

Officer responsible Council Secretary	Author Max Robertson
Corporate Plan Output: Elected Member Travel	

1. INTRODUCTION

The purpose of this report is to outline the Council’s present policy relating to Councillors’ overseas travel. An earlier report on this topic was submitted to the April meeting of the Committee, when it was resolved “*That in light of the inconsistencies in their application, the present policies be reviewed*”. The issue had arisen as a result of a travel request to the Council associated with a sister city visit.

2. EXISTING POLICIES

The Council has previously adopted two resolutions regarding overseas travel:

Resolution of 24 June 1991

“That all Councillor and staff overseas travel be advised to the Council, including how funded and the cost to the ratepayer.”

Resolution of 26 August 1991

“That the Council adopt a policy requiring all elected member and staff Council subsidised overseas travel to be by way of economy class.”

3. SISTER CITY COMMITTEES: FUNDING FOR OVERSEAS TRAVEL

The Council has also adopted two related resolutions associated with the Council’s sister city relationships:

Resolution of 28 May 1991

“1. That Sister City Committees be invited to submit their annual programme and budget estimates to the Council recognising that they will be evaluated on the same basis as other Council financial provisions.

2. That no additional funding be made available to Sister City Committees by the Council to meet one off requests.

3. That Sister City Committees retain autonomy on expenditure subject to present Council procedures.”

Resolution of 27 April 1994 Regarding Christchurch-Inhambane Project

- “1. That the Council endorse in principle the Christchurch-Inhambane Project as outlined in the report.*
- 2. That elected members not be reimbursed by the Council for any meeting attendance, travel or other activities associated with participation in the project.”*

4. STATUTORY PROVISIONS

The Local Government Act 1974 sets out the Council's powers in relation to the payment to elected members of meeting allowances, travelling allowances and mileage allowances. Payments outside the provisions of the Local Government Act are by implication prohibited and such expenditure would be illegal expenditure by the Council. I have recently obtained an opinion from the Legal Services Manager who advises:

1. Elected members must have a prior resolution of the full Council authorising their out of town travel before the Council is legally able to pay them a daily meeting allowance for attending any meeting or conference as a representative of the Council.
2. Provided the out of town travel has been previously approved pursuant to a resolution of the full Council, a Committee or a Community Board, the Council is able to pay elected members actual expenses incurred in such travel, but these should be supported by receipts as far as possible.
3. The Fees and Travelling Allowances Regulations 1952 are still in force and there are references in those regulations to the Minister of State Services approving sums for subsistence allowances and mileage allowances. Advice is currently awaited from the Minister's office as to the current rates (if any) applicable under this legislation, which makes it clear that where an elected member claims actual out of pocket expenses incurred in attending a conference or meeting no payment can be made until the elected member claiming the payment has signed a statement, certified by myself, setting out particulars of amounts payable to which shall be attached vouchers for disbursements in excess of such amount as the Minister of State Services from time to time approves.

It should be noted that the need for procedures to be observed relates to travel outside the city, not simply overseas.

5. COMMENT

In all cases, overseas travel by elected members requires the prior approval of the full Council if the Council is to contribute any funding

by way of reimbursement of costs or payment of a daily meeting allowance. In many cases, overseas travel by elected members is at the direct invitation of other parties, who accept responsibility for all or part of the associated costs, including airfares and accommodation. In other cases, approval is sought for travel associated with the presentation of an international award, two recent examples of this being Councillor Ganda's travel to India and Councillor Freeman's travel to Spain. In all cases, Councillors who travel overseas with Council approval are entitled to payment of the normal daily meeting allowances during the time they are away, once a Council resolution has been passed.

I assume that the reference made by the Committee at its April meeting to inconsistencies in the application of the present policies refers to recent instances where Councillors have travelled overseas to conferences or meetings by way of business class, whereas the policy adopted by the Council on 26 August 1991 requires all such travel to be by way of economy class. On the assumption that the Council wishes to review its policy in this area I make the recommendation which follows.

RECOMMENDATION

That the resolution previously adopted by the Council on 26 August 1991 be amended to provide:

- "1. That as a general policy all elected member and staff air travel be by way of economy class, where the costs of the fares are met by the Council.*
- 2. That, in the case of elected members, the Mayor be delegated power to grant exceptions to this policy where business class air travel is desirable for health or other compelling reasons."*

The Committee did not support the proposal to delegate authority to the Mayor to approve exemptions to the travel policy and endorsed the Chairman's recommendation that elected member exemptions be approved by the Council. In addition the Committee considered that the present policy should be strengthened in both terms of accountability and transparency.

At the request of the Committee, a breakdown of the cost of Councillor travel for the present term of the Council will be included in the next six monthly monitoring report.

- Recommendation:**
1. That the resolution previously adopted by the Council on 26 August 1991 be amended to provide:
 - (i) That as a general policy all elected member and staff air travel be by way of economy class, where the costs of the fares are met by the Council.

- (ii) That there be no overseas travel unless there is clear benefit to the Council
 - (iii) That no unnecessary expenses be incurred in the course of such travel.
 - (iv) That the costs of all elected member travel be reported to the Strategy and Resources Committee as part of the six monthly monitoring process.
 - (v) That all travel be planned in advance.
2. That, in the case of elected members, exceptions to this policy require approval of the Council where business class air travel is desirable for health or other compelling reasons.