

# SOUTH WAIRARAPA DISTRICT COUNCIL

27 AUGUST 2014

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## AGENDA ITEM D3

### PROPOSED TEMPORARY LIQUOR BAN

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#### **Purpose of Report**

Notice is required to be given to the effect that a prohibition of alcohol consumption or possession (including while in a vehicle) in the specified public roads and places within the Martinborough area for the Toast Martinborough on the 16<sup>th</sup> November 2014

#### **Recommendation**

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 may 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:

**16<sup>th</sup> November 2014 from 2 pm to 8 pm**

The 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 (refer Appendix 1).

## 2. Background

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

If approved this would be the second liquor ban for this event. A similar temporary liquor ban was in place for the 2013 Toast Martinborough event.

The Police report that the temporary liquor band granted in 2013 for the Toast Martinborough event *"had a significant and very positive impact on the previous historical issues of loitering and disorder. There was very minimal disorder, and the majority of patrons attending the event was respectful to the temporary liquor ban. Police were able to utilize discretion and educate patrons to the presence of the ban without incident"*

The Police and organizers sought the Liquor ban proposed, their requests are attached as Appendix 2 and Appendix 3.

## 3. Discussion

### Resolution/Consultation process

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.

## 4. Legal

The South Wairarapa Liquor Control Bylaw 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. Appendices**

Appendix 1 – Map showing proposed Liquor Prohibition area

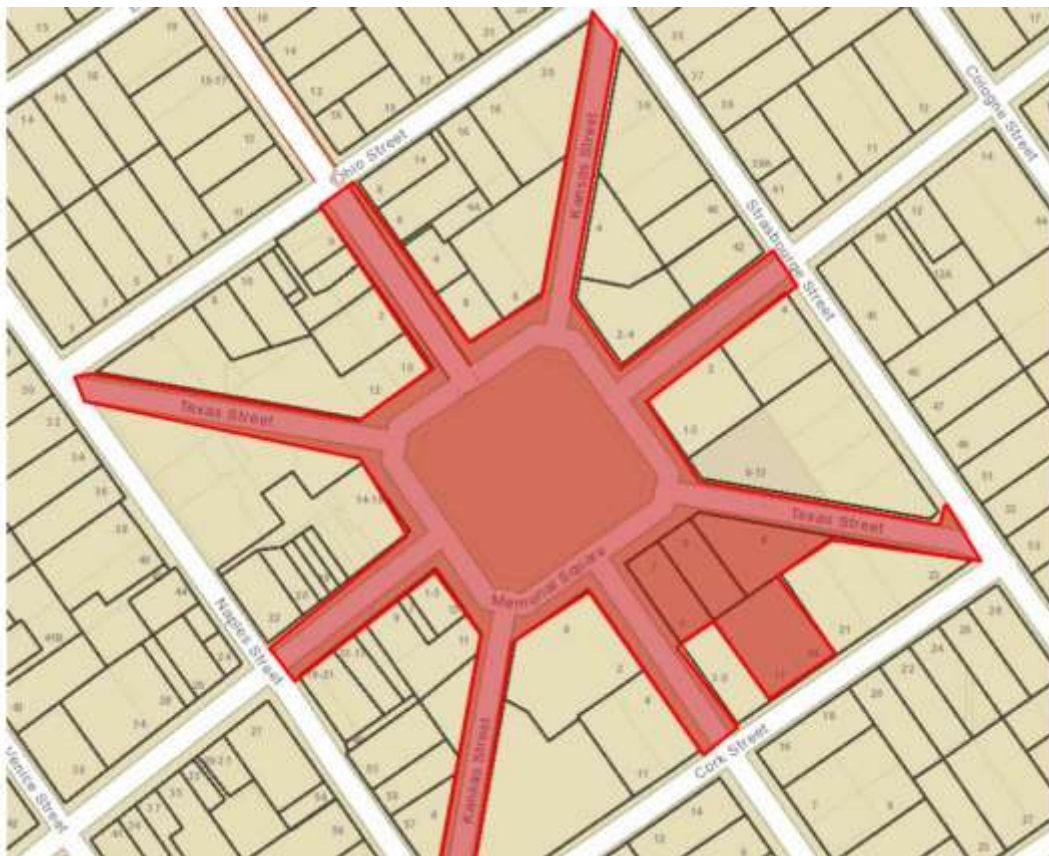
Appendix 2 – Police report from Ian Osland Area Manager-Youth and Community Services Wairarapa Police

Appendix 3 – Report from Rachel Fletcher Toast Martinborough

Contact Officer: Bronwyn Johnson, Environmental Health Team Leader

Reviewed By: Murray Buchanan, Group Manager Planning and Environment

# Appendix 1 - Liquor Prohibition Area



**Appendix 2 - Police report  
from Ian Osland Area  
Manager-Youth and  
Community Services  
Wairarapa Police**



**Bronwyn Johnson**  
Environmental Health Team Leader  
South Wairarapa District Council

**Wairarapa Police**  
P O Box 443  
Masterton

15th August 2014

Dear Bronwyn,

**RE: Submission for a Temporary Liquor Ban in Martinborough**

This submission from the Wairarapa Police is to provide input, and consultation in regards to a request for a temporary liquor ban to be granted in Martinborough during the period of the 'Toast Martinborough' event, which is scheduled for Sunday, the 16th November 2014.

The preferred times are:

16<sup>th</sup> November 2014 - 2 pm to 8 pm

The requested 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 and local produce. There will be nine wineries this year 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 Marshall's co-ordinate town parking and traffic control.

The event has 10,000 tickets available for the event and all are normally sold.

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**

By mid to late afternoon 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 historical instances where persons other than festival goers have indulged 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 similar temporary liquor ban was granted for the 2013 Toast Martinborough event, which had a significant and very positive impact on the previous historical issues of loitering and disorder. There was very minimal disorder, and the attitude of the majority of patrons attending the event was respectful to the temporary liquor ban. Police were able to utilise discretion and educate patrons to the presence of the ban without incident.



This submission for this event is in line with the Prevention First strategy of the NZ Police. It provides a considered contingency to help 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.

The police believe that this submission is pertinent and justified.

If you wish to discuss the matter further, do not hesitate to contact me on the numbers below.

Thank you for your consideration.

Ian OSLAND  
Area Manager - Youth and Community Services  
Sergeant G472  
Wairarapa Police

PHB: 06 370 0338  
PHM: 021 190 9607



**Appendix 3 - Report from  
Rachel Fletcher Toast  
Martinborough**

30 June 2014

Bronwyn Johnson  
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 2014**

Toast Martinborough is held on the 3<sup>rd</sup> Sunday in November each year. In 2014, it will be held on Sunday 16 November. 9 vineyards will partner with a top restaurant /caterer and live music to provide a showcase of the regions wine and food.

All 10,000 tickets sell out quickly, and the event brings close to \$3 million dollars into the local economy.

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

In 2012, it was evident that there was an unsavoury 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 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 for a short period of time, 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,

Rachael Fletcher  
General Manager