

Mayor and Councillors
COUNCIL

11 APRIL 2019

Meeting Status: **Public**

Purpose of Report: For Decision

POSSIBLE VOTING IN THE ELECTRA TRUST ELECTION 2019

PURPOSE OF REPORT

- 1 This report seeks the Council's decision on whether or not to exercise its voting right in the Electra Trust election 2019.

DELEGATION

- 2 Only Council may make this decision.

BACKGROUND

- 3 Electra is locally owned and controlled. The Trust represents households and businesses in Kāpiti and Horowhenua who are connected to the local Power lines provided by its operating company Electra Ltd. Electra is wholly-owned by its consumers (the beneficiaries) who, in 2019, totalled 44,500 from Paekākāriki in the south to Foxton and Tokomaru in the north. The 'shares' are held on behalf of the consumers by a Trust, elected under a Trust Deed to represent the owner's interests and protect their asset.
- 4 In accordance with the provisions of the Electra Trust Deed once a year, two of the six Trustees (the longest in office) must on a rotating basis either retire or re-stand for election, thus providing an annual opportunity for change in representation.
- 5 Nominations for the candidacy will close at midday on 26 April but the Council is invited to consider in advance the question of whether or not to exercise its voting right. Voting will close at noon on 14 June 2019.
- 6 In 2014, 2015, 2016, 2017 and 2018 the Council resolved not to vote.

ISSUES AND OPTIONS

Issues

- 7 The Electra Trust has advised the following dates:
 - Call for nominations – 22 February
 - Nominations close – 26 April (noon)
 - Voting papers sent to beneficiaries – 20 May
 - Voting closes – 14 June (noon)
 - Results published on Electra Trust website – 17 June
 - Results published in local newspapers – 27 June

Results announced at Electra Trust AGM – 26 July

- 8 The Trustees elect a Chair after each AGM. Sharon Crosbie CNZM OBE of Manakau is the current Chair, and the Trustees are Lindsay Burnell QSM of Ohau, Ray Latham of Paraparaumu, John Yeoman BBS ACA FCIS of Paraparaumu, Brendan Duffy ONZM,JP of Levin. Cr Janet Holborow is also a Trustee having been elected in 2018.
- 9 For the 2019 election, as the Council has 301 ICPs it will receive 301 voting papers on which two votes each could be cast (or a total of 602 votes). For the year ending 30 June 2018 Council spent \$2,171,790 including GST on electricity (compared with \$2,046,750 in the previous year).
- 10 If Council decides to vote it may wish to do so in a public excluded session. The grounds for public exclusion could be under clause 7(2)(f)(i) of the Local Government Official Information and Meetings Act 1987: 'to maintain the effective conduct of public affairs through... the free and frank expression of opinions by or between or to members or officers or employees of any local authority.'
- 11 If the Council decides not to exercise its right to vote no further action will be required.

CONSIDERATIONS

Policy considerations

- 12 There are no policy considerations.

Legal considerations

- 13 There are no legal considerations.

Financial considerations

- 14 There are no financial considerations.

Tāngata whenua considerations

- 15 There are no tāngata whenua considerations.

SIGNIFICANCE AND ENGAGEMENT

Significance policy

- 16 This matter has a low level of significance under Council policy.

Consultation already undertaken

- 17 No consultation is required.

Engagement planning

- 18 An engagement plan is not needed to implement this decision.

Publicity

- 19 There will be public interest in this decision so the decision will be communicated via the Councils regular communication channels.

RECOMMENDATIONS

- 20 That the Council exercise / will not exercise its right to vote in the 2019 Electra Trust election.

Report prepared by	Approved for submission	Approved for submission
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