

17. FRAMEWORK OF GOVERNANCE – PROCESSES FOR COMMUNITY BOARDS

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The purpose of this report is to provide the Board with information on Community Board processes and invite the Board to provide feedback on these processes. A description of these processes will be included in the Community Board section of the Council's Framework of Governance document. The Council is currently preparing its Framework of Governance in line with the requirements of the Local Government Bill and the anticipated requirements of the new Local Government Act.

THE ROLE OF COMMUNITY BOARDS

Community Boards have been an integral part of the City's governance framework since 1989. They particularly add value by ensuring effective community engagement and enabling decision making close to the community based on and informed by local knowledge and networks. The scope of their work, and the organisational arrangements to support it, has been evolving from representation towards governance.

The Council is divided into 12 wards for electoral purposes and six sets of two wards are paired to form a "community".

There is a Community Board for each of the six communities. Six Community Board members are directly elected and three Councillors are appointed by the Council following each triennial election.

The Local Government Act 1974 sets out the general purpose of Community Boards as:

- "101ZY Purposes of community board
The general purposes of a community board shall be—*
- (a) The consideration of and reporting on of all matters referred to it by the territorial authority or any matter of interest or concern to the community board:*
 - (b) The overview of road works, water supply, sewerage, stormwater drainage, parks, recreational facilities, community activities, and traffic management within the community:*
 - (c) The preparation of an annual submission to the budgetary process of the territorial authority for expenditure within the community:*
 - (d) Communication with community organisations and special interest groups within the community:*
 - (e) To perform such functions as are delegated to it under the authority of section 101ZZ of this Act."*

The Act also provides that the Council may delegate any function or power to a Community Board with certain exceptions such as the power to borrow, make rates, hold and dispose of property and appoint staff.

The Terms of Reference of the Christchurch Community Boards are attached.

With the delegations made by the Council in December 2001, the Boards have a substantial role in the implementation of the Council's capital expenditure. The Boards also receive \$390,000 each from the Council for discretionary expenditure in their Board areas.

THE WORK OF COMMUNITY BOARDS

As with Standing Committees, much of a Board's role in implementing and monitoring the Corporate Plan is routine in nature. The implementation of minor capital schemes and implementation and changes to the operational programme are also routine in the sense that necessary reports to the Boards will be generated by staff as a matter of course.

A large part of the Board's work is "projects" which arise out of implementation of aspects of the Corporate Plan.

Boards are also involved in engagement with other agencies and undertaking community consultation within a framework of maintaining ongoing relationships with their local communities. Very often their "projects" arise out of representation made by community groups, and from petitions made to the Boards.

Board projects typically arise from the following areas:

- (a) work instigated at the request of a community group;
- (b) significant capital projects which have been included in the Corporate Plan
- (c) a significant new service or change to a service which has been included in the Corporate Plan eg implementation of traffic management changes.

COMPILATION OF BOARD ORDER PAPERS AND AGENDA MEETINGS

It is a responsibility of the City Manager to ensure that appropriate reports are presented to Board Members for their consideration (with certain exceptions such as the Electoral Officer reporting on electoral matters). In discharging that responsibility, he/she needs to have regard to questions of legal compliance, Council policies and Council resolutions and a professional responsibility to provide the Boards with sound advice to assist them in achieving their purposes.

With each Community Board, the City Manager delegates this function to the Community Advocate for that Board.

Generally, reports for a Board agenda can be regarded as "staff reports". From time to time a report or a Board agenda will be prepared by, or in the name of a Board member, usually the Chairperson.

Board members do not have the right to prepare a report and recommendation for a Board meeting. If a Board member wishes to do so they should first discuss the issue with the Chairperson and Community Advocate. The Chairperson shall make the decision on whether a member's report goes on a Board agenda. This practice ensures that Boards do not make decisions on Board member reports without all relevant information and facts being before the Board.

As with Committees the substance and recommendation of a staff report is the responsibility of the appropriate senior manager.

Generally there are two managers involved: the specialist Manager and the Community Advocate.

The specialist Manager has a professional responsibility for ensuring that the content of the report and the recommendation reflect acceptable professional standards as might be judged by a group of professional peers. (*Note:* That is not to say that the advice would not be challenged by such a group but it is to say that the advice would be considered as lying within the spectrum of acceptable professional practice and opinion.)

The Community Advocate for a Board has a different and often wider perspective than the professional Manager. He or she must consider the implications of the report and its advice in a wider strategic context with focus on a "triple bottom line" context and with reference to other significant activities and outcomes which the Council is seeking to achieve. Accordingly, there may be occasions when the Community Advocate seeks to add additional argument and emphasis to that provided by the specialist professional manager, or indeed wishes to add additional information leading to a different recommendation.

Where competing recommendations are provided it is important that the reasons for difference in advice are clearly articulated in the report.

CIRCULATION OF ORDER PAPERS AND CLARIFICATION OF ISSUES

Order Papers will be circulated to members of a Board at least two clear working days before the Board meeting. Once the Order Paper has been prepared all items other than those on the Public Excluded part of the agenda are in the public domain.

Each report will identify the officer who has responsibility for the report and also the author. The Community Advocates are also known. Board members are encouraged to approach such appropriate staff prior to the meeting in instances where further information is requested or clarification sought as to the meaning of matters within the report.

In instances where significant additional information is provided by officers this information should be tabled at the Board meeting for all members and briefly introduced and explained by the officer in question. Officers will assist in clarifying matters covered in a report as much as possible, although additional analysis requiring significant resources will not normally be possible.

PRE-DISTRIBUTION CIRCULATION PROCESS AND INFORMAL AGENDA MEETING

The Board Chair and Community Advocate shall meet to review the draft Order Paper prior to it being finalised. Appropriate staff will also attend and the Deputy Chair is also encouraged to do so. The purposes of the meeting are to agree the agenda and to undertake a final quality check on the reports and identify any editing which may be helpful to clarify matters for the Board.

The final draft Order Paper and attachments should be circulated to the following interested parties prior to the meeting:

- The draft Order Paper and the accompanying reports are forwarded to the Chair and Deputy Chair at least one working day prior to this informal meeting.
- The Chair, Community Advocate and Community Secretary then meet, and go through the draft Order Paper and the reports. The authors of the reports only attend such meetings at the request of the Chair and/or the Community Advocate. The Deputy Chair has the right to attend this meeting.
- Any required corrections or amendments will be identified at the meeting with the Chair, to allow the Community Secretary to make the required changes prior to the printing and distribution of the Order Paper to Board members.

It is anticipated that the Principal Adviser and the Chair will normally agree on the items to be included on the Order Paper. In the event of disagreement, an item shall be included if considered appropriate by either the Chair or Community Advocate.

The Chair has the right and discretion to attach their own report to the agenda. This report will generally take the form of making recommendations on each item, supported by comments as considered appropriate. The Chair's report may take the form of either a single report on the front of the agenda, or an addition to each of the officer reports.

CRITERIA FOR LATE AND SUPPLEMENTARY ITEMS

The circulation of supplementary information, after the Order Paper has been circulated, is to be avoided wherever possible. However, on occasion significant further information becomes available subsequent to the Order Paper being distributed. In those instances, it is appropriate that supplementary material be presented to the decision-making body.

The substance and content of supplementary material should be such that it has the potential to alter the strength of argument for, or against, the primary Board report. If the supplementary material in fact *changes* the proposed recommendation, (either staff or Chair) it should not be presented as supplementary information but, rather, the item should be withdrawn from the agenda and resubmitted at a later date with more comprehensive support for the revised recommendation.

In order to justify its separate circulation as a supplementary item, the information should involve:

- Financial impact that changes the reported cost factors.
- Addition/withdrawal of support from a community group that will significantly impact the decision.
- The later discovery of a statutory requirement that requires/precludes certain action.
- Any other issue that, in the opinion of the below named approval authority, will significantly impact the Board's ability to reach a good decision.

Supplementary material will only be made available if approved by one of the following:

- Legal Services Manager
- Director (or Associate)
- City Manager
- Council Secretary - in the case of procedural or administrative matters
- Unit Manager – in the case of time not permitting approval by one of the above
- The Chair
- Community Advocate

In the event of authorised supplementary material being submitted to a Community Board meeting, every effort should be made to provide the material to Elected Members as quickly as possible, to avoid the need for the supplementary material to be laid on the table at the beginning of the meeting. The need for such close scrutiny of proposed supplementary material is to make sure that it cannot be held over to a later meeting, without adversely affecting the decision-making process.

Staff

Recommendation: That the Board consider providing feedback on the processes for community boards outlined above.

Chairperson's

Recommendation: For discussion.