

SOUTH WAIRARAPA DISTRICT COUNCIL

21 SEPTEMBER 2016

AGENDA ITEM C4

PROPOSED TEMPORARY LIQUOR BAN

Purpose of Report

To seek Council's agreement to the giving of notice to effect a prohibition on alcohol consumption or possession (including while in a vehicle) on specified public roads and in public places within Martinborough for the Toast Martinborough festival on the 20th November 2016.

Recommendations

Officers recommend that the Council:

1. *Receive the information.*
2. *By resolution pursuant to Clause 3.2 of the South Wairarapa Liquor Control Bylaw 2011 order a prohibition of alcohol consumption or possession of liquor for the public places as shown in Appendix 1 to this report as "Liquor Prohibition Area".*

1. Executive Summary

Council has been asked to impose a ban on the consumption of alcohol during the course of the Toast Martinborough event.

In past years this has been agreed by Council and it is recommended that Council adopt a similar stance this year.

Police consider that the bans assist with the maintenance of reasonable order during this event.

2. Background

Council may at any time and by resolution, order a prohibition of alcohol consumption or possession of liquor (including while in a vehicle) in a public place for certain specified times and/or within certain specified public places within the South Wairarapa District.

A temporary liquor ban is requested for the Toast Martinborough site including the Martinborough Square and immediately adjoining areas.

The prohibition is intended to be in effect on:

20th November 2016 from 12pm (midday) to 8 pm

Area to be covered by the ban would include the Martinborough town square area bounded by Strasbourg, Ohio, Cork and Naples streets and include the Cambridge Road, Jellicoe, Texas, Kansas, Kitchener and Oxford streets that enter the square.

3. Police and organisers request

There has been a request from both the Police and event organizers, for a temporary liquor ban as a means of addressing alcohol related behaviours in public places during Toast Martinborough.

If approved this would be the fourth year that a liquor ban has been in place for this event. The Police report that:

"The intent of the Police in this submission is a response to concerns from the organisers and the community about the anti-social behaviour, harm and negative perceptions of safety in public places derived from the consumption of liquor during the event.

It is a means of managing the alcohol related behaviour and having communities where people feel safer and free from intimidation at all times."

The Police and organizers requests are attached as Appendix 2 and Appendix 3, respectively.

4. Legal requirements

The South Wairarapa Liquor Control Bylaw 2011 states:

"3 *Liquor Prohibition*

3.2 In addition to the prohibition in Clause 3.1 above, the Council by resolution may order a prohibition of alcohol consumption or possession of liquor (including while in a vehicle) in a public place for certain specified times and/or within certain specified public places and areas within the South Wairarapa District.

The prohibition must be notified in the appropriate newspaper at least 14 days in advance of the event. The Police powers of search under s170 (2) of the Local Government Act 2002 applies to these events"

and,

"6 *Offences*

6.1 Everyone commits an offence who:

- a) Consumes or possesses any liquor in a public place in breach of a prohibition under this part of the bylaw; and*
- b) Breaches, or permits a breach of, the terms of any Council permission granted pursuant to clause 4 of this bylaw".*

5. Resolution

Council is required to pass a resolution in order to impose this prohibition. The prohibition must be publicly notified in the appropriate newspaper at least 14 days in advance of the event.

The Police powers of search under s170 (2) of the Local Government Act 2002 applies to these events.

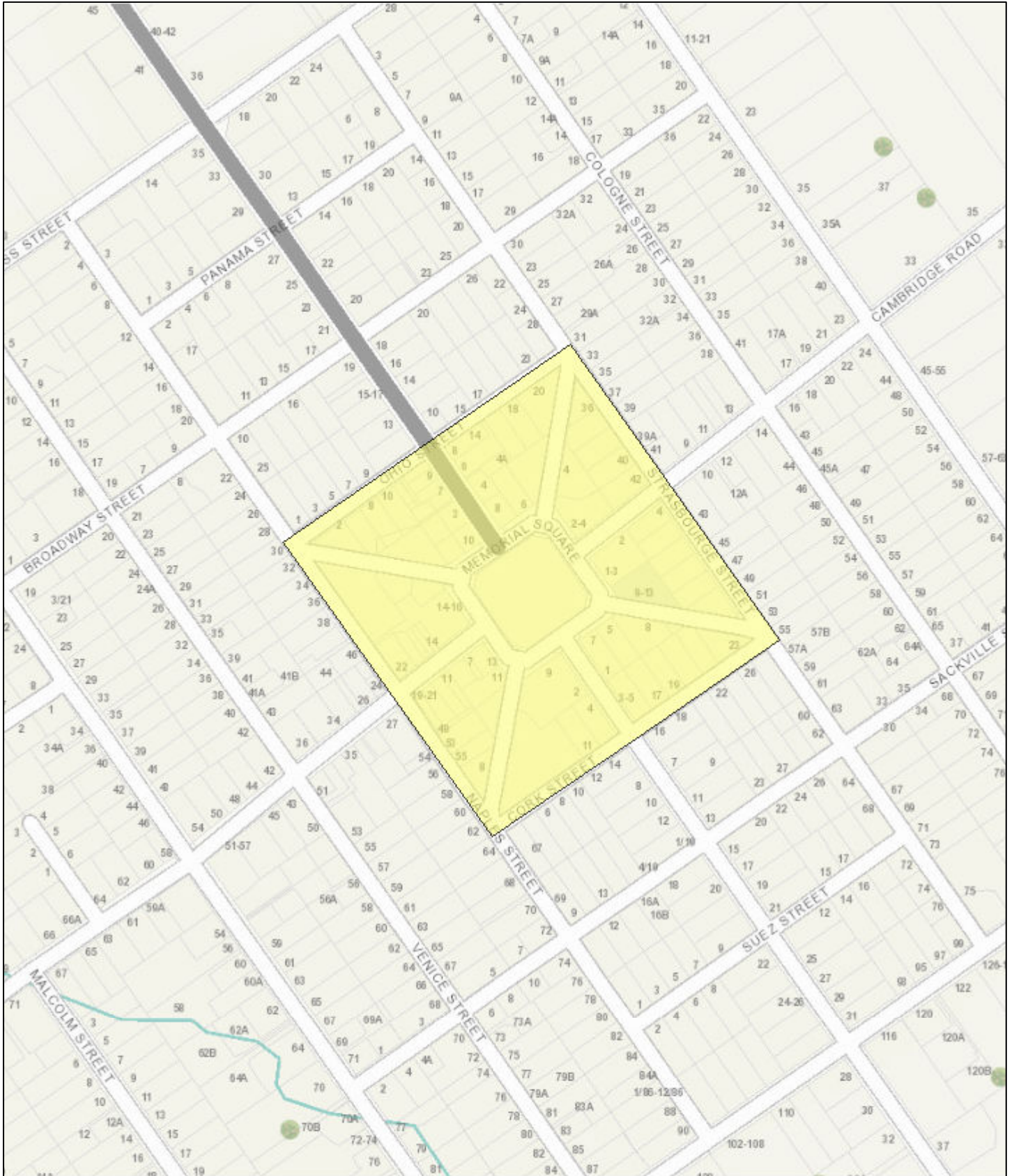
6. Appendices

Appendix 1 – Liquor Prohibition Area

Contact Officer: Shane Sykes, Team Leader, Environmental Services

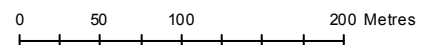
Reviewed By: Murray Buchanan, Group Manager, Planning and Environment

Appendix 1 – Liquor Prohibition Area



September 2, 2016

1:4,673



DISCLAIMER

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23 August 2016

Shane Sykes
Environmental Health Team Leader
South Wairarapa District Council



**Support for submission from Wairarapa Police for a temporary liquor ban in The Square,
Martinborough during Toast Martinborough 2016**

Toast Martinborough is held on the 3rd Sunday in November each year. In 2016, it will be held on Sunday 20th November. Eight vineyards will partner with a top restaurant /caterer and live music to provide a showcase of the regions wine and food.

All available tickets sell out, and the event brings a significant amount of investment into the local economy.

This year the festival celebrates its 25th Silver Anniversary and as such, more activity will occur in The Square particularly at the end of the day.

The Square in Martinborough is the hub for many services provided to the festival, such as entry and glass collection, the main Festival Bank, Information Tent, Security Control, and the main centre for transport arrival and departures.

In 2012, it was evident that there was an unsavory element positioning themselves in The Square, who were not associated with the festival. These people entered the Square and behaved in a disorderly and insulting manner.

In 2013, 14 and 2015 a temporary liquor ban was introduced for The Square, to provide Police with a tool to remove such people. It worked well. As a result, I would support a liquor ban in The Square again this year. This will protect festival goers and the public alike.

I don't believe that this liquor ban, to be applicable from 12noon until 8pm this year, will negatively impact the general public. It is essentially an excellent tool for the Police to be able to remove people who are breaching the bylaw.

Many thanks for your consideration. If you have any further questions, please do not hesitate to get in touch.

Yours sincerely,

A handwritten signature in black ink that reads 'Anna Nielson'.

Anna Nielson
General Manager

1st SEPTEMBER 2016

Masterton Police
PO Box 43

Phone 06 3700300

Mobile: 021 1909 442

Shane Sykes
Team Leader Environmental Services
South Wairarapa District Council

Submission from Wairarapa Police for input and consultation for a temporary liquor ban in Martinborough during the period of the 'Toast Martinborough' event, 20th November 2016.

The preferred times are:

20 November 2016 - 12 midday to 8 pm

Area to be covered by the ban would include the Martinborough town square area bounded by Strasbourg, Ohio, Cork and Naples streets and include the Cambridge Road, Jellicoe, Texas, Kansas, Kitchener and Oxford streets that enter the square.

General information

The Toast Martinborough event is one held for the showcasing of the Martinborough wineries. There are normally about 12 wineries that participate in the surrounding Martinborough area. A Special Licence to sell and supply alcohol is obtained by each of the wineries for the event, under the auspices of the Toast Martinborough event group. This is restricted to wine only, for obvious reasons.

The event is well organised and civilian marshals' co-ordinate town parking and traffic control.

The event this year has 9,000 tickets available for the event with 10,000 sold in previous years.

The Martinborough square is the coordinating and marshalling area for the event, including registration and transport facilities.

This is the area where the majority of patrons return to near the days end to be transported from Martinborough. This area becomes a major concentration of people from mid to late afternoon.

Information in support of the submission

At this time there is a degree of intoxication that is evident in persons in this area. Police would exercise discretion for festival patrons who return to the square with some wine left in their personal issued glasses; however that discretion would be cognisant of their behaviour.

In the recent event history Police have noted an increased concentration of persons using this area to attempt to continue drinking alcohol whether it is wine and in some cases beer from bottles.

There have been instances noted of persons other than festival goers indulging in the practice of loitering about the square environs drinking alcohol and at times becoming involved in disorderly behaviour-type offending. This behaviour has involved festival patrons and these persons, which has a negative impact on the event.

This type of behaviour can very easily escalate into serious disorder leading to fighting and assaults. It is the police's experience that when this occurs the available glass bottles are the used as weapons; thereby creating a heightened opportunity for serious injury to occur.

It is acknowledged by other local authorities that similar liquor bans have proved effective in the reduction of disorder, assaults to persons and wilful damage to property. The Masterton CBD ban area is one such example.

The intent of the Police in this submission is a response to concerns from the organisers and the community about the anti social behaviour, harm and negative perceptions of safety in public places derived from the consumption of liquor during the event. It is a means of managing the alcohol related behaviour and having communities where people feel safer and free from intimidation at all times.

A submission for this event is in line with the prevention first strategy of the Police. And to have a considered contingency in place to identify and nullify any potential risk to the patrons partaking in an event that is not only enjoyable for them, but is important for the Martinborough community to be successful; then the police believe the submission is pertinent and justified.

Thank you

If you wish to discuss the matter further, do not hesitate to contact me at the above number.

K P BASHER
SERGEANT
MASTERTON POLICE