



**MINUTES OF A SPECIAL MEETING OF THE CHRISTCHURCH CITY COUNCIL
HELD AT 10AM ON FRIDAY 20 DECEMBER 2002**

PRESENT: The Mayor, Garry Moore (Chairperson).
Councillors Oscar Alpers, Carole Anderton, Paddy Austin, Erin Baker, Helen Broughton, Sally Buck, Graham Condon, Barry Corbett, David Cox, Anna Crighton, Carole Evans, Megan Evans, Ishwar Ganda, Pat Harrow, Alister James, Lesley Keast, Denis O'Rourke, Gail Sheriff, Barbara Stewart, Ingrid Stonhill, Sue Wells, Chrissie Williams, Norm Withers and Ron Wright.

APOLOGIES: Apologies for lateness were received and accepted from Councillors Pat Harrow and Oscar Alpers.

1. DEPUTATIONS BY APPOINTMENT

Proposed Central City Liquor Ban

The following persons addressed the Council in support of their written submissions regarding the Council's proposal to impose a liquor ban in public places in the central city:

- Christopher Gourlie

(10.15am Councillor Harrow arrived)

- Yani Johanson
- Irinka and Michael Britnell

(10.35am Councillor Alpers arrived)

2. PROPOSED CENTRAL CITY LIQUOR BAN

Following consideration of the oral and written submissions and the associated report by the Council Secretary, it was **resolved**:

1. That pursuant to section 709C of the Local Government Act 1974, the Council impose the following prohibition on the consumption of liquor:

CENTRAL CITY

Specified Days and Times During Which Prohibited Acts will Apply

Each Thursday night from 7pm until Friday morning 7am
Each Friday night from 7pm until Saturday morning 7am
Each Saturday night from 7pm until Sunday morning 7am

Specified Public Places

In all public places within the central city area as delineated on the shaded area shown on map mp 011048.gws dated 11 November 2002.

ACTS PROHIBITED IN FOREGOING PUBLIC PLACES

The following acts are prohibited in the specified public places during the specified days and times:

- (a) The consumption of liquor;
- (b) The possession of liquor; and
- (c) The bringing of liquor into the specified public places.

EXEMPTIONS FROM PROHIBITION

The prohibitions exclude:

- (a) The transport of liquor from premises on land having a frontage to the public place concerned if:
 - (i) The liquor is being delivered by a person residing on the premises or by the person's genuine visitors to a place outside the public place; and
 - (ii) The liquor is promptly removed from the public place.
- (b) The transport of liquor from outside the public place concerned if:
 - (i) The liquor is being delivered to a person residing on premises having a frontage to the public place or to the person's genuine visitors; and
 - (ii) The liquor is promptly removed from the public place.
- (c) The transport of liquor from premises on land having a frontage to the public place concerned if:
 - (i) The liquor has, under the Sale of Liquor Act 1989, been sold on the premises for consumption off the premises; and
 - (ii) The liquor is promptly removed from the public place.
- (d) The transport of liquor from outside the public place concerned for delivery to premises on land having a frontage to the public place concerned if:
 - (i) The liquor may, under the Sale of Liquor Act 1989, be sold on the premises; and
 - (ii) The liquor is promptly removed from the public place.
- (e) Any land where the sale or consumption of liquor is authorised by any licence granted under the Sale of Liquor Act 1989.

POWERS OF POLICE

- (a) A member of the police may, without a warrant exercise the following powers under the relevant provisions of the Local Government Act 1974:
 - Arrest a person whom the member of the police finds committing an offence against section 709G.
 - While a prohibition is in force, arrest a person whom the member of the police has reasonable cause to suspect of having committed an offence against section 709G.
- (b) A member of the police may, without a warrant, search:
 - A vehicle in, entering, or about to enter a public place, in respect of which a prohibition under 1 or more of paragraphs (b) to (d) of section 709C(2) is in force, for the purpose of ascertaining whether or not the vehicle contains liquor.
 - A container (for example, a parcel, package, bag, or case) in the possession of a person who is in, entering, or about to enter a public place, in respect of which a prohibition under 1 or more of paragraphs(b) to (d) of section 709C(2) is in force, for the purpose of ascertaining whether or not the container contains liquor.
- (c) Before exercising the power of search in subsection (2), a member of the police must:
 - Inform the person in possession of the vehicle or container of the provisions of subsection (4); and
 - If the person is in possession of the vehicle or container in the public place, give the person a reasonable opportunity to remove the vehicle or container from the public place.

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- (d) A member of the police must not exercise the power of search in subsection (2) if the person in possession of the vehicle or container removes it from, or refrains from taking it into, the public place concerned.
- (e) A member of the police may seize and remove liquor and its container or any other container that the member of the police has reasonable cause to believe would be evidence of the commission of an offence against section 709G.
- (f) Liquor or a container seized under subsection (5) is forfeited to the Crown if the person from whom the liquor or container is seized is convicted of an offence against section 709G.

PENALTY

Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who, knowing that a prohibition is in force, contravenes the prohibition.

- 2. That by July 2003, the Police and Council staff report to the Council on this prohibition on the consumption of liquor and its effects on the area of prohibition and areas outside the defined area.

(Note: Councillor Megan Evans declared an interest in the proposed liquor ban, and retired from the discussion and voting thereon.)

3. NOTICES OF MOTION

- (1) **Confirmation of Proceedings to Make the Christchurch City Traffic and Parking Alteration Bylaw 2002**

Adopted.

4. CONCLUSION

The meeting concluded at 11am

CONFIRMED THIS 27TH DAY OF FEBRUARY 2003

MAYOR