

## Alcohol licensing infosheet

# Supporting community involvement

The Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 makes it easier for communities to have a say in how alcohol is regulated in their area.

As regulatory agencies, you have a duty to minimise alcohol-related harm and so should support communities to take part in the licensing process, even if you aren't opposing a licence application. This infosheet provides you with ideas on how to do this.

## Why support community involvement?

The Act was intended to provide for greater community input into licensing decisions. As regulatory agencies, you should play a key role in making this happen, even if you aren't opposing a licence.

Supporting the community to have their say will:

- help achieve the object of the Act
- provide richer information to support the District Licensing Committee's (DLC) decision making
- enhance community understanding of (and confidence in) the licensing process.

Working with the community can help you by:

- opening new and expanding your lines of enquiry to inform your reporting. Without cross-examination available, it will be even more important that your reports are

comprehensive and contain the information required for the DLC to make a good decision

- increasing your understanding of community views and the potential impacts of the application on the community
- increasing the chances of your opposition being successful – data shows that having both a regulatory agency oppose and members of the public object to an application increases the chance that it will be declined.<sup>1</sup>

Even if you aren't objecting, attending a hearing means that you can support the process by:

- assisting objectors to clarify their case
- assisting others giving evidence to help the committee assess the facts
- assisting with the hearings process.

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<sup>1</sup> Auckland Regional Public Health Service (2019). *Is the community's voice being heard? An analysis of alcohol licensing applications and the impact of community objections.*

## What can you do?

**Collaborate** – work with the other agencies to plan for community involvement.

**Prioritise** – focus on applications where the greatest harm is likely to occur, and vulnerable communities are most likely to be affected.

**Be proactive** – engage with communities beyond specific licence applications to build understanding and capability.

**Inform** – let the community know about relevant applications: go beyond the minimum requirements for notification.

**Support** – assist community members through the licensing and hearings process.

## Best-practice ideas

### Collaborate

**Proactively engage with agencies and communities to facilitate increased and meaningful participation in the licensing process.**

Work with your partner agencies to plan for, and support, meaningful community participation in the licensing process.

Partner with local hapū, iwi, or Māori organisations to support Māori participation in the process. While the Act does not have a Te Tiriti o Waitangi clause, your agencies have broader Tiriti responsibilities that are relevant to alcohol licensing. These include:

- ensuring that decision-making processes include Māori views and address Māori concerns
- supporting Māori autonomy and Māori-led processes and decision making
- ensuring equity for Māori; alcohol-related harm impacts disproportionately on Māori so think about how you can work with Māori communities to address this.

Build relationships and closer links with mana whenua, Māori wardens, CAYAD (Community Action on Youth and Drugs), Residents Associations and local/community boards so that you can proactively report on the impact on them of granting the application.

Identify who else in each regulatory agency could be involved, such as council community development staff, health promoters, or community constables.

### Prioritise

**Focus on applications where the greatest harm is likely to occur, and high-risk communities are most likely to be affected.**

You have a duty to minimise alcohol-related harm. Focusing on communities most likely to be impacted by alcohol-related harm, and on applications most likely to lead to harm, can help to minimise it.

Talk with your partner agencies about how you could do this. You might consider:

- which communities suffer the greatest alcohol-related harm
- where your communities of greatest deprivation are
- which types of licences tend to lead to the greatest harm
- where you have high numbers of alcohol outlets.

### Be proactive

**Engage with communities beyond specific licence applications to build understanding and capability.**

Engage with priority communities on the licensing and hearings process generally – not just on specific applications. Proactive work with the community will help them understand the process and respond to specific applications.

Engaging with the community can also help you understand their views on the application and its impacts.

Identify community champions, and key networks, and build relationships with them to support community engagement.

Public objections should direct your enquiries on an application. Consider the community's views and what action you might take to fully inform your position in response. This might open new lines of enquiry or lead you to change your position on an application.

If you are not opposing or reporting, but objectors raise an issue (noise, Police call outs, disorder, etc), you could still investigate these concerns and draft a short report to the DLC to assist them in their decision making. You could let the objectors know why you aren't opposing.

Explain how the community can engage with your agency when they have concerns about how a premises operates. This is important in addressing concerns, for monitoring and for future assessments.

By engaging with the community throughout the process, and increasing their understanding, you may also enhance transparency and the public's confidence in the licensing process.

It is also important for you to support your local council and DLC to have appropriate procedures to consider applications including allowing for tikanga Māori to be incorporated into licensing proceedings.

## Inform

**Let the community know about relevant applications: go beyond the minimum requirements for notification.**

For councils, put the full application on your website so the community can access it.

For all agencies, be proactive in letting the community know about applications. Go beyond the minimum statutory requirements for notification. Provide consistent information on the process, including how to object to the application.

Throughout the process, provide easy-to-understand information, such as diagrams of the licensing process, key agency contacts, and templates for submissions. This will assist the hearings process later.

Share publicly available data with the community (including the applicant) to help them make informed assessments of applications. You could develop a spreadsheet for your website where the public can access relevant data such as community profiles, ED admissions, crime data and noise complaints.

Use existing relationships, contacts and communication channels to inform the community. Consider using online methods including social media, but also think about how to get information to those most likely to be affected and least likely to find out through your standard channels.

## Support

**Assist community members through the licensing and hearings process.**

Offer workshops for the community on the submissions and hearings process. You can involve colleagues such as community development staff or health promoters, so that regulatory staff aren't taking the lead. You could also involve government or community-based organisations such as Community Law.

Attend the hearing, even if you aren't opposing, as you:

- have an important role as officers to 'assist' the DLC during the decision-making process. This could include assisting with procedures or providing information to the DLC
- can prevent other parties from making assertions about your views on the application. For example, you may have concerns with the application, but these may not be strong enough or sufficiently supported by direct evidence for you to have opposed it
- can provide support and information to community objectors
- may give the community a greater sense of transparency and confidence in the process as an enquiry rather than an adversarial process.

Consider facilitating a debrief to community objectors after the hearing. Listen to their experiences and let them know what happens next.

## **Health Promotion – Health New Zealand – Te Whatu Ora**

Email: [enquiries@hpa.org.nz](mailto:enquiries@hpa.org.nz)

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