



Alcohol Licensing and Local Alcohol Policies

EXAMPLE OF INCIDENT LOG

Examples of entries in this Incident Log give you an idea of how information can be collected, recorded and used as evidence in hearings - e.g. relating to a licence objection, District Plan and Local Alcohol Policy. The Log has been kept by a residents' association for several years, starting when several new bars moved into a commercial street adjacent to a densely populated central city residential area. The new bars operated until at least 3am which greatly affected the amenity and good order of the area.

Names and addresses of residents who reported each incident have been deleted, as well as any other identifying details regarding the specific area or licensed premises. However, it is important to include names and addresses in logs such as this, not only for verification purposes but also to show that residents are committed to the action/s they are advocating.

This document is divided into the following sections:

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Definitions of the Sale and Supply of Alcohol Act 2012

Alcohol-related harm

(a) means the harm caused by the excessive or inappropriate consumption of alcohol; and

(b) Includes—

(i) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and

(ii) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i).

Amenity and good order of the locality, in relation to an application for or for the renewal of a licence, means the extent to which, and ways in which, the locality in which the premises concerned are situated is (or, in the case of a conveyance, the localities where the conveyance is likely to travel are) pleasant and agreeable.



Table 1: Examples of incidents grouped by category of alcohol-related harm (ARH)

Table 1 summarises how the residents recorded incidents that relate to ‘alcohol-related harm’ according to the definition set in the *Sale and Supply of Alcohol Act 2012*. The categories (crime, damage, disorderly behaviour and illness/injury) are those covered in the Act. This is included in the log of the residents’ association to highlight the object of the Act, which is to minimise alcohol-related harm.

Alcohol-related harm / amenity issues	Excessive Drinking	Inappropriate Drinking
Crime	Breaking and entering, theft Serious fights/assault/threat of assault Other incidents requiring police intervention	
Damage	Vandalism to private or public property, e.g. <ul style="list-style-type: none"> • broken window/door of local shop • vandalism to cars, fences • breaking into cars • fires (to hedge, to rubbish bins) • gardens pulled out, street signs pulled up/thrown onto property 	
Disorderly Behaviour	Less serious fights Public urination, defecation	Intoxicated patrons admitted to bars Self-reported intoxication by patrons



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Alcohol-related harm / amenity issues	Excessive Drinking	Inappropriate Drinking
	Vomiting on footpath, street, private property Aggression and intimidation	Breaches of Alcohol Ban in area Pre-/side-loading in immediate area Party buses bringing intoxicated patrons to area
Nuisance	Noise and other nuisance	
Other		Sales to minors (<18 years) Breach of smoke-free laws Breach of street trading conditions Breach of licence conditions (hours, single sales, etc.)

Table 2 - Entries from the Log of Incidents

Alongside ARH, incidents related to general ‘amenity and good order of locality’ can be included in objections to a liquor licence application and submission on a Local Alcohol Policy. Table 2 includes examples of ARH and alcohol-related incidents.

Date & Time	Incident recorded by	Name & Address of the licensed premise	Details of incident and those involved (Insert Photographic evidence if available)
2/6/17 – 3/6/17 10:15pm – 2:00 am	Observations carried out by 3 residents on behalf of the residents’ association	X Bar on the Corner of XX street	<p>Situation at 10:35 pm: Many restaurants closed or closing. Bars open. Loud music from [bar] but no sign of anyone outside or on ground floor; also loud music at [bar], but neither problematic at this hour.</p> <p>11:10 pm: 2 large piles of vomit across from [bar]. (photographic evidence #1)</p> <p>11:15 pm: Group of 10 females (two self-reported as having already drunk too much and ‘<i>not being let in anywhere</i>’) arrived at [bar]; not admitted, so proceeded north on foot. Two obviously intoxicated and talking openly about it. Were immediately admitted to [another bar].</p>



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			<p>Photographic evidence #1 (2/6/17 at 11:15pm)</p> <p>Large pile of fresh vomit. Another pile a way too dark to photograph</p>	 <p>few steps</p>
<p>9/6 - 10/6/17 10:20pm – 2:30am</p>	<p>Same as above</p>	<p>Observations carried out by 3 residents for residents' association</p>	<p>Situation up to midnight: Very congested outside [bars]/ Large group (30-ish) in front of [other bar]—took up entire footpath. Group of 9 then walked south, followed by groups of 3 and 6. Horns honking; group of 5 on [residential street] yelling out at the cars.</p> <p>Around midnight: Group of 14 walking from [street], followed by very loud group of 6; two obviously drunk.</p> <p>1:00am: 5 police and group of 9 males outside [shop]. Could not see what the problem was.</p> <p>1:45am: Vomit and urine on residential street]</p> <p>2:00am: People noise from [bar] clearly audible from residential area; too loud for 2:00am.</p> <p>2:15am: Saw male urinating against office on [residential] corner.</p> <p>2:29am: Fresh urine north of [bar] and vomit across the street.</p> <p>Photographic evidence #2 10/6/17 at 12:06am and 12:19am</p>	



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			<p>Examples of migration from one premises to another (often through residential area)</p> <p>Photo #3 10/6/15 at 2:29am North of [bar]: Fresh urine on footpath</p>  
28/01/17	XX street, 200 metre from X Bar	Resident A	<p>3 am Reported a very drunk male entered their fenced front patio and started banging on the glass sliding doors. Was yelling 'Let me in' very loudly. Woke everyone up, frightening the two young children.</p>
24/03/17 3:04 – 3:18 am	XX street, 200 metre from X Bar	Resident A	<p>3:04 am: Woken up by 4 people talking and laughing as they walked to their car. One inebriated male urinated on neighbour's wall.</p> <p>3:12 am: After getting back into bed, heard 3 others (looked in early 20s) walking up the street from [Street], immediately followed by 2 females and another male—chatting and laughing noisily as they approached [residential street]. Were clearly intoxicated as well.</p>
24/03/17 7:10 am			



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			<p>3:18 am: After getting back in bed again, heard several loud male voices—faded into the distance after what sounded like a disagreement. Sounded like they had been drinking [Did not get up again to have a look]</p>
<p>16/6/17 & 18/6/17 9:45pm & 8:00am</p>	<p>Top ends of two residential streets near Bars</p>	<p>Resident B</p>	<p>While walking home on her own, saw fresh vomit across the footpath just past [restaurant]. Two men and 1 woman who appeared drunk were having a loud argument, so she crossed the street to avoid them. Bouncers at [bar] were blocking the footpath and she had to ask them to let her pass.</p> <p>On Sunday morning, she saw at least 27 cans and bottles in the gutters in same vicinity.</p> <p>Photographic evidence</p> <p>Empty liquor / beer bottles and cans collected on 18/6/17 (around noon) from top end of two residential streets near [bars].</p>



Table 3 – Excerpts from relevant independent reports or observations

Table 3 are the excerpts from relevant independent reports or observations (including from ARLA or DLC decisions) to provide a level of validation of residents’ experiences. This often has been very useful at hearings. Incidents here do not relate to incidents in Table 2.

Date & Time of the incident	Relate to what incident	Name & Source of information	Excerpts from relevant independent reports or observations
9/4/16	Property Manager, Retirement Village	Report #4: Excerpt from Decision, 28 March 2014 (hearing held 21/5/16)	<p><i>Applicant described how different the area is from when he operated here previously. Excerpts from Judge’s decision as follows:</i></p> <p><i>‘Prior to [this time] the licensed premises attracted an older type of clientele whereas today patrons...are inclined to be younger, more noisy and create more nuisance. The behaviour of this new group of patrons... is unacceptable to [applicant] and he is hoping that that type of clientele will move away from [here] in due course. However, because of the current type of clientele favouring [the area], the proposed premises will need a doorman to keep undesirables out of the premises’ [para 7, p 2].</i></p> <p><i>In his verbal presentation, the applicant confirmed he had not needed security guards / doormen at his previous premises.</i></p>
23/4/16	Same as above	Additional excerpts (21/5/16)	<p><i>‘Like [the applicant], they [objectors] noted how [the area] had been a safe and pleasant place at night. Now it is quite different and the residents experience considerable nuisance and noise problems up until about 3:30 am on Friday and Saturday nights. They are no longer able to sleep and they spend the following mornings cleaning up the debris. Some of the objectors gave detailed evidence as to specific occasions when the noise and nuisance problems were at their worst. ...’ [para 9, p 2].</i></p>



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			<i>The Authority is very conscious of the problems being experienced by the objectors. The evidence indicates that the cause ...is primarily the influx of young persons into a street that previously attracted a more mature and responsible clientele' [para 16, p4].</i>
16/06/17	XX streets next to XX Bar	<i>Report #5: Pre-loading Survey, XX Council, CPTED and NZ Police, observations carried out on 5, 12 and 19 July, 2017 from 10:30pm – 1:00am</i>	<i>Survey and observations (N = 465) outside [4 bars, the ones with queues on those nights or day nights). High percentage (67%) self-reported already being intoxicated to one level or another; interviewers recorded signs of intoxication as 79%. Relevant tables reproduced on next page</i>