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Proposal to amend the Wellington City Council Liquor Control Bylaw

David Wilcock - Newtown Business Group Coordinator - Representing the Newtown Businesses

Background

The Newtown Business Group are business people who have businesses in Newtown, who meet regularly once a month to address issues and look at improving Newtown as a destination to visit.

We work closely with our community, working with the Newtown Residents Assn to recognise and address issues.

It was the Liquor abuse problems we were suffering in Newtown that brought about a public meeting in February 2010 that was attended by over 60 people including residents, business owners that concluded by asking the WCC to impliment a Liquor ban for Newtown. If we left the situation unchanged the community had no protection by law to address the liquor related problems.

Currently the Newtown Business Group and Newtown Residents Assn have been working closely with the WCC and Police, Wendy Walker has organised regular meetings with Laurie organising a Safety Audit for Newtown.

Wellington Police are presently in the process of surveying the Newtown Community as a safety survey.

Liquor Related anti social behaviour

Newtown Business have suffered from the following antisocial behaviour directly attributed to liquor :

Broken windows

Damage to property

Graffiti

Stealing and Shoplifting

Tags etched on windows ...even our community police station is not immune..

Empty alcohol bottles discarded
Broken glass
Shops doorways used as toilets
Vomit outside our shops fronts
People bludging money and intimidating people to buy alcohol.
Entering our shops asking for money and then being abusive if we refuse.
Intoxicated people sleeping and loitering outside
Intoxicated people shouting bad language and abuse in public.
Intoxicated people going relieving themselves ...ie urinating in the Newtown Mall (this has been recorded twice recently)
Bottles thrown through shop windows. (Leos Fish and Chips)

The effects of this antisocial behaviour
Complaints from Shopkeepers, the effect it has had on their businsses.
Complaints from the Public and to the shopkeepers, the public feel unsafe and intimidated.
Children feeling intimidated and dont feel safe going to the shops by themselves.
Children being approached by alcoholics and feeling intimidated
Parents not feeling safe to take their children to the playgrounds
Eldery people feeling vulnerable and not safe to go shopping.
People not wanting to walk around Newtown to shop, ie to go shopping inside the Mall but not run the gauntlet of the alcoholics outside the front of the Mall.
Assaults – eg Customer while having his hair washed in a shop was approached for no reason and punched. They both didnt know each other. Police called.
The littering, rubbish , cartons, beer bottles, cans left on the pavement.
Squatting in houses, house set on fire and damaged. (Milward Street)

The Liquor Control bylaw

A Liquor ban is not seen as a solution to all our communitys problems. It is however a tool the police and our community can use to address and help prevent the effects , the antisocial behaviour before it gets out of control.
Together with our community working with the WCC and Police to look at resolving related issues.
Hence the regular meetings with WCC and Police, safety audit and safety survey.

The Law as it stands

The isnt any law at present that can address the issue of drinking in public. Being "drunk and disorderly " was revoked from the statutes in 1981.
Where as this was a case of catching the horse after it had bolted the gate. It was too late.
Where as the Liquor control bylaw will be an intervention before the person gets intoxicated and starts to be offensive..

The areas which have problems

The following areas which have had particular problems also to say that there have been other areas in Newtown that have been effected but I havent listed.

- 1 Outside Newtown New World Mall
- 2 Outside McDonalds (and back carpark)
- 3 Playground area (corner of Constable and Riddifords Streets)
- 4 Outside Newtown Bakery (seating outside)
- 5 The area outside St Thomas church (seating area)
- 6 Wilson Street to Constable Street
- 7 Newtown Mall to Constable Street
- 8 Cnr of Newtown Ave and Riddiford Street.
- 9 Carrara Park
- 10 Newtown Caltex Station (behind the station) Riddiford Street
- 11 Basin Reserve Caltex Station (behind the station)
- 12 Gordon Place (at night particularly)

Proposed Option : Liquor Ban for Newtown, Berhampore, Mt Cook

The ammendment of the Liquor Control Bylaw to include Newtown, Berhampore, Mt Cook on the liquor ban area will provide a necessary tool for the authorities and our communities to address the antisocial behaviour that continues to happen.

With other interventions the liquor control bylaw will provide the necessary protection for our community and businesses.

The liquor control bylaw is presently working in the Wellington City and we would expect it to work for our community.

Proposed Option : Liquor Ban City Wide.

We would support having the liquor ban city wide as we can see from our experience that there was transference from the city of people coming from the city to Newtown (which has been proven by business owners who have businesses in the city and businesses in Newtown identifying the people drinking)

So if Newtown did have a liquor ban then we could end up seeing a transference of the problem moving to Berhampore, Kilbirnie and surrounding areas.

If it was applied to the Wellington region it would be send a clear messege and make it easier to be managed by the authorities.

Proposed Option : Status Quo

With the current criteria its been proven that was recommended by the Law Commision. Should the WCC determine to have Status Quo. Then in such circumstances the council will only have an option of revoking the present Liquor ban in the CBD, Oriental Bay, Aro Valley and Mt Victoria.

Conclusion

- 1) *We seek that Council amend the liquor Control Bylaw to extend the provision to ban the consumption of alcohol in public places to either cover*
 - a) City wide (if other communities agree); or
 - b) *Mt Cook/Newtown/Berhampore as defined on Appendix 2 of the document "Proposal to amend Liquor Control Bylaw – Summary of Information; or*
- 2) Should Council determine to follow the status quo option, revoke the liquor ban for the CBD, Aro Valley, Oriental Bay and the summit of Mt Victoria

We support and request the implementation of the option 1 b) above or Option 2 of the document "Proposal to amend Liquor Control Bylaw – Summary of Information March 2010"

David Wilcock

Attached

x2 CDs photos from NEWTOWN MALL
x2 sets of photos from NEWTOWN MALL
Provided by New World Supermarket
x1 written submission.from New World Supermarket.

Garbak Enterprises Ltd, Trading as Newtown New World
195 Riddiford Street, Newtown, P.O.Box 7282, Wellington South.
Telephone (04) 389-7015: Facsimile (04) 389-1022

LIQUOR BAN FOR NEWTOWN

SUBMISSION MADE BY NEWTOWN NEW WORLD ON BEHALF OF ALL
BUSINESSES IN NEWTOWN MALL.

Why is there a need for a liquor ban?

1. Because intoxicated persons obstructing the footpath, and more especially, entrances to businesses, (eg: Newtown Mall), are in many cases making potential customers fearful of entering the business premises.
2. Too many licensed buskers are heavy users of alcohol and drugs or have some intellectual impairment and during the course of their busking become progressively intoxicated by alcohol or other substance and once intoxicated become abusive and obstructive to passers-by.
3. Other intoxicated persons resort to begging for money (for alcohol) and become overly assertive in 'persuading' passers-by for money meaning their actions make people, (especially mothers with children), especially fearful of entering the premises where they wish to shop.
4. Many of the 'buskers' have been trespassed from Newtown Mall and Newtown New World because of previous offensive and disorderly behaviour or shoplifting. Accordingly, such persons are not able to purchase liquor from Newtown New World, and in any case, would not be sold liquor given their abuse of liquor in the first place.
5. Many of the 'buskers' drink spirit alcohol and RTD's none of which are sold by Newtown New World. Furthermore, Newtown New World has an 'absolutely no sale' policy to persons suspected of solvent or substance abuse.
6. When 'buskers' are requested to move on by Newtown New World Security (also acting on behalf of other Mall business people) the buskers provide they have 90 minutes to perform. When requested to move on after 90 minutes the buskers simply move away for a few minutes and come back asserting they have a further, (and ongoing periods), of 90 minutes.
7. WCC's Walkwise personnel are usually most helpful but have no power to remove such persons. One a recent occasion a request to Walkwise for assistance was met with a categorical 'No we will not attend', despite the situation was provided to them in a genuine situation.
8. The buskers see the issued 'buskers licence' as 'an authority or right' to be in that place thus making their removal even more difficult.
9. WCC's Laurie GABITIES has been approached to prevail upon the Council to cancel or not issue 'buskers licences' to persons of ill repute including persons with an alcohol or drug dependency problem(s). A reply has yet to be receive from Mr GABITIES.
10. Police will only respond to complaints of drunken or disorderly behaviour where public order has been breached. Police have limited powers and resources and there is no power of arrest for being drunk in a public place.

11. The Law Commission's Report on alcohol, and the abuse of alcohol by certain segments of society provides that the Government consider providing powers to Local Authorities to declare a liquor ban in a particular area where problem with alcohol is endemic in that area. Vis: Newtown Shopping precinct. Whether such will come to pass is another matter.
12. Until the Police have powers to act to control liquor in a public place, (breach of liquor ban), in Newtown, (or areas of trouble in Newtown), there is a growing and urgent requirement for a liquor ban in Newtown.
13. Businesses are hurting enough in these economic hard times without customers and the public in Newtown being subject to drunken or disorderly behaviour and/or being cajoled into 'donating to their cause'.
14. If the Police can't act WCC needs to act, and at this time, a liquor ban in the Newtown area seems the only current resolution to cleaning up Newtown so that those who live and work and have business in Newtown can once again enjoy Newtown's particular culture and unique village atmosphere which is such an important part of our the diversity of 'our' wonderful Wellington.
15. The liquor ban works, and cuts crime in other parts of Wellington – Why not Newtown too!!!

Yours sincerely,



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