

SOUTH WAIRARAPA DISTRICT COUNCIL

26 AUGUST 2015

AGENDA ITEM C4

PROPOSED TEMPORARY LIQUOR BAN

Purpose of Report

Notice is required to be given 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 15th November 2015.

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:

15th November 2015 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 both the Police and event organizers, 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 third year when a liquor ban has been in place for this event.

The Police report that:

"Since the introduction of the liquor ban Police have noted a decrease in the concentration of persons using this area to attempt to continue drinking alcohol. 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 behavior type offending. This behavior has involved festival patrons and these persons, which has a negative impact on the event. The liquor ban has reduced this potentiality."

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

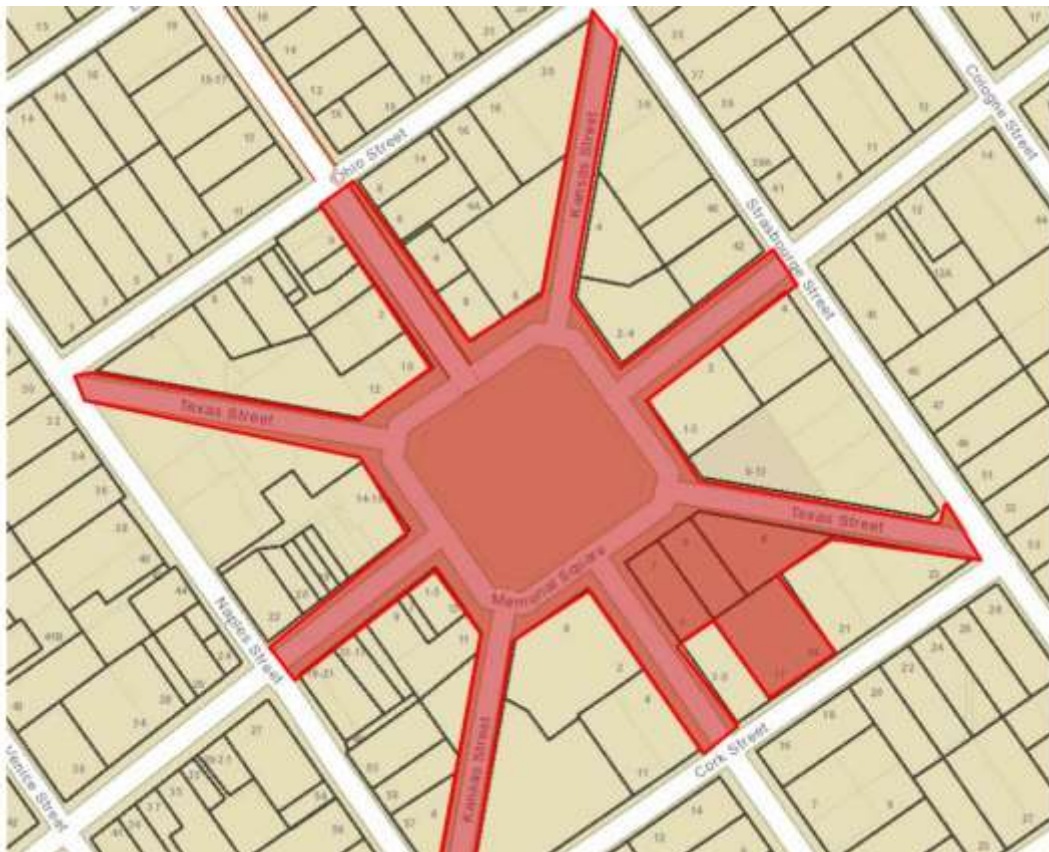
Appendix 2 –Police Report from Sergeant K P Basher Masterton Police

Appendix 3 – Report from Anna Neilson Toast Martinborough

Contact Officer: Bronwyn Johnson, Environmental Health Team Leader

Reviewed By: Murray Buchanan, Group Manager Planning and Environment

Appendix 1 – Map Showing Proposed Liquor Prohibition Area



**Appendix 2 –Police report
from Sergeant K P Basher
Masterton Police**

Masterton Police
21 Church Street
Masterton

29th June 2015

Bronwyn Johnson
Environmental Health Team Leader
South Wairarapa District Council

Submission from South Wairarapa Police for input and consultation for a temporary liquor ban in Martinborough during the period of the 'Toast Martinborough' event, November 2015.

The preferred times are:

15th November 2015 - 2 pm 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 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 normally about 12 wineries that participate in the surrounding Martinborough area. A Special Licence to sell and supply alcohol is obtained 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 marshalls 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

At this time there is a degree of intoxication that is evident in persons in this area. Although there is a requirement that wine purchased from the winery sites is not to be opened, there have been occasions when patrons have ignored that. Police have exercised discretion in these instances and advised patrons of the requirement without any adverse reaction. (Police would exercise discretion also 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).

Since the introduction of the liquor ban Police have noted a decrease in the concentration of persons using this area to attempt to continue drinking alcohol.

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. The liquor ban has reduced this potentiality.

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. This is in line with the strategic policy of Prevention First by the police.

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

**Appendix 3 – Report from
Anna Neilson Toast
Martinborough**

12 August 2015

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 2015**

Toast Martinborough is held on the 3rd Sunday in November each year. In 2015, it will be held on Sunday 15 November. Nine 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 a significant amount of investment 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, Security Control, and the main centre for transport arrival and departures. For this reason I also will be requesting to close the Square to all non-Toast Martinborough vehicles for the duration of the 1 day festival.

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 and 2014 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,

Anna Nielson
General Manager