

8. APPOINTMENT OF COUNCIL REPRESENTATIVES TO OUTSIDE ORGANISATIONS

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PURPOSE OF REPORT

1. The purpose of this report is to seek the appointment of the Council's representatives to the organisations listed in the attached schedule.

EXECUTIVE SUMMARY

2. In the past, the Council has appointed a large number of representatives to outside organisations. In the 2001-2004 term the Council appointed over 50 representatives to some 35 organisations. However, with the significant reduction in the size of the Council and the consequent increase in the workload of Councillors, it will not be possible to maintain this level of representation in future.
3. At its meeting on 2 December 2004 the Council appointed its representatives to 10 organisations. This report covers the remaining appointments and recommends the appointment of Council representatives to a further 18 organisations.
4. The attached schedule, which lists the proposed appointments, has been prepared following informal discussions with Councillors.

LEGAL CONSIDERATIONS

5. The Council has a statutory obligation to appoint representatives to the three organisations listed below. However, the representatives do not have to be elected members.
 - Orton Bradley Park
 - Riccarton Bush Trust
 - The McLean Institute
6. In the case of the Riccarton Bush Trust, the Council makes six appointments. The longstanding practice has been for the Council to appoint three of the representatives, (one of which is nominated by the Fendalton/Waimairi Community Board) and the Riccarton/Wigram Community Board the remaining three.
7. However, it is understood that it is the trust's intention to seek a reduction in the number of Council representatives on the trust. The Trust has suggested that the number of City Council appointments be reduced by two, one from the City Council and one from the Riccarton/Wigram Community Board. This will make the total number of Council appointments two, and Community Board appointments two.

POLICY CONSIDERATIONS

8. The Council policies governing these appointments are as follows:
 - *"That the Council appoint formal representatives on outside organisations only where the proposed appointment will be of clear public benefit or benefit to the Council, or where the appointment is required for statutory reasons, or under the provisions of the relevant Trust Deed or Constitution etc of the organisation concerned."* (Adopted August 1995)
 - *"In the case of outside bodies which could be reasonably expected to apply to the City Council for funding Councillors will not normally be appointed if they are members of the Council Committee or Subcommittee which would determine the funding application or make such recommendation to the City Council."*

On being appointed to outside organisations Councillors will be requested to give a voluntary undertaking not to attend (part of) meetings or otherwise receive confidential information relating to 'competing' organisations. The purpose of this is to minimise the risk of any perception of conflict of interests." (Adopted December 2001).

9. The latter policy was adopted to address the situation where Councillors appointed to outside organisations find themselves in a position of actual or perceived conflict of interest, particularly where the organisation which competes with the other groups for Council funding.
10. The policy is designed to address two separate issues:
 - Firstly, the apparent conflict of interest if a Councillor is thought to be both part of the body applying for funding and part of the Council awarding it.
 - Secondly, concerns that a Councillor has, or is seen to have, access to confidential information on other agencies which are 'competing' for Council funds and thereby able to give the agency of which they are a member of an advantage.
11. The Council felt it was desirable to manage the potential situation rather than by preventing Councillors from serving on certain outside organisations.
12. The previous Council established a subcommittee to make recommendations to the incoming Council on a range of governance issues. In terms of appointments to outside organisations the Subcommittee recommended that the following criteria apply to requests for Councillors to be appointed to outside organisations:
 - What is the extent of Council funding of the organisation (ongoing, significant)?
 - Is there a statutory provision that the appointment is compulsory?
 - If appointment is requested by way of a constitution or trust deed is not compulsory, then the appointment needs to meet one or more of the other criteria.
 - The impact or relationship with Council activities or the Council's strategic interests.
 - If the appointment is to be during the establishment phase or during a crisis management phase of an organisation, therefore a fixed time only.
 - That the appointment adds value as a Councillor, as distinct from any other appointee.
 - That appointees, instead of Councillors, could be a Community Board member, staff (if approved by the Chief Executive) or a member of the public. In that situation, the following additional criteria could be relevant:
 - local interest in the matter
 - particular interest of a Community Board member
 - particular skills or expertise.

CONSTITUTIONAL CONSIDERATIONS

13. The current Council policy provides (inter alia) for appointments to be made to outside organisations "*where the appointment is required.....under the provisions of the relevant trust deed at constitution etc of the organisation concerned.*"
14. The constitutional position relating to Council representation on the remaining organisations to which the Council has traditionally appointed representatives is summarised below:
 - **Appointment of Councillor a Constitutional Requirement**
 - Arts Centre of Christchurch
 - Aurora Centre Trust
 - Music Centre of Christchurch Trust
 - Orana Wildlife Park

Note: In the case of Orana Wildlife Park, the constitution provides for the appointee to be either a Councillor or a member of the Fendalton/Waimairi Community Board.

- **Appointment of Council Representative a Constitutional Requirement**

- * Age Concern
- Christchurch Children's Christmas Parade Trust
- Christchurch Civic Music Council
- * Christchurch Community Arts Council
- Christchurch Garden City Trust
- Christchurch Heritage Trust
- Kate Sheppard Memorial Award Trust
- NZ Creative Industries Trust
- Nga Hau E Wha Christchurch National Marae Trust Board
- * NZ Garden Festival Trust
- Recovered Materials Trust

Note: No appointments are being recommended in the case or the organisations marked with an asterisk.

- (a) The former Deputy Mayor, Lesley Keast is currently Deputy President of Age Concern and will become President in 2006. Mrs Keast is more than happy to liaise with the Council on matters affecting the elderly. Councillor Buck is a member of the Christchurch Community Arts Council and can therefore perform a similar liaison role on behalf of the Council. In view of this, it will not be necessary to appoint and Council representative to these two organisations.

- **Appointment of Council Representative Not a Constitutional Requirement**

- Canterbury Hockey Foundation
- * Christchurch Ethnic Council
- Christchurch Olympic City Committee
- * Christchurch Science and Technology Trust Board (Science Alive)
- * Citizens' Advice Bureau (City)
- RNZAF Museum Trust Board
- * Volunteering Canterbury

Note: No appointments are being recommended in the case or the organisations marked with an asterisk.

FINANCIAL CONSIDERATIONS

15. Where Councillors are appointed to outside organisations, their attendance at meetings will be covered by their elected members' salary, and meeting fees will not apply. Thus, there are no substantial financial implications, apart from the payment of mileage incurred in attending such meetings.
16. In the case of staff, attendance at such meetings will be covered either by their salaries or in the case of meetings held outside normal working hours remuneration, if paid, will be in accordance with the provisions of the relevant industrial agreement or contract. The cost to the Council will not be significant.
17. Private individuals representing the Council on outside bodies are not paid for their services.

RECOMMENDATIONS

It is recommended that the Council:

1. Continue its association with the organisations listed in the attached schedule, but representation be reassessed if the circumstances of any organisation change.
2. Appoint the persons listed in the attached schedule to represent the Council on the organisations to which the Council makes appointments.