

Taking action on alcohol outlet signage: improving amenity and preventing harm

The Signage Bylaw 2015¹ is currently under review by Auckland Council and Auckland Transport, with Local Boards having the opportunity to have their say on the Statement of Proposal ahead of public consultation later in 2021.

Currently, the Signage Bylaw (the Bylaw) sets out requirements by type of sign (eg. window, wall-mounted, veranda fascia, portable etc.) with varying requirements depending on the Unitary Plan Zone. Whilst the Bylaw contains specific requirements for signage relating to commercial sexual services and real estate, **there are currently no specific requirements in the bylaw for signs at alcohol outlets.**

Alcohol Healthwatch recommends that **specific restrictions on signage at alcohol outlets is included in the reviewed Bylaw**, due to the harms associated with alcohol marketing and the negative impacts on amenity. The known ubiquity of non-compliant signage at alcohol outlets signals the need for clear, straightforward rules that compliance officers and communities can enforce.

The evidence

Alcohol advertising is harmful to all ages. The more alcohol advertising a young person sees, the greater the likelihood that they will start drinking at an earlier age and drink more heavily.^{2,3} Each source of exposure matters – eg. TV, billboards, alcohol outlet signage, etc. – the more a young person is exposed, the greater the harm. However, unlike TV or magazines where you can change the channel or turn the page to avoid the exposure to alcohol advertising, advertising at outlets is permanent and constant. The pervasiveness of alcohol advertising in our environment shapes and reinforces a young person's perception that alcohol use is a normal, harmless, fun, everyday behaviour. Harm from alcohol advertising also extends to persons with alcohol use disorders (including dependence), for whom advertising drives psychological cues to drink, making it harder to remain sober or cut back on drinking.⁴

Exposure to alcohol advertising is established as a cause of youth drinking⁵

In Aotearoa New Zealand, signage at alcohol outlets is a key source of exposure to alcohol marketing for children, in particular for Māori and Pasifika children who are disproportionately more exposed.⁶

Reducing exposure to alcohol advertising is pro-equity

International research on alcohol signage at licensed premises has found:

- exposure to outdoor alcohol advertising near schools was associated with subsequent youth intentions to use alcohol;⁷
- the greater the number of off-licence outlets with exterior alcohol advertising around college campuses, the higher the prevalence of binge drinking among college students;⁸
- bottle stores are more likely than other retail outlets to have the most exterior advertisements (on average 8 per store);⁹ and
- the more alcohol advertisements visible outside off-licence outlets, the more violent crime in the local area.¹⁰

New Zealand research⁶ from University of Otago found that:

- more than half (52%) of children's exposure to alcohol advertising was from advertising outside the home (this excludes exposure from product packaging and screens, eg. computers);
- shop front signage accounted for up 30% of all alcohol marketing exposures, while alcohol signs (including billboards, sandwich boards, posters, etc.) accounted for nearly 10% of exposures; and
- tamariki Māori had alcohol marketing exposures that were **five times greater** than New Zealand European children, and Pacific children had exposure levels that were **three times greater**.

The inequity in alcohol advertising exposure is clearly **inconsistent with Te Tiriti principles** of active protection.

Low levels of Signage Bylaw compliance among bottle stores

Alcohol Healthwatch conducted two exploratory audits of off-licence bottle store signage in 2019.^{11,12} In the Albert-Eden and Ōtara-Papatoetoe Local Board areas, **out of 64 off-licence outlets visited, 61 (95%) premises exhibited at least one apparent breach of the Signage Bylaw, while 52 (81%) premises exhibited at least two apparent breaches of the Signage Bylaw.** Actual non-compliance may be somewhat lower than this as the audit was based on visual inspection and could not take into account any existing use rights or consents that premises may have held.

Previous Government-commissioned reports and recommendations

LAW COMMISSION REVIEW – ALCOHOL IN OUR LIVES: CURBING THE HARM

In 2010, the Law Commission made 153 recommendations to curb the harm from alcohol.¹³ In relation to alcohol outlet signage, it stated:

“The pressure to compete with other liquor retailers in an area can also **encourage large, obtrusive alcohol price advertisements and product branding on shop fronts, adjoining walls and sandwich boards.** Both of these can significantly lower the aesthetic value of an area, which in turn has flow-on effects for the community.” (p134)

“There is a sense that in some areas, especially lower socio-economic neighbourhoods where outlet density is more common, outlet clustering, cheap liquor products, and **obstreperous alcohol brand and price advertising have come to dominate the environment in which the people of the community live,** and that the creation of these “alcogenic” living environments has significantly impacted on the amenity values and welfare of those communities.” (p135)

To address the above issues, which they described as the secondary harms associated with outlet density, the Law Commission proposed a three-stage approach, taken over five years, to restrict alcohol advertising promotion across all media. This included the banning of images of drinkers or the depiction of a drinking atmosphere. However, only Stage 1 (ie. irresponsible promotions) has been implemented to date.

MINISTERIAL FORUM ON ALCOHOL ADVERTISING AND SPONSORSHIP

Following the implementation of the Sale and Supply of Alcohol Act in 2012, the Forum was tasked to consider whether further restrictions on alcohol advertising and sponsorship were needed to reduce alcohol-related harm. Their report¹⁴ noted frustrations regarding the saturation of alcohol marketing in neighbourhoods and that:

- exposure was often found alongside high levels of alcohol outlet density;
- communities were unable to prevent children's daily exposure to alcohol advertising; and
- communities were unable to influence decisions regarding new outlets in their neighbourhoods.

The Forum made 14 recommendations, two of which are particularly salient to alcohol outlet signage:

Recommendation 11: not more than 50% of windows or buildings should be covered with alcohol advertising.

Recommendation 8: no alcohol advertising where 10% or more of the audience is younger than 18 years.

Since the Forum tabled their report in October 2014, no government has responded to the report.

MENTAL HEALTH AND ADDICTIONS INQUIRY

The Government Mental Health and Addictions Inquiry¹⁵ recommended strong action on alcohol and other drugs.

Recommendation 26: take a stricter regulatory approach to the sale and supply of alcohol informed by the recommendations from the 2010 Law Commission Review, the 2014 Ministerial Forum on Alcohol Advertising and Sponsorship and the 2014 Ministry of Justice report on alcohol pricing.

Public support for advertising restrictions is strong

Of the 2281 of 2939 submissions to the Law Commission that commented on advertising and marketing, 86% supported banning or restricting all advertising of alcohol in all media.

Surveys from Te Hiringa Hauora / Health Promotion Agency indicate that:¹⁶



80% of New Zealanders support increasing restrictions on alcohol advertising and promotion seen or heard by young people



68% support banning alcohol related sponsorship of events that people under 18 may attend

Independent polling conducted by UMR in 2019¹⁷ found that, among Aucklanders:



47% were concerned with signs and advertising displayed at liquor stores being seen by children and young people. Concern was higher in South Auckland (54%) and among Māori (59%)



51% supported the statement that to reduce the amount of alcohol advertising children and young people see each day, Auckland Council should take stronger action to control signs and advertising displayed at liquor stores. Support was higher in South Auckland (55%), among 18-29 year olds (58%), and Māori (68%).

The endgame – greater restrictions to signage at alcohol outlets

New Zealand law prohibits the advertising for tobacco¹⁸ and vaping products.¹⁹ Similar protections were planned for recreational cannabis products.²⁰ Yet for New Zealand's most harmful drug, alcohol, there remains inadequate protections from advertising. Whilst national laws are important and needed, local government also has a mandate to promote wellbeing.²¹

Local governments should consider using bylaws and/or district plans to regulate signage and advertising at alcohol outlets to protect the health of communities and improve amenity of neighbourhoods.

Beside is a proposed model bottle store with restricted alcohol signage. As shown, there would be no advertising of alcohol apart from that contained within the premises trading name.



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