

## 8. METROPOLITAN FUNDING COMMITTEE 2008

<b>General Manager responsible:</b>	General Manager Community Services, DDI 941 8986
<b>Officer responsible:</b>	Community Support Manager
<b>Author:</b>	Lincoln Papali'i – Community Development Manager

### PURPOSE OF REPORT

1. The purpose of the report is to recommend a change of title for the Metropolitan Funding Subcommittee and to appoint a Small Projects Fund Subcommittee.

### EXECUTIVE SUMMARY

2. The Metropolitan Funding Subcommittee (MFSC) was appointed by the Council, on 13 December 2007, with the following terms of reference:

- To allocate the Strengthening Communities Fund – Metropolitan, to community organisations consistent with the Council's Strengthening Communities Strategy and LTCCP.
- To consider recommendations from Community Boards and allocate funding for key local organisations consistent with the Council's Strengthening Communities Strategy and LTCCP.
- In conjunction with community representatives allocate the Small Projects Fund – Metropolitan, to community organisations consistent with the Council's Strengthening Communities Strategy and LTCCP.
- To allocate the Community Organisations Loan Scheme funding consistent with the Council's Strengthening Communities Strategy and LTCCP.
- To allocate the Discretionary Response Fund – Metropolitan, for projects over \$15,000 to community organisations consistent with the Council's Strengthening Communities Strategy and LTCCP\*

\* The Community Support Manager has delegated power to approve grants of up to \$15,000.

3. The membership of the MFSC is full Council.
4. The title "subcommittee" was the title previously used when it was a subcommittee to a committee of Council. This is no longer the case as this body reports directly to the Council.
5. The MFSC meets the criteria of a "committee", as defined in the LGA 2002. Its current title of "subcommittee" is potentially confusing as a subcommittee appointed directly by the Council may not come within the definition of "committee".
6. It would be more appropriate for the MFSC to be a committee, rather than a subcommittee, of the Council - as a committee, it can then appoint an assessment committee (with both Councillors and community representatives on it) as its subcommittee, rather than be a subcommittee appointing a further subcommittee.
7. It is therefore recommended that the title of the MFSC be changed to the Metropolitan Funding Committee (MFC), with the members and terms of reference for the MFC staying the same as they were for the MFSC.
8. It is also recommended that a subcommittee of the MFC be appointed to carry out the third point of the terms of reference and consider applications for the Small Projects Fund – Metropolitan. It would be called the Small Projects Fund Subcommittee (SPFS)
9. The purpose of the Small Projects Fund is to provide small grants to eligible not-for-profit groups whose activities provide opportunities in the areas of community, social, recreation, sports, arts, environment or heritage to the wider community or to specifically defined communities of interest. The emphasis is on small projects (under \$5,000) which assist community groups to enhance their capacity and/or increase participation in their activities.

10. The Small Projects Fund replaces the previous Community Development Scheme where community representatives were also involved in the allocation process. A total of \$400,000 is available for allocation this year.
11. The Terms of Reference for and delegation to the SPFS need to be set by the Council, including the number of elected members, number of community representatives, quorum and chairperson. Currently the Terms of Reference for the MFC state that the MFC will be joined by community representatives to allocate the Small Projects Fund. The Council will receive a further report asking it to appoint the community representatives to the SPFS.
12. The suggested initial term of office for community representatives is for two years and is on a voluntary basis. This will cover the 2008-09 round and the 2009-10 round. The subsequent community representatives term from the 2010-11 round will be for three years to line up with the election cycle.
13. The suggested initial term of office for elected members is for three years. This will cover the 2008-09 round, the 2009-10 round and the 2010-2011 round. The allocation of the Small Projects Fund takes place early in the financial year prior to elections.
14. The membership of community representatives and elected members has been staggered to allow continuity on the Assessment Committee when Local Government elections take place.
15. Draft Terms of Reference for Small Project Fund Subcommittee:
  1. To allocate the Small Projects Fund – Metropolitan, to eligible applicants whose projects are consistent with the Council’s Strengthening Communities Strategy and LTCCP.
  2. To consist of Metropolitan Funding Committee members with a term of three years, for the 2008-09, 2009-10 and 2010-11 funding rounds.
  3. To include 4–6 community representatives with an initial term of two years for the 2008-09 and 2009-10 funding rounds.
  4. The quorum at a meeting be eight members of which at least two are community representatives.
  5. The chairperson to be appointed by the Metropolitan Funding Committee.

**FINANCIAL IMPLICATIONS**

16. None.

**Do the Recommendations of this Report Align with 2006-16 LTCCP budgets?**

17. Yes.

**LEGAL CONSIDERATIONS**

18. A Council, or Community Board, may appoint committees, subcommittees other subordinate decision making bodies and joint committees (clause 30, Schedule 7). Councils and Community Boards also have the power to appoint or discharge any member of a committee (clause 31(1)). Such committees, etc are “*subject in all things to the control of the local authority [or read community board], and must carry out all general and special directions of the local authority given in relation to the committee or other body or the affairs of the committee or other body*” (clause 30(3)).

A “committee”, as defined in the LGA 2002, includes:

- (a) a committee comprising all the members of that local authority [such as the MFSC, except that it has been appointed as a subcommittee]; and
- (b) a standing committee or special committee appointed by that local authority; and
- (c) a joint committee appointed under clause 30 of Schedule 7; and
- (d) any subcommittee of a committee described in paragraph (a) or paragraph (b) or paragraph (c)

The minimum number of members for a “committee” is three, with a quorum being two (one of whom must be an elected member), or the quorum can be a greater number, as determined by the Council or Community Board. At least one member of a committee must be an elected member, but an employee of the local authority cannot be a member (if they are acting in the course of their employment). Clause 31 also provides:

*“(3) The members of a committee or subcommittee may, but need not be, elected members of the local authority [community board], and a local authority or committee may appoint to a committee or subcommittee a person who is not a member of the local authority or committee if, in the opinion of the local authority, that person has the skills, attributes, or knowledge that will assist the work of the committee or subcommittee.”*

Clause 26(3) is also relevant, as it provides that the Council/Community Board may appoint a member of a committee to be the chairperson of the committee, or if a chairperson is not appointed then the power of appointment may be exercised by the committee. A deputy chairperson can also be appointed to act in the absence of a chairperson (clause 26(4)). This person will preside at any meeting if the chairperson is absent from a meeting. However, if a deputy chair has not been appointed or if they are also absent then the members of the committee that are present must elect one of their number to preside at the meeting.

**Have you considered the legal implications of the issue under consideration?**

19 Yes.

**ALIGNMENT WITH LTCCP AND ACTIVITY MANAGEMENT PLANS**

20. Yes.

**Do the recommendations of this report support a level of service or project in the 2006-16 LTCCP?**

21 Yes.

**ALIGNMENT WITH STRATEGIES**

22. Strengthening Communities Strategy.

**Do the recommendations align with the Council’s strategies?**

23. Yes.

**CONSULTATION FULFILMENT**

24. N/A.

## **STAFF RECOMMENDATION**

It is recommended that the Council:

- (a) Change the title of the Metropolitan Funding Subcommittee to the Metropolitan Funding Committee, with the Metropolitan Funding Committee having the same members and terms of reference as the Metropolitan Funding Subcommittee.
- (b) Appoint the Small Projects Fund Subcommittee as a subcommittee of the Metropolitan Funding Committee with the following Terms of Reference and delegations:
  - (i) To allocate the Small Projects Fund – Metropolitan, to eligible applicants whose projects are consistent with the Council's Strengthening Communities Strategy and LTCCP.
  - (ii) To consist of Metropolitan Funding Committee members with a term of three years, for the 2008-09, 2009-10 and 2010-11 funding rounds.
  - (iii) To include 4–6 community representatives with an initial term of two years for the 2008-09 and 2009-10 funding rounds.
  - (iv) The quorum at a meeting be eight members at least two of whom must be community representatives.
  - (v) The chairperson to be appointed by the Metropolitan Funding Committee.