outlets and violence: Counting venues versus measuring alcohol availability’. Drug and Alcohol Review: 30: 524–535. doi: 10.1111/j.1465-3362.2010.00281.x

The link between on-site outlets and violence may be primarily underpinned by negative amenity effects while off-site outlet effects occur via increased availability. Alcohol sales volumes from off-site outlets influence levels of violence, which occur at both licensed and residential settings. The substantial and wide-ranging effects of liquor stores on alcohol-related harms may have been underestimated in the literature and by policy makers

Livingston M, Chikritzhs T, Room R. 2007. ‘Changing the density of alcohol outlets to reduce alcohol-related Problems’. Drug and Alcohol Review : 26, 557 – 566.

*In this Harm Reduction Digest Livingston, Chikritzhs and Room review the research literature on the effects of density of alcohol sales outlets on alcohol consumption and alcohol-related problems; suggest a new way of conceptualising the relationships; and discuss the implications for reducing alcohol-related harm.*

Livingston, M. 2008. ‘Alcohol outlet density and assault: a spatial analysis’. Addiction: 103: 619–628. doi: 10.1111/j.1360-0443.2008.02136.x

*The study finds positive relationships between outlet density and assault rates and provides evidence that this relationship is non-linear and thus has critical values at which licensing policy-makers can impose density limits*.

Stockwell T, Gruenewald P. (2004) ‘Controls on the physical availability of alcohol’. In: Heather N, Stockwell T, eds. The essential handbook of treatment and prevention of alcohol problems. Chichester: Wiley and Sons, 2004:213 – 33.

*Reviews the evidence regarding the circumstances under which changes in the physical availability of alcohol achieved through changes in the legal drinking age, outlet densities, and trading hours can affect high risk drinking and alcohol related harm.*

Chen M, Grube J, Gruenewald P. 2010. ‘Community alcohol outlet density and underage drinking’. Addiction, 105: 270–278. doi: 10.1111/j.1360-0443.2009.02772.x

*Alcohol outlet density may play a significant role in initiation of underage drinking during early teenage, especially when youths have limited mobility. Youth who reside in areas with low alcohol outlet density may overcome geographic constraints through social networks that increase their mobility and the ability to seek alcohol and drinking opportunities beyond the local community.*

McKinney C, Caetano R, Harris T, Ebama M. 2009. ‘Alcohol Availability and Intimate Partner Violence Among US Couples’. Alcoholism: Clinical and Experimental Research, 33: 169–176. doi: 10.1111/j.1530-0277.2008.00825.x

*We found that as alcohol outlet density increases so does the risk of MFPV and that this relationship may differ for couples who do and do not report alcohol-related problems. Given that MFPV accounts for the majority of injuries related to intimate partner violence, policy makers may wish to carefully consider the potential benefit of limiting alcohol outlet density to reduce MFPV and its adverse consequences*.

Kypri K, Bell M, Hay G, Baxter J. 2008. ‘Alcohol outlet density and university student drinking: a national study’. Addiction: 103: 1131–1138. doi: 10.1111/j.1360-0443.2008.02239.x

*There are positive associations between alcohol outlet density and individual drinking and related problems. Associations remain after controlling for demographic variables and pre-university drinking, i.e. the associations are unlikely to be due to self-selection effects. Increasing alcohol outlet density, and particularly off-licences, may increase alcohol-related harm among university students.*

Connor J, Kypri K, Bell M, Cousins K. 2011. ‘Alcohol outlet density, levels of drinking and alcohol-related harm in New Zealand: a national study.’ J Epidemiology Community Health2011;**65**:841-846 doi:10.1136/jech.2009.104935

*The positive associations seen between alcohol outlet density and both individual level binge drinking and alcohol-related problems appear to be independent of individual and neighbourhood SES. Reducing density of alcohol outlets may reduce alcohol-related harm among those who live nearby.*

Gruenewald P. 2007. ‘The spatial ecology of alcohol problems: niche theory and assortative drinking’. Addiction, 102: 870–878. doi: 10.1111/j.1360-0443.2007.01856.x

*The proposed mechanism is very general, and suggests that over-concentrations of outlets will lead to stratification of drinking groups and intensification of problems related to those outlets.*

Kavanagh A, et al. 2011. ‘Access to alcohol outlets and harmful alcohol consumption: a multi-level study in Melbourne, Australia’. Addiction: 106: 1772–1779. doi: 10.1111/j.1360-0443.2011.03510.x

*The number of off-premises alcohol outlets in a locality is associated with the level of harmful alcohol consumption in that area. Reducing the number of off-premises alcohol outlets could reduce levels of harmful alcohol consumption.*

Livingston M. 2008, ‘A Longitudinal Analysis of Alcohol Outlet Density and Assault’. Alcoholism: Clinical and Experimental Research: 32: 1074–1079. doi: 10.1111/j.1530-0277.2008.00669.x

*Changes in the number of alcohol outlets in a community are linked to changes in the amount of violence the community experiences. This relationship varies across the clusters of suburbs examined, with packaged liquor outlets consistently associated with violence in suburban areas and general (hotel) and on-premise (nightclubs, restaurants, and bars) licenses associated with violence in inner-city and inner-suburban areas.*

Hay G, Whigham P, Kypri K, Langley J. 2009. ‘Neighbourhood deprivation and access to alcohol outlets: A national study’ [Health & Place](http://www.sciencedirect.com/science/journal/13538292):[Volume 15, Issue 4](http://www.sciencedirect.com/science/journal/13538292/15/4), December 2009, Pages 1086–1093

*Strong associations were found between proximity to the nearest alcohol outlet and deprivation, there being greater access to outlets in more-deprived urban areas*.

Pereira G, Wood L, Foster S, Haggar F. 2013. ‘Access to Alcohol Outlets, Alcohol Consumption and Mental Health’. PLoS ONE 8(1): e53461. doi:10.1371/journal.pone.0053461

*We observed strong evidence for a small association between residential exposure to liquor stores and harmful consumption of alcohol, and some support for a moderate-sized effect on hospital contacts for anxiety, stress, and depression.*

Cameron M, Cochrane W, McNeill K, Melbourne P, Morrison S, Robertson N. 2012. ‘Alcohol outlet density is related to police events and motor vehicle accidents in Manukau City, New Zealand’. Australian and New Zealand Journal of Public Health, 36: 537–542. doi: 10.1111/j.1753-6405.2012.00935.x

*The results do not imply causality. However, they are broadly consistent with availability theory, and imply that local alcohol policy should account for the effects of additional outlets when new licences are granted. While the methodological approach described here is easily transferable to investigate the relationships elsewhere, we suggest some areas for improvement of future studies.*

Cameron MP, Cochrane W, Gordon C, Livingston M. 2013. The locally-specific impacts of alcohol outlet density in the North Island of New Zealand, 2006-2011. Research report commissioned by the Health Promotion Agency. Wellington. Health Promotion Agency.

*In global terms, bar and nightclub density appears to have the most robust and largest effects, being significantly positively associated with all categories of police event and with motor vehicle accidents. Supermarket and grocery store density generally has statistically significant and positive effects on police events, but this is significantly negatively related to motor-vehicle accidents. Licensed club density and other on-licence density are significantly positively related to many of the categories of police event. Locally, there is great variability across the North Island which demonstrates the need for locally specific policy development.*

Huckle T, Huakau J, Sweetsur P, Otto H, Casswell S. 2008. ‘Density of alcohol outlets and teenage drinking: living in an alcogenic environment is associated with higher consumption in a metropolitan setting’. Addiction*,* 103**,** 1614-1621.

*Alcohol outlet density was associated with quantities consumed among teenage drinkers in this study, as was neighbourhood deprivation. Supply by family, friends and others also predicted quantities consumed among underage drinkers and both social supply and self-reported purchase were associated with frequency of drinking and drunkenness. The ethnic status of young people also had an effect on consumption.*

Matheson A. 2005. Alcohol in Auckland: Reducing associated harm. Auckland: Auckland Regional Public Health Service. Full report- <http://www.arphs.govt.nz/Portals/0/Health%20Information/Alcohol%20and%20Tobacco/Liquor%20Licensing/Alcohol%20in%20Akld.reslo.pdf>

*This report summarises literature in relation to a range of possible strategies on order to guide the direction of internal policy and service development in relation to reducing alcohol-related harm.*

Livingston M. 2011. Alcohol outlet density and harm: comparing the impacts on violence and chronic harms. Drug and Alcohol Review; 30(5), 515-523. Abstract- <http://onlinelibrary.wiley.com/doi/10.1111/j.1465-3362.2010.00251.x/abstract>

The density of alcohol outlets where the main activity is alcohol consumption (i.e. pubs) is positively related to rates of assault-related hospital admissions, while the density of off-premise alcohol outlets is related to the rate of alcohol use disorders.

Livingston M. 2011. A longitudinal analysis of alcohol outlet density and domestic violence. Addiction; 106(5), 919-925. Submitted full article- <http://www.nabca.org/News/Files/Outlet%20Density%20and%20Domestic%20Violence.pdf>

*Alcohol outlet density was significantly associated with rates of domestic violence, over time. In particular, the density of hotel (pub) licences and the density of packaged liquor licences were positively related to domestic violence rates and the density of on-premise licences was negatively related to domestic violence.*

Treno AJ, et al. 2007. The impact of outlet densities on alcohol-related crashes: A spatial panel approach. Accident Analysis and Prevention; 39(5),894-901. Abstract- <http://www.ncbi.nlm.nih.gov/pubmed/17275773>

*Changes in numbers of licensed alcohol retail establishments, especially bars and off-premise outlets, affect rates of car crashes and related injuries.*

Burgess M, Moffatt S. 2011. The association between alcohol outlet density and assaults on and around licensed premised. Crime and Justice Bulletin; 147. NSW: NSW Bureau of Crime Statistics and Research. Full report- <http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/cjb147.pdf/$file/cjb147.pdf>

*Assaults were found to be highly concentrated around licensed premises. Limiting the density of alcohol outlets may help limit the incidence of assault.*

Fone D, et al. 2012. Change in alcohol outlet density and alcohol-related harm to population health. BMC Public Health; 12, 428. Open access- <http://www.biomedcentral.com/content/pdf/1471-2458-12-428.pdf>

*This paper describes the methodology for investigating the impact of a change in the density of alcohol outlets on alcohol consumption and alcohol-related harms to health in the community.*

Alcohol Concern. 2011. One on every corner- the relationship between off-licence density and alcohol harms in young people. London. Full report- <http://www.alcoholconcern.org.uk/assets/files/Publications/one-on-every-corner.pdf>

*The current availability of alcohol shapes the risk a young person faces as they grow up. One in ten alcohol specific hospital admissions - such as alcohol poisoning - may be attributable to the density of off-licensed premises locally. Relying simply on better enforcement of regulation banning the sale of alcohol to minors may not therefore be enough protection as young people access alcohol through the home, friends and family. It is likely to be the greater general availability of alcohol, attributable to local off-licence density that has a direct impact on the risks of harm that a young person faces.*

Young R, Macdonald L, Ellaway A. 2013. Associations between proximity and density of local alcohol outlets and alcohol use among Scottish adolescents. Health & Place; 19(4), 124-130. Full article-http://www.google.co.nz/url?sa=t&rct=j&q=changing%20the%20density%20of%20alcohol%20outlets%20to%20reduce&source=web&cd=21&cad=rja&ved=0CC0QFjAAOBQ&url=http%3A%2F%2Fwww.alcohol-focus-scotland.org.uk%2Fview%2Fdownload%2F320-drinking-and-proximity-to-alcohol-outlets&ei=LHM2UZGNJM2UiAeJrIDQCA&usg=AFQjCNErgPye6IPKUM\_kOjhCXf02FN5GNg&bvm=bv.43148975,d.dGY

*Proximity and density of on-premise outlets were not associated with weekly drinking. However, adolescents living close (within200m) to an off- sales outlet were more likely to drink frequently (OR1.97, p¼0.004), as were adolescents living in areas with many nearby off-premises outlets (OR1.60, p¼0.016). Our findings suggest that certain alcohol behaviours (eg, binge drinking) may be linked to the characteristics of alcohol outlets in the vicinity.*

Lipton R, Gruenewald PJ. 2002. The spatial dynamics of violence and alcohol outlets. Alcohol; 63 (2), 187-195. Abstract- <http://www.ncbi.nlm.nih.gov/pubmed/12033695>

*The density of bars was found to be strongly associated with greater rates of assault, while density of restaurants was associated with less violence. Both appeared to have greatest effect in densely populated areas. Local and nearby population characteristics were also found to be related to greater rates of violence. The study suggests that alcohol outlets, in the presence of socioeconomic measures, moderate the occurrence of violence in urban areas.*

Stockwell T, et al. 2011. Impact on alcohol-related mortality of a rapid rise in the density of private liquor outlets in British Columbia: a local area multi-level analysis. Addiction; 106(4), 768-776. Abstract- <http://www.ncbi.nlm.nih.gov/pubmed/21244541>

*The total number of liquor stores per 1000 residents was associated significantly and positively with population rates of alcohol-related death. A conservative estimate is that rates of alcohol-related death increased by 3.25% for each 20% increase in private store density. The percentage of liquor stores in private ownership was also associated independently with local rates of alcohol-related death after controlling for overall liquor store density. Alternative models confirmed significant relationships between changes in private store density and mortality over time. The rapidly rising densities of private liquor stores in British Columbia from 2003 to 2008 was associated with a significant local-area increase in rates of alcohol-related death.*

AlcoholNZ. Health Promotion Agency October 2012. Available at: <http://www.alac.org.nz/alcoholnz-october-2012-issue-available>

This issue contains articles on outlet density and availability.

ALAC. 2012. The impacts of liquor outlets in Manukau City – Summary Report revised Accessed at: <http://www.alac.org.nz/sites/default/files/research-publications/pdfs/ManukauReportSummaryREVISED.PDF>

*In Manukau City, off-licence liquor outlets tend to be located in areas of high social deprivation and high population density, while on-licence liquor outlets tend to be located in main centres and areas of high amenity value. Higher off-licence density is associated with lower alcohol prices and longer opening hours. The density of both off-licence and on-licence liquor outlets is associated with a range of social harms, including various police events and motor vehicle accidents. However, these results are context specific and care should be taken in applying them to other locations.*

### Hours

Chikritzhs T, Stockwell T. 2006. ‘The impact of later trading hours for hotels on levels of impaired driver road crashes and driver breath alcohol levels’. Addiction;101:1254 – 64.

*Late trading was associated with increased levels of impaired driver road crashes and alcohol consumption, particularly high-risk alcoholic beverages. Greater numbers of patrons and characteristics specific to clientele of hotels which applied for late trading hours (i.e. younger age, greater propensity to drunk-drive, preference for high-risk beverages) were suggested as having contributed to this increase*.

Stockwell T, Chikritzhs T. 2009. ‘Do relaxed trading hours for bars and clubs mean more relaxed drinking? a review of international research on the impacts of changes to permitted hours of drinking**’** Crime Prevention and Community Safety: 11, 153–170. doi:10.1057/cpcs.2009.

*It is concluded that the balance of reliable evidence from the available international literature suggests that extended late-night trading hours lead to increased consumption and related harms. Further well-controlled studies are required to confirm this conclusion.*

Chikritzhs T, Stockwell T. 2002. ‘The Impact of Later Trading Hours for Australian Public Houses (Hotels) on Levels of Violence’J. Stud. Alcohol 63: 591-599, 2002.

*Late trading was associated with both increased violence in and around Perth hotels and increased levels of alcohol consumption during the study period. It is suggested that greater numbers of patrons and increased levels of intoxication contributed to the observed increase in violence and that systematic planning and evaluation of late trading licenses is required.*

Chikritzhs T, Stockwell T. 2007. ‘The impact of later trading hours for hotels (public houses) on breath alcohol levels of apprehended impaired drivers’. Addiction: 102: 1609–1617. doi: 10.1111/j.1360-0443.2007.01981.x

*At peak times for alcohol-related offences, late trading is associated with higher BALs among those drinkers most at risk of alcohol-related harm.*

Popova S, et al. 209. ‘Hours and Days of Sale and Density of Alcohol Outlets: Impacts on Alcohol Consumption and Damage: A Systematic Review’Alcohol and Alcoholism: 44 (5): 500-516.

*Restricting availability of alcohol is an effective measure to prevent alcohol-attributable harm.*

Duailibi S, et al. 2007. ‘The Effect of Restricting Opening Hours on Alcohol-Related Violence’. American Journal of Public Health: December 2007, Vol. 97, No. 12, pp. 2276-2280.

*Introducing restrictions on opening hours resulted in a significant decrease in murders, which confirmed what we know from the literature: restricting access to alcohol can reduce alcohol-related problems. Our results give no support to the converse view, that increasing availability will somehow reduce problems*.

Kypri K, Jones C, McElduff P, Barker D. 2010. Effects of restricting pub closing times on night-time assaults in an Australian city. Addiction; 106(2), 303-310.

Full article- <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC3041930/pdf/add0106-0303.pdf>

*A restriction in pub closing times to 3/3.30 a.m. in Newcastle, NSW, produced a large relative reduction in assault incidence of 37% in comparison to a control locality.*

Rossow I, Noström, T. 2011. The impact of small changes in bar closing hours on violence. The Norwegian experience from 18 cities. Addiction; 107(3), 530-537. Full article- <http://onlinelibrary.wiley.com/doi/10.1111/j.1360-0443.2011.03643.x/pdf>

*In Norway, each additional 1-hour extension to the opening times of premises selling alcohol is associated with a 16% increase in violent crime.*

Schofield TP, Denson TF. 2013. Alcohol outlet business hours and violent crime in New York State. Alcohol and Alcoholism; Published online: 10.1093/alcalc/agt003, 2013. Abstract- <http://www.ncbi.nlm.nih.gov/pubmed/23349067>

*The findings suggest that alcohol outlet business hours affect the incidence of reported violence even in regions that would not be considered to have severe problems with alcohol-fuelled violence.*

Hahn RA,et al. 2010. ‘Effectiveness of Policies Restricting Hours of Alcohol Sales in Preventing Excessive Alcohol Consumption and Related Harms.’ Am J Prev Med 2010;39(6):590–604) Full article- http://www.thecommunityguide.org/alcohol/EffectivenessofPoliciesRestrictingHoursofAlcoholSalesinPreventingExcessiveAlcoholConsumptionandRelatedHarms.pdf

*10 studies affirming that reductions in on-licensing trading hours of more than 2 hours has an effect of reducing excessive alcohol consumption and related harms*

### One-way doors

Babor, T. Et al. 2010. *Alcohol: No Ordinary Commodity Research and Public Policy* (2nd ed.). Oxford

*(see Lockouts page 160 – 161)*

Mazerolle L, White G, Ransley J, Ferguson P. 2012. ‘Violence in and around Entertainment Districts: A Longitudinal Analysis of the Impact of Late-Night Lockout Legislation’ *Law & Policy* 2012 Jan; 34(1): 55-79

*Our research shows that 3 a.m. lockout legislation led to a direct and significant reduction in the number of violent incidents inside licensed premises. Indeed, the lockouts cut the level of violent crime inside licensed premises by half. Despite these impressive results for the control of violence inside licensed premises, we found no evidence that the lockout had any impact on violence on streets and footpaths outside licensed premises that were the site for more than 80 percent of entertainment district violence. Overall, however, our analysis suggests that lockouts are an important mechanism that helps to control the level of violence inside licensed premises but that finely grained contextual responses to alcohol-related problems are needed rather than one-size-fits-all solutions.*

Kypri K, Jones C, Mcelduff P, Barker D. 2011. ‘Effects of restricting pub closing times on night-time assaults in an Australian city’.Addiction (Abingdon, England), 2011, Vol.106(2), p.303-310

*This study indicates that a restriction in pub closing times to 3/3.30 a.m. in Newcastle, NSW, produced a large relative reduction in assault incidence of 37% in comparison to a control locality. Further research is required to examine the effects of lockouts. These are now used widely but there is little or no evidence concerning their effectiveness. In the meantime, licensing authorities presented with similar assault and disorder problems may be emboldened by these findings and should be encouraged to implement similar restrictions with suitable evaluation.*

Palk G, Davey J, Freeman J, Morgan H. 2011. ‘Perspectives on the effectiveness of the late night liquor trading lockout legislative provision’.Criminal Justice Policy Review 2011 23:4, pp.465-492

*The number of alcohol-related offences requiring police attention is significantly reduced in some policing areas and for some types of offences (eg, sex offences, street disturbances, traffic incidents). However, there is no variation for a number of other offence categories (eg, assault). Interviews with licensees reveal that although all were initially opposed to the lockout policy, most perceived benefits from its introduction. This study is the first of its kind to comprehensively examine the impact of a lockout policy and provides supportive evidence for the effectiveness of the lockout policy and provides supportive evidence for the effectiveness of the lockout policy as integrating positively with police enforcement to enhance public safety in some areas in and around late night liquor trading premises.*

Queensland. Parliament. Legislative Assembly. Law, Justice and Safety Committee. 2010 ‘Inquiry into alcohol-related violence : final report’ accessed at <http://www.parliament.qld.gov.au/documents/TableOffice/TabledPapers/2010/5310T1903.pdf>

*This report identifies that more can be done at a state level to provide adequate transport, better enforcement of liquor laws, and support to the community and the industry, particularly in areas concentrated with licensed venues. At a local government level the report demonstrates the need for more public amenities including public toilets and street lighting along with a commitment to identify and manage entertainment precincts. Entertainment precincts need to be formalised and all relevant stakeholders need to take responsibility for their management to ensure the safety of the community. A major change that all stakeholders wanted to see was a strengthening of individual responsibility*

Shetty A. 2010. Wellbeing (Health) Impact Assessment of the Whangarei District Council’s draft liquor licensing policyNorthland District Health Board.

*A Wellbeing (Health) Impact Assessment (HIA) was undertaken on Whangarei District Council’s (WDC) draft Liquor Licensing Policy (draft LLP). The process was facilitated by the Northland District Health Board’s Public and Population Health Services. The draft LLP proposed introducing a uniform licensing hours for on-, off- and club-licenses across Whangarei District. It also looked at introducing a ‘one-way door’ policy for Whangarei Central Business District (CBD) on-licensed premises. The overall goal of the proposed draft LLP is to reduce alcohol-related harm in Whangarei District (the District).*

Gavan G, Palk J, Davey J, Freeman J. 2010. ‘[The impact of a lockout policy on levels of alcohol‐related incidents in and around licensed premises](http://www.tandfonline.com/doi/abs/10.1080/15614260802586392)’. *Police Practice and Research*. Vol. 11, Iss. 1, 2010

*Alcohol‐related offences, particularly those related to disturbances and sexual offences were significantly reduced following the introduction of the lockout policy. However, while offences related to property, stealing, and assault experienced a reduced trend, these did not reach significance. In contrast, traffic offence rates were unchanged. The findings of the study provide supportive evidence that lockout initiatives have potential as a major crime prevention technique to reduce specific types of alcohol‐related offences.*

Moffatt S. Mason A. Borzycki C. Weatherburn D. 2009. Liquor licensing enforcement and assaults on licensed premises. Accessed at:<http://www.lawlink.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/vwFiles/bb40.pdf/$file/bb40.pdf>

*The report finds that the incidence of assault on the 48 licensed premises upon which restrictions were imposed has declined, but the decline was not restricted to these premises. A general decline in the number of assaults on licensed premises occurred across the top 100 licensed premises listed on the BOCSAR website. The precise cause of the decline is unclear but likely influences include adverse publicity and increased enforcement activity by NSW Police and the Office of Liquor, Gaming and Racing (OLGR)."*

Miller P. Coomber K. Sonderlund A. McKenzie S. 2012. ‘The long-term effect of lockouts on alcohol-related emergency department attendances within Ballarat, Australia’. Drug and Alcohol Review 2012 Jun; 31(4) : 370-376

*A small reduction in alcohol-related assaults and intoxication rates within Ballarat occurred before and after the introduction of the lockout. However, after this decline these rates steadily increased, surpassing Geelong by 2005. There is no discernible long-term impact on alcohol-related ED attendances of the lockout intervention in Ballarat. As such, other interventions may be more appropriate to reduce alcohol-related ED attendances.*

Palk G. 2008. The nature and extent of policing alcohol related crime and reducing violence in and around late night entertainment areas. PhD by Publication, Queensland University of Technology. Accessed at <http://eprints.qut.edu.au/29963/1/Gavan_Palk_Thesis.pdf>

*A number of alcohol-related offences requiring police attention were significantly reduced for some policing areas and for some types of offences following the implementation of the lockout policy. However, in some locations the lockout policy appeared to have a negative or minimal impact. Interviews with licensees revealed that although all were initially opposed to the lockout policy as they believed it would have a negative impact on business, most perceived some benefits from its introduction. The results provide supportive evidence that this novel lockout initiative can be beneficial for public safety by reducing some types of offences in particular areas in and around late-night liquor trading premises. Finally, intelligent-led policing initiatives based on problem oriented policing, such as the lockout policy examined in this thesis, have potential as a major crime prevention technique to reduce specific types of alcohol-related offences.*

Kirkwood L, Parsonage P. 2008. Evaluation of the Christchurch city one-way door intervention. Alcohol Advisory Council of New Zealand and the Accident Compensation Corporation. Accessed at <http://www.alcohol.org.nz/sites/default/files/research-publications/pdfs/One_Way_Door.pdf>

*The following are identified as requirements for successfully implementing this type of intervention to reduce alcohol-related harm, based on the Christchurch experience and literature findings: a strong vision for the project; effective working relationships between relevant agencies; the active recruitment and involvement of licensees in formulating a description of the problems and designing an effective solution(s); an intervention(s) that attends to multiple related issues identified as contributing to the problem being addressed; the involvement of all relevant stakeholders from the earliest stages; strong project leadership, typically from a steering group made up of relevant stakeholders; a dedicated full-time project management resource; planned and regular communication with all relevant licensees and other stakeholders involved in the intervention(s); self-regulation of compliance with the planned intervention by a licensee-only monitoring committee; planned communications to advise the public on the planned intervention(s) and to educate them in relation to minimising alcohol-related harm; a suitable infrastructure for the project to ensure that adequate resources are applied; adequate time to both set up and run the intervention and to achieve project targets; formal planning for the key transition of the project from dependence on personnel to dependence on a process, ultimately with the aim of the intervention becoming part of the routine procedures of the relevant government agencies and other stakeholders ie, “normalising” the processes of desired community change.*

Freeman J, Palk G, Davey J. 2008. ‘Reducing alcohol-related injury and harm: The impact of a licensed premises lockout policy’ In Proceedings of 9th World Conference on Injury Prevention & Safety Promotion, Merida, Mexico.

*The findings of the study provide initial supportive evidence regarding the value of lockout initiatives to reduce injury and harm in and around licensed premises. However, in order to clearly demonstrate observed changes in alcohol use and alcohol-related problems that may be associated with the lockout policy for liquor trading hours, further research utilising control-designed longitudinal approaches is necessary.*

KPMG 2008a *Evaluation of the temporary late night entry declaration final report.* Melbourne*:* Department of Justice, State of Victoria

*Aggregate level data showed a number of positive trends in terms of reduced assaults in some areas but increased violence in others during the lockout period. Problems included lack of licensee ‘buy in’; the granting of stays resulting in an uneven implementation playing field; limitations on baseline data; and a wide range of external variables, including the implementation of other strategies aimed at reducing alcohol-related violence.*

National Drug Research Institute**.** 2007. Restrictions on the Sale and Supply of Alcohol: Evidence and Outcomes National Drug Research Institute, Curtin University of Technology, Perth.

*This study was initiated in an attempt to provide a comprehensive response to unanswered questions about ‘what works and where’ in relation to the many and varied alcohol restrictions applied throughout Australia. In relation to outlet density a particularly strong and consistent relationship was found between increased numbers of licensed premises and increased levels of violence. Planning and licensing decisions should be based on careful consideration of the likely benefits of restricting outlet density of licensed premises and equal consideration to the possible negative outcomes of unrestrained proliferation of licensed premises. Regarding lockouts the limited evidence available suggests that levels of alcohol-related disorder may decline where lockouts are implemented. However, police have also reported increased levels of other problems associated with refusal of entry and higher levels of intoxication, and others foresee a limited future for voluntary lockouts. More research needs to be conducted to confirm the short- and long-term effectiveness of lockouts and the optimum places and times, if any, where they should be put in place*.

1. **Please note that the content of these guidelines is not legal advice, and some issues may require an opinion or advice from a lawyer** [↑](#footnote-ref-1)
2. Day et al 2012 [↑](#footnote-ref-2)
3. ALAC 2012 [↑](#footnote-ref-3)
4. NZ Law Commission 2010 Ch 6 [↑](#footnote-ref-4)
5. Babor et at 2010 p 131. [↑](#footnote-ref-5)
6. ALAC 2012 [↑](#footnote-ref-6)
7. Cameron MP, Cochrane W, Gordon C, Livingston M. 2013. [↑](#footnote-ref-7)
8. Babor et at 2010 p 136. [↑](#footnote-ref-8)
9. Stockwell & Chikritzhs 2009 [↑](#footnote-ref-9)
10. Some persons are exempt from the restrictions such as employees and tenants who may be admitted but they must not be sold alcohol. [↑](#footnote-ref-10)
11. See s. 50 [↑](#footnote-ref-11)
12. See s.110(1)(d) [↑](#footnote-ref-12)
13. Kirkwood L, Parsonage P. 2008 [↑](#footnote-ref-13)