

11. MEMORANDUM OF UNDERSTANDING BETWEEN BANKS PENINSULA DISTRICT COUNCIL AND CHRISTCHURCH CITY COUNCIL

General Manager responsible:	General Manager Regulation and Democracy Services
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PURPOSE OF REPORT

1. The purpose of this report is to seek the adoption by the Christchurch City Council of a Memorandum of Understanding between the City Council and the Banks Peninsula District Council relating to the proposed dissolution of Banks Peninsula District, and its inclusion within Christchurch City.

EXECUTIVE SUMMARY

2. At meetings held on Thursday 26 May 2005 and Friday 24 June 2005 respectively, the Banks Peninsula District Council and the Christchurch City Council resolved to appoint the Banks Peninsula District Council/Christchurch City Council Transitional Joint Committee as a Committee of both councils.
3. The Joint Committee held its first meeting on Friday 8 July 2005, and considered a report on developing a Memorandum of Understanding between the two councils. The Joint Committee decided to develop this Memorandum of Understanding to capture the general principles and intentions of the Christchurch City Council in terms of undertakings it makes in respect of service commitments to the residents of the current Banks Peninsula District which are not covered by the Final Reorganisation Scheme put forward by the Local Government Commission.
4. While not intended to create any legal relationship the Memorandum of Understanding is intended to set out the key issues and provide guidance on how the two councils wish to work together on the proposed merger as a result of the abolition and inclusion process.
5. The Memorandum assumes the poll result will be in favour of the Reorganisation Scheme. It is entirely a matter for the residents of Banks Peninsula District as to whether or not they support the reorganisation proposal at the poll to be held on Saturday 19 November 2005.
6. Attached to this report is a final draft of the Memorandum of Understanding, which was approved at the last meeting of the Transitional Joint Committee held on Monday 17 October 2005. The draft Memorandum will be submitted to the Banks Peninsula District Council on 31 October 2005 for adoption by that Council.

FINANCIAL AND LEGAL CONSIDERATIONS

7. There are no direct financial implications. As previously noted, the Memorandum is not intended to create any legal relationship, and is simply intended to set out the key issues and provide guidance on how the two councils wish to work together on the proposed merger.

STAFF RECOMMENDATION

It is recommended that the Council adopt the Memorandum of Understanding with the Banks Peninsula District Council attached to this report.