

#### 4. PROHIBITION OF SKATEBOARDING ON NEW ART GALLERY

<b>Officer responsible</b> Director of Policy	<b>Author</b> Terence Moody, DDI 371-1834
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The purpose of this report is to implement a decision of the Council to prohibit the use of skateboards and roller blades on the area of the new Art Gallery.

##### CONTEXT

The Council at its meeting held on the 23 August 2001 adopted a recommendation of the Environment Committee as follows.

1. *That the schedule to the Christchurch City Public Places and Signs Bylaw 1991 be amended to prohibit the use of skateboards or roller blades in the new Art Gallery property, to be effective by the time the gallery is due for completion in 2003.*
2. *That clarification of providing skateboarding at Washington Reserve and any other proposed central city sites be resolved by 2003.*

This matter arose from a report prepared following a deputation to the Projects and Property Committee at its June 2001 meeting suggesting the Council set up a skate facility outside the new Art Gallery. The Committee, while agreeing that an inner city skate facility would be popular with skaters, did not consider the proposed site was appropriate and the Council recommended the matter of an inner city skate site should be referred to the Parks and Recreation Committee for consideration.

##### RELEVANT CURRENT POLICY

The Council at its meeting on 24 September 1997 confirmed the following amendment to the Christchurch City Public Places and Signs Bylaw 1991 which came into force on 1 January 1998.

3. **PLAYING AT GAMES**
  - (1) *Subject to clause 3(2), no person shall play at any game or ride in or upon any toboggan, cart, trolley, skateboard, roller skate or similar device in any road or public place, in such a manner or at such a time as may cause damage to property owned by the Council or may cause annoyance, danger or inconvenience to residents or members of the public in the vicinity.*
  - (2) *The Council may from time to time by resolution publicly notified in a newspaper circulating in the City prohibit the use of skateboards in any public place or any part of a public place or any road or any part of a road.*
  - (3) *The Council shall mark any such prohibited public place or road by erecting such signs, markings or notices as the Council sees fit.*
  - (4) *No person shall use a skateboard in any public place or road prohibited by the Council pursuant to sub-clause (2) of this clause.*

##### ISSUES FOR CONSIDERATION

The power to prohibit skateboarding and use of roller blades has only been used once to this date, in relation to Victoria Square, and there have proved to be major problems in enforcement of the prohibition. There is still a major problem of enforcement of prohibitions, or indeed of persons not complying with other skateboarding bylaw provisions. This limitation was advised to the Council at the time the bylaw was amended and subsequently at the time a Police requested change to the bylaw was sought to allow for infringement fees.

The Council decided in August 2000 that it would not amend the bylaw to permit the Police, using the provisions of the Transport Act 1998 to apply the infringement notice procedure by allowing for a lesser fee than the \$750 provided for in the Act.

The forecourt area, also known as the Park or Sculpture Park, of the Christchurch Art Gallery has been designed to discourage the use of the area by bicycles, skateboards and roller blades as far as possible. This relates to design features on the surface of the area and seating around it that make it difficult for such activities to occur.

The street skating area at Washington Reserve will be completed and opened in November 2002.

To bring into effect the resolution of the Council, it must now resolve to add to the schedule of the Christchurch City Public Places and Signs Bylaw 1992 the area outlined on the attached map as an area where skateboarding is banned. This will also require the erection of signs on the site in order that any enforcement action could be taken. The following is a suggested sign that could be legally acceptable.

*Skateboarding is not permitted in the area of the Art Gallery, including the Sculpture Park, under clause 3(2) of the Christchurch City Public Places and Signs Bylaw 1992.*

**Staff**

**Recommendation:** That for the purpose of clause 3(2) of the Christchurch City Public Places and Signs Bylaw 1992 the Council resolve to prohibit the use of skateboards and roller blades in the area of the Art Gallery as defined on the attached map reference 24904/1.

**Chairman's**

**Recommendation:** That the above recommendation not be supported at this time.