

SOUTH WAIRARAPA DISTRICT COUNCIL

27 NOVEMBER 2013

AGENDA ITEM C1

PROPOSED TEMPORARY LIQUOR BAN

Purpose of Report

Notice is required to be given to the effect that there is to be a prohibition of alcohol consumption or possession of liquor (including while in a vehicle) in the specified public roads and places within the Martinborough area for the La De Da music festival from 30 December 2013 to 1 January 2014.

Recommendation

Officers recommend that the Council:

1. *Receive the information.*
2. *By resolution, pursuant to the South Wairarapa Liquor Control Bylaw 2011, order a prohibition of alcohol consumption or possession of liquor for the public places as described in this report titled "Proposed Liquor Ban" dated 27 November 2013.*

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 ban has been requested for this year's La De Da festival. Council is required to pass a resolution in order to impose this prohibition.

2. Background

There have been requests from the Police, event organizers and individuals for a temporary liquor ban as a means of addressing concerns about alcohol related behaviors in public places during the previous La De Da music festivals.

A liquor ban was in place for the same areas for the 2011-12 and 2012-2013 La De Da festivals.

Consequently the Police have provided input into the proposed Liquor Ban and their report is attached as Appendix 2.

3. Discussion

The South Wairarapa Liquor Control Bylaw 2011 states in Section 3

"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."

It also states in Section 6, which relates to 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".*

A temporary liquor ban is proposed over specified public areas surrounding the La De Da music festival site. The prohibition is intended to be in effect from;

7am on 30 December 2013 to 12 midday on 1 January 2014.

The specified areas proposed to be covered by the ban are;

the Martinborough town square, down Jellicoe Street and as it turns into Lake Ferry Road to the intersection with Dry River Road/Dyerville Road (which ever it is described as) and the continuance of Dry River Road/Dyerville Road including where it turns into Blue Rock Road, to the intersection of Blue Rock Road with Ruakokoputuna Road.

These areas are defined in the attached map (see appendix 1). If adopted by Council, the prohibition must be publicly notified in an 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 apply in the Liquor Ban areas.

4. Appendices

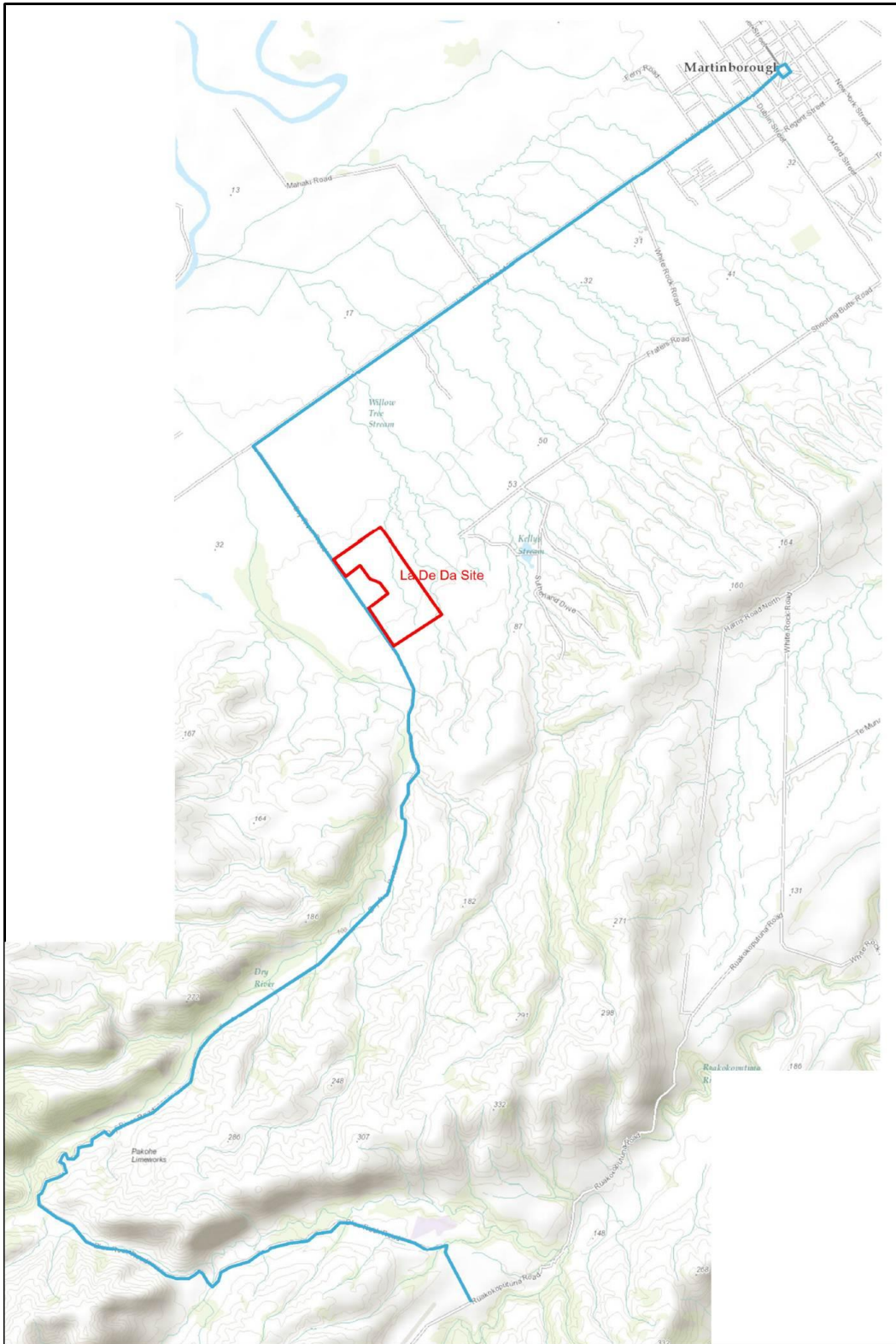
Appendix 1 – Proposed Liquor Prohibition Area

Appendix 2 – Police Report From Sergeant Kevin Basher NZ Police

Contact Officer: Bronwyn Johnson, Environmental Health Team Leader

Reviewed By: Murray Buchanan Group Manager Planning and Environment

Appendix 1 - Proposed Liquor Prohibition Area



Appendix 2 - Police Report

Police Report regarding proposed Liquor Ban for the La De Da Concert at Martinborough.

In response to the request for input and consultation from the Police for a Temporary liquor ban in Martinborough during the period of the la De Da from 30th December 2013 to the 1st of January 2014.

The preferred times are:

30th December 2013 – 7:00 am to 1st January 2014 -12:00 pm

Area to be covered by the ban would include the Martinborough town square, down Jellicoe street and as it turns into Lake Ferry Road to the intersection with Dry River Road/Dyerville Road (which ever it is described as) and the continuance of Dry River Road/Dyerville Road including where it turns into Blue Rock Road, to the intersection of Blue Rock Road with Ruakokoputuna Road.

The main reasons for a liquor ban for these areas is to prevent persons travelling in vehicles to the event from parking along the road sides and indulging in any preloading of alcohol before going into the event site proper. Even without the inclusion of alcohol, having large numbers of vehicles parked on these roadsides is an obvious concern in itself.

The inclusion of the town square is deemed necessary to prevent any large buildup of persons visiting the area before and during the event, seeking the opportunity to indulge in alcohol consumption in the very public view and area of Martinborough itself. It is a reasonable assumption that these persons will be drawn to this area as is the norm in other parts of the country when festivals such as this are held. In those areas liquor bans are put in place to prevent build ups of alcohol affected persons which invariably leads to incidents of disorder, fighting and assaults.

The police believe the community of Martinborough does not need to suffer any further intrusion on their peace and wellbeing by this potential hazard, than what they will be by the holding of the event in the first place. With the expected numbers of persons attending the event to be in the region of 10,000-12,000, there is a very real risk of the above mentioned incidents and hazards.

It is not the intention of the Police to prevent persons attending the event from enjoying themselves, but we are charged with the protection of life and property in the first instance and we must have a considered contingency in place to identify and nullify any potential risks; and we believe with this advice requested by and provided to the local authority it is pertinent and justified.

Therefore in summary the Police are seeking input in to the Liquor ban in the above specified areas due to:

- The increased traffic hazards as identified.
- The physical protection of persons attending the event, the public in general and the local community.
- The potential disruption to the public peace and order of the Martinborough community.
- The impact on the Police to provide a suitable response to the event as well as serve the needs of the local community.

SERGEANT KEVIN BASHER
ALCOHOL HARM REDUCTION OFFICER
WAIRARAPA
7TH NOVEMBER 2013