



1. PUBLIC SPEAKING IN THE CITY MALL

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Corporate Plan Output: Enforcement (Bylaws)	

The purpose of this report is to determine the policy of the Council on allowing the use of part of City Mall as a “special use area” to allow public speaking.

INTRODUCTION

Mr Ted Parrysmith has been using the High Street/Cashel Street area of the City Mall as a “speaker’s corner” to preach the gospel message.

Following complaints from retailers and other users of this area, Mr Parrysmith was requested to cease using this area and to use only the designated area in Cathedral Square.

Mr Parrysmith replied with a letter advising that he would continue to use the City Mall area and suggesting that the Council grant him a permit for every Tuesday and Thursday to preach publicly in this area from 12 noon to 2pm.

BYLAW REQUIREMENTS

The Christchurch City Public Places and Signs Bylaw 1992 refers to Special Use Areas as follows:

13. SPECIAL USE AREAS

- (1) *The Council may declare, from time to time by resolution publicly notified, that any public place or any specified part of such public place, has been set aside for a distinct or special use or uses such as public meetings, rallies, entertainments, public speaking, exhibitions of art and artefacts. Such declaration may be for an occasion or in general and may set down conditions for such special use.*
- (2) *No person shall make such special use of any public place outside or apart from any area declared by the Council to be set aside for such special use under sub-clause (1) of this clause.*
- (3) *The Council may from time to time restrict or alter the permitted use of any area declared pursuant to sub-clause (1) of this clause either for an occasion or in general, and shall give public notice of any such restricted or altered use.*
- (4) *The applicant for any restriction or alteration in the use of a special use area shall pay to the Council all costs involved in giving public notice of such restricted or altered use.*

The Council has previously resolved that the area in the front of the Anglican Cathedral in Cathedral Square would be utilised as a public speaking area for the central city. The Council has not similarly resolved that the area in front of the WestpacTrust building in the City Mall can be used for public speaking as Mr Parrysmith is doing at present.

If it is decided that approval should be given, then consideration would need to be given as to whether or not the area is set aside as a special use area for everyone to use at any time or if the approval is limited to only Mr Parrysmith for the days and times specified.

As noted in (1) above, the Council may set down conditions for any special use. In the case of the Cathedral Square area, no conditions have been imposed.

Mr Parrysmith has a loud, clear speaking voice and, as noted above, complaints have been received from users of the area that his activities detract from their enjoyment of the amenities of the area.

Submissions made at the meeting by Mr Parrysmith and representatives of other users of this area of the City Mall are summarised in clause 3 of the Committee's report.

Recommendation: That Mr Ted Parrysmith be declined application for public speaking purposes in the City Mall.