

**Mayor and Councillors**  
COUNCIL

16 APRIL 2015

Meeting Status: **Public**

Purpose of Report: For Decision

## **POSSIBLE VOTING IN THE 2015 ELECTRA TRUST ELECTION**

### **PURPOSE OF REPORT**

- 1 This report seeks Council's decision on whether or not to exercise its voting right in the 2015 Electra Trust Election.

### **DELEGATION**

- 2 Only Council may make a decision on this matter.

### **BACKGROUND**

- 3 Electra is locally owned and controlled. The Trust represents the 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 (totalling around 43,000). The 'shares' are held on behalf of the consumers by the Trust, elected under a Trust Deed to represent the owners' interests and protect their asset.
- 4 In accordance with the provisions of the Electra Trust Deed two trustees are required to retire by rotation each year. The trustees are then required to call an election each year, to be held by postal vote.
- 5 Nominations for the candidacy will close on 1 May 2014 but Council is invited to consider in advance the question of whether or not to exercise its voting right. While the closing date for voting is not yet known, based on previous years' timing it is likely it is likely that voting will close in mid-June 2015.
- 6 If Council decides to exercise its voting right, all candidates could be invited to the 4 June Council meeting to address Council during Public Speaking Time and answer any questions on their candidacies. This was the format followed by Council for the 2013 election. In 2014 Council decided not to vote.
- 7 For the 2015 election, as Council has 265 ICPs<sup>1</sup> it will receive 265 voting papers on which two votes each could be cast (or a total of 530 votes). For the year ending 30 June 2014 the Council spent \$1,948,778 excluding GST on electricity.
- 8 In the 2012 and 2013 elections Council decided to vote. In 2013 the Council's consideration also included the decision to *not* go into public excluded session to cast its votes. The Council apportioned its votes in public session, and as a number of Councillors abstained from voting the total voting pool was reduced in

---

<sup>1</sup> ICP = Installation Control Point: the point of connection on a local network or embedded network that the distributor nominates as the point at which a trader will be deemed to supply electricity to a consumer.

proportion. The voting preferences of individual Councillors were not made public, although the names and allocation of votes to candidates were.

## **ISSUES AND OPTIONS**

### Issues

- 9 If Council decides to vote it may wish to proceed using the same process for voting as happened in 2013; conversely it may decide to go into public excluded session to vote. 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..'
- 10 If the Council decides not to exercise its right to vote no further action will be required.

## **CONSIDERATIONS**

### Policy considerations

- 11 There are no policy considerations.

### Legal considerations

- 12 There are no additional legal considerations.

### Financial considerations

- 13 There are no financial considerations.

### Tāngata whenua considerations

- 14 There are no tāngata whenua considerations.

## **SIGNIFICANCE AND ENGAGEMENT**

### Degree of significance

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

### Engagement planning

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

### Publicity

- 17 There will be public interest in Council's decision and so a media release will be prepared.

## RECOMMENDATIONS

18 That Council will exercise / will not exercise its right to vote in the Electra Trust Election 2015.

<b>Report prepared by</b>	<b>Approved for submission</b>	<b>Approved for submission</b>
Vyvien Starbuck-Maffey	Tamsin Evans	Mark de Haast
<b>Democracy Services Manager</b>	<b>Group Manager Community Services</b>	<b>Acting Group Manager Corporate Services</b>