

Is the community's voice being heard?

An analysis of alcohol licensing applications and the impact of community objections

Background

Harm from alcohol is widespread in Auckland communities and ranges from family violence, assaults, crime and car crashes to vandalism, broken bottles and noise disturbances. Alcohol also has a long term impact, seen in addiction, mental health problems and diseases such as cancer, stroke and cirrhosis.

The number of alcohol outlets in a community is important because the evidence shows that greater the number of places selling alcohol, the greater the harm.

Alcohol licensing is set out in the Sale and Supply of Alcohol Act 2012 ("the Act"). One of the key features of the Act was to increase the community's ability to have a say about alcohol licensing in their local area. District Licensing Committees (DLC) were set up to make decisions and manage alcohol licences in each local Council.

Police, Council and the Medical Officer of Health at Auckland Regional Public Health Service can oppose an application, while members of the public with a special interest can object to the application. At a hearing, the objections and oppositions are heard and the DLC then makes a decision about whether to grant the licence application.

Around Auckland, and New Zealand, communities have expressed frustration that their voices are not being heard as promised under the Act. This analysis looks at the question of how successful objections and oppositions are in the Auckland region.

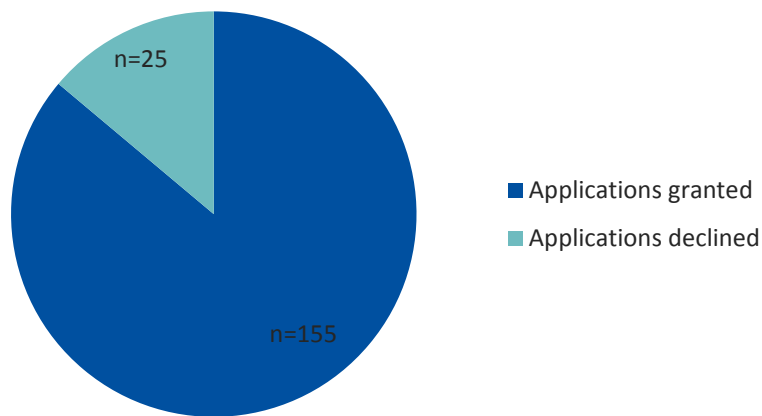
We acknowledge and thank the Auckland DLC for providing us with the data for this analysis.

Outcome of Applications

Applications for an alcohol licence were analysed for a four year period (1 July 2014- 30 June 2018) with 16,478 applications being received in the Auckland region. Of these applications, 180 had a planned hearing at DLC over the four year period (1%).

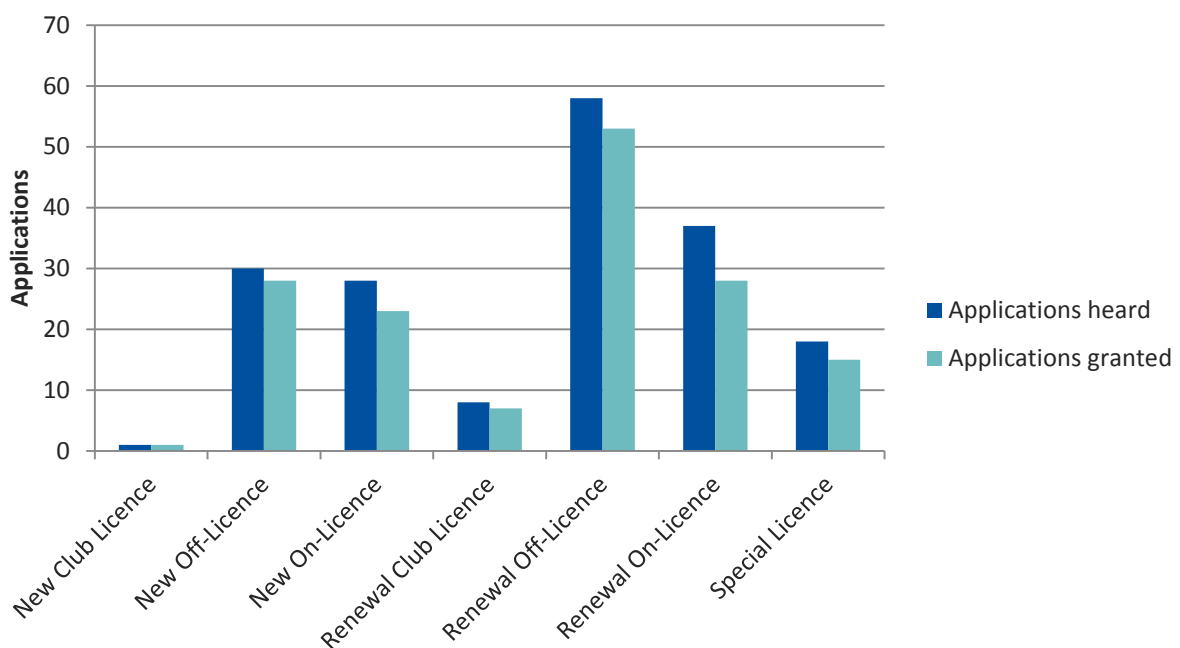
Figure 1 shows the proportion of these applications that were granted or declined at DLC. Of the 180 applications that were heard, 155 (86%) licences were granted.

Figure 1: Applications granted and declined for the period 1st July 2014 - 30th June 2018



The applications heard by the DLC, and whether they were granted, were divided by licence type and shown in Figure 2 below.

Figure 2: Total applications for the period 1st July 2014 - 30th June 2018 by licence type and outcome.



Renewal of and off-licence was the most frequent type of applications to appear at a DLC hearing, followed by renewal of and on-licence. There were similar numbers of applications for new off-licences and new on-licences (30 and 28 applications respectively).

Renewal off-licences appear to be granted more than renewal on-licences (91% and 76% granted respectively)

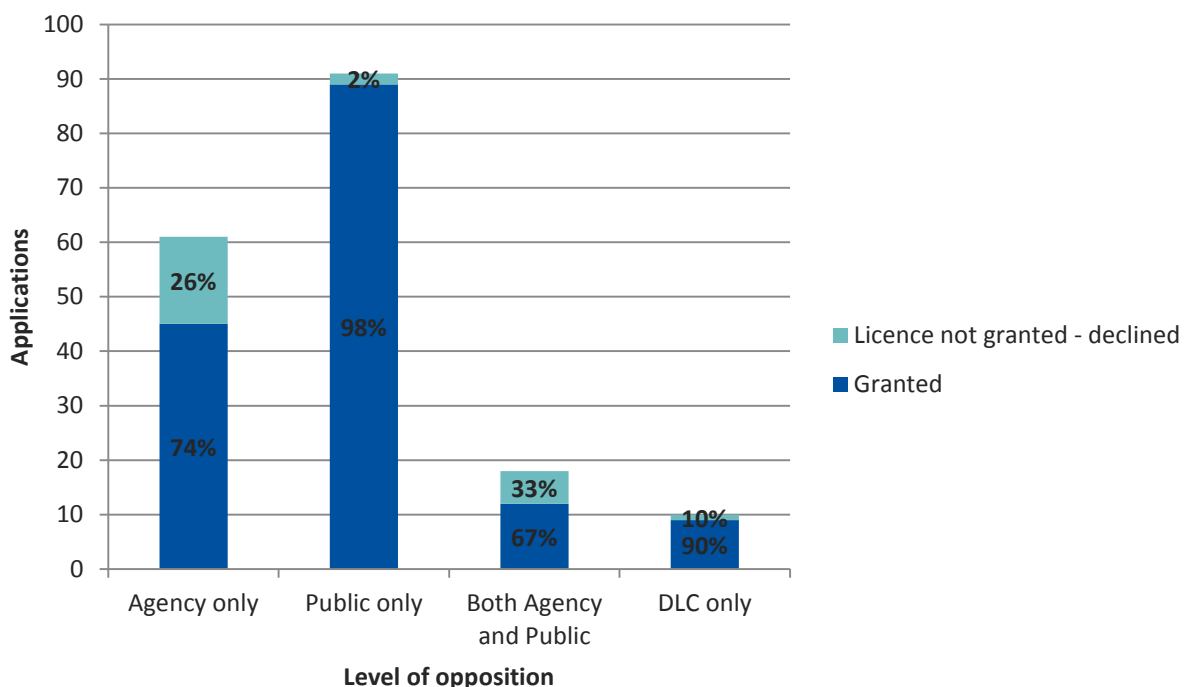
Similarly, new off-licences are granted more than new on-licences (93% and 82% granted respectively).

Influence of objection or opposition on outcome

The impact of objection from the public or opposition from agencies over four years for all licence types is shown in Figure 3.

While the public objected to the highest number of licence applications, only 2% of the applications they objected to were not granted. When both the public and at least one agency objected or opposed a licence, this resulted in the highest proportion of unsuccessful (i.e. declined) applications (33%).

Figure 3: Proportion of licences granted or not granted (declined) according to for the period 1st July 2014 - 30th June 2018.



Summary

In the Auckland region, thousands of applications are received each year for alcohol licences. Only a small proportion of those licences (around 1%) are objected or opposed to and result in a DLC hearing. When a DLC hearing is held, most applications are granted.

Community groups objected to the most number of applications that led to a DLC hearing. However, their success rate in having an application declined was the lowest at only 2%. Having both a regulatory agency and members of the public oppose and object to the application increases the chance that an application will be declined.

The reasons why the public objections are not successful should be looked at more closely to understand how better to support the public in making objections.

This analysis reflects the concerns expressed by the community in Auckland that even when they are able to attend a hearing and express their concerns regarding an application, it is unlikely that the application will be declined.

Given that there are also a large numbers of barriers for communities to object to an application in the first place, it would appear that the intent of the Act is not being realised and communities are not having a greater say in alcohol licensing.