

# Setting up an alcohol ban

## What you need to know and do



This guide is to help people who are applying for, considering or establishing an alcohol ban under section 147 of the Local Government Act 2002.

Our Alcohol Restrictions in Public Places Bylaw designates 16 permanent alcohol ban areas across the Christchurch district. Before amending the bylaw to make an alcohol ban permanent we usually trial a temporary ban.

### Requesting an alcohol ban

Anyone can request an alcohol ban – local residents, community groups, associations, business owners, community board members, police, or sports groups.

Email or write to the community board(s) for the area affected or ask to speak at their meeting.

#### What evidence do you need?

You'll need evidence of crime and disorder linked to people drinking in the area. This may include litter, property damage, rowdy parties at night that make residents feel unsafe, and the like. This evidence can be presented as:

- Statements about the problem and its effects on the community
- Photos showing broken bottles, damage to property
- Petitions from individuals and/or groups
- A community survey showing support for a ban

#### What will the community board do?

- The board will consider whether a ban is needed, and will usually ask board staff to prepare a brief report on the evidence provided, with recommendations.
- If the board supports the ban proposal it asks the Council to investigate further.

#### The board and its staff will consider:

- Evidence of disorder, damage or harm caused by alcohol use in the area
- Whether a ban is needed, or the problem could be resolved through community patrols, more rubbish bins or more frequent rubbish collection, or by better lighting.
- Do police support the proposed ban?

## What will the Council do?

- The Council will consider the board's recommendation, and decide whether to ask staff to investigate further.
- Council staff (in the strategic policy team) assess the proposed ban in terms of the Local Government Act, and report back to the Council.
- The Council considers the report and makes a decision.
- If it resolves to impose a temporary alcohol ban, temporary ban signs are installed and the public and media are notified.
- A new temporary alcohol ban area is put in place.

## Section 147 of the Local Government Act 2002 requires that:

- A high level of crime or disorder is likely in the proposed ban area if the bylaw is not made;
- The ban is appropriate and proportionate in light of that likely crime or disorder; and
- Amending the bylaw can be justified as a reasonable limitation on people's rights and freedoms.

## Making the alcohol ban permanent

Council staff review the effectiveness of the temporary ban and check that it is the appropriate measure to reduce antisocial behaviour in the area.



Staff draft amendments to the bylaw.



Staff report to the Council on the review findings, and seek approval to consult the public on the draft bylaw amendment.



Council makes the decision on the proposed bylaw amendment for consultation.



Public consultation provides a month-long opportunity for people to make submissions on the proposal.



Submitters who want to speak are given the opportunity to address the hearings panel.



The hearings panel reports to the Council with recommendations.



Council decides whether to adopt the bylaw change for the new permanent alcohol ban area.



If the decision is in favour of the ban, submitters are advised, the ban is publicly notified, and signs are installed.



The new permanent alcohol ban area is put in place.