

Waimakariri District Council

Agenda

Tuesday 15 October 2024

1pm

Council Chamber
215 High Street
Rangiora

Members:

Mayor Dan Gordon

Cr Neville Atkinson

Cr Al Blackie

Cr Robbie Brine

Cr Brent Cairns

Cr Tim Fulton

Cr Jason Goldsworthy

Cr Niki Mealings

Cr Philip Redmond

Cr Joan Ward

Cr Paul Williams



WAIMAKARIRI
DISTRICT COUNCIL

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The Mayor and Councillors

WAIMAKARIRI DISTRICT COUNCIL

A meeting of the Waimakariri District Council will be held in the Council Chamber, Rangiora Service Centre, 215 High Street, Rangiora on **Tuesday 15 October 2024** commencing at 1pm.

Sarah Nichols
GOVERNANCE MANAGER

**Recommendations in reports are not to be construed as
Council policy until adopted by the Council**

BUSINESS

Page No

1. APOLOGIES

2. CONFLICTS OF INTEREST

Conflicts of interest (if any) to be reported for minuting.

3. REPORTS

3.1 Adoption of the Annual Report for the Year Ended 30 June 2024 – Greg Bell (Acting, General Manager Finance and Business Support) and Paul Christensen (Finance Manager)

5 - 10

RECOMMENDATION

THAT the Council:

- (a) **Receives** report No. 240925165282.
- (b) **Adopts** the Annual Report for the year ended 30 June 2024 (TRIM 240717117675);
- (c) **Approves** the Annual Report Summary for the year ended 30 June 2024 (TRIM 240912156096).
- (d) **Notes** the Net Surplus for the year is \$24 million higher than budget due the value of land and infrastructure assets that have been vested in the Council during the financial year.
- (e) **Receives and notes** that Audit New Zealand's report on the Annual Report and Annual Report Summary will be incorporated into the reports;
- (f) **Authorises** the Chief Executive and the Acting General Manager Finance and Business Support to make any necessary minor edits and corrections to the Annual Report that may be required prior to printing.

RECOMMENDATION

THAT the Council:

- (a) **Receives** Report No. 241003170494.
- (b) **Revokes** Standing Orders Clause 11.4 that reads: *A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.*
- (c) **Approves** Standing Orders Clause 11.4 to read: *A meeting is constituted where a quorum of members is present either in person or via audio or audiovideo link, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.*
- (d) **Notes** wording change to Standing Orders for clarity in the definitions for 'present' and 'quorum' and clauses 11.1 as Members who attend meetings by electronic link will be counted as present for the purposes of a quorum as per legislative change Local Government Act 2002, Schedule 7, section 25A(4).
- (e) **Notes** the Community Board Standing Orders will reviewed and be accordingly amended in February/March 2025 to reflect the legislative change and any other changes recommended by Local Government New Zealand and in alignment with the Council Standing Orders.
- (f) **Circulates** a copy of this report to all the Community Boards for information.

4. QUESTIONS (UNDER STANDING ORDERS)

5. URGENT GENERAL BUSINESS (UNDER STANDING ORDERS)

6. NEXT MEETING

The next scheduled ordinary meeting of the Council will be held on Tuesday 5 November 2024 commencing at 1pm, to be held in the Council Chamber, 215 High Street, Rangiora.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION**

FILE NO: FIN-01 / 240925165282

REPORT TO: Council


DATE OF MEETING: 15 October 2024


FROM: Paul Christensen, Finance Manager
Greg Bell, Acting General Manager, Finance and Business Support

SUBJECT: Adoption of the Annual Report for the Year Ended 30 June 2024

ENDORSED BY:

(for Reports to Council or Committees)


 Department Manager


 Chief Executive

1. SUMMARY

- 1.1. The purpose of this report is to present the Annual Report for the year ended 30 June 2024 to the Council for adoption.
- 1.2. Overall, the annual accounts show a net surplus for the year of \$50m compared with budgeted surplus of \$25.9m. The surplus includes revenue from vested assets of \$60m. Revenue for the year, excluding vested assets, was \$145m, more or less equal to the budget. Expenditure for the year was \$156m, which is \$18.9m above budget.
- 1.3. Net assets as at 30 June 2024 total \$2,626m. This is \$333m higher than 30 June 2023, due to the surplus for the year and the revaluation of infrastructure assets.
- 1.4. Borrowing for the year increased by \$20m to \$200m as at 30 June 2024, \$12m below budget. The borrowing was used to help fund the capital expenditure programme.
- 1.5. Capital expenditure for the year was \$55.7m, which is \$29.9m below budget.
- 1.6. The Council achieved 68% of its performance measures for the year, compared with 67% in 2023. A further 8% were almost met (assessed has having been achieved to within 5% of the intended target).
- 1.7. The message from the Mayor and Chief Executive is provided at the front of the Annual Report and provides a general overview of activity throughout the year. Within each significant activity is a summary of the year's key achievements, with the intention of providing the reader a better understanding of the scope of the work and achievements throughout the year for that activity. Each Activity area also has the financial results and a set of non-financial reporting measures that are reported against targets and work plans.
- 1.8. The Annual Report also contains the financial reporting benchmarks section, as required by the Local Government (Financial Reporting Prudence) Regulations 2014. This is the 3rd year (of three years) of reporting against the 2021-2031 Long Term Plan forecasts. The previous financial period trends are also shown.
- 1.9. A Summary Annual Report has also been completed in conjunction with section 98 (4) b of the Local Government Act. The Summary Annual Report has also been audited by Audit New Zealand and provides the reader with a snapshot of the key information provided

within the Annual Report. Both reports together with the Auditors report are placed on the Council's website, once they are adopted by the Council.

- 1.10. A detailed financial report for the period ended 30 June 2024 was presented to the Audit & Risk Committee on 10 September 2024 (TRIM 240827143868) and provided detailed information on the financial results for the year. There have been no material changes to the financial results reported in the formal audited Annual Report.
- 1.11. At the time of preparing this report, it is expected that the Auditor's report will be unmodified.

Attachments:

- i. Annual Report for the year ended 30 June 2024 (TRIM 240717117675) (separately circulated)
- ii. Annual Report Summary for the year ended 30 June 2024 (TRIM 240912156096) (separately circulated)
- ii. The audit opinion for the year ended 30 June 2024 (is to be tabled)

2. **RECOMMENDATION**

THAT the Council:

- (a) **Receives** report No. 240925165282
- (b) **Adopts** the Annual Report for the year ended 30 June 2024 (TRIM 240717117675);
- (c) **Approves** the Annual Report Summary for the year ended 30 June 2024 (TRIM 240912156096);
- (d) **Notes** the Net Surplus for the year is \$24m higher than budget due the value of land and infrastructure assets that have been vested in the Council during the financial year.
- (e) **Receives and notes** the Auditor's report on the Annual Report and Annual Report Summary will be incorporated into the reports;
- (f) **Authorises** the Chief Executive and Acting General Manager Finance and Business Support to make necessary minor edits and corrections to the Annual Report that may occur prior to printing.

3. **BACKGROUND**

- 3.1 Under section 98 of the Local Government Act 2002 the Council must adopt its annual report within 4 months of the end of the financial year to which it relates (i.e. by 31 October).
- 3.2 The purpose of the annual report is to compare the actual performance of the Council with its planned performance as set out in the annual plan and long-term plan. It covers both financial and non-financial performance information.
- 3.3 Audit New Zealand has been appointed as the Council's auditor and is responsible for undertaking the annual audit. The independent audit report prepared by the Auditor reports on whether the annual report presents fairly the Council's financial and non-financial performance for the year.

4. **ISSUES AND OPTIONS**

Statement of Financial performance

- 4.1 Overall, the annual accounts show a net surplus for the year of \$50m compared with budgeted surplus of \$25.9m. However, revenue for the year includes \$60.2m worth of vested assets – these are roads, three water infrastructure and reserves that have been transferred to the Council by land developers. This is non-cash revenue does not help fund the Council's activities.

- 4.2 Revenue for the year, excluding vested assets, was \$145m, more or less equal to the budget. Within the total, the largest variances compared with budget were as follows:
- subsidies and grants were \$4.1m below budget as funding from the Better Transport Choices programme did not eventuate
 - interest revenue was \$3.2m above budget due to the unbudgeted interest received on interest rate swaps that are used to fix interest rates (this is offset by additional interest expense on the underlying borrowing).
- 4.3 Expenditure for the year was \$156m, \$18.9m above budget. The largest variances compared with budget were as follows:
- costs of \$6.5m were incurred as part of the capital projects that were that have be charged as operating expenses, including the book value of assets being written off as they were replaced and project costs of a nature that could not be treated as capital expenditure
 - expenditure of \$2.9m on the new Corporate Enterprise IT System which could not be capitalised as an asset under accounting standards as had been assumed when the budget was prepared
 - interest expense of \$2.6m due to above budget interest on variable rate borrowing rates that is offset by higher interest revenue on interest rate swaps
 - a \$1.6m non-cash loss on the fair value of interest rates swaps due to changes in interest rates during the year.
- 4.4 Detailed explanations of budget variance for each of the Council's activities is provided in the Cost of Activity Statements starting on page 162 of the annual report.

Capital Expenditure

- 4.5 Capital expenditure for the year was \$55.7m, which is \$29.9m below budget. This shortfall is due to a mix of factors including land purchases under negotiation \$7.6m, the complexity of the water supply UV projects \$6m, plus delays and changes due to funding availability and interdependency with other parties.

Balance Sheet

- 4.6 Net assets as at 30 June 2024 total \$2,626m. This is \$333m higher than 30 June 2023, due to the surplus for the year and the revaluation of infrastructure assets. Three waters assets increase in value due to the revaluation of assets was \$236m, an increase of 28%. The value of infrastructural building increased by \$16.5m due to revaluation, an increase of 18%, and other buildings increased by \$6.4m (16%). The previous revaluation for both three waters assets and buildings was as at 30 June 2022. The value of the roading network, including bridges, increased by \$23.7m, an increase of 1%. The road network was previously revalued as at 30 June 2023.
- 4.7 Borrowing for the year increased by \$20m to \$200m as at 30 June 2024 and was used to help fund the capital expenditure programme.

Financial Limits

- 4.8 As at 30 June 2024, the Council complies with its Treasury Policy Limits as set out in the table below.

Measure	Limit	Actual 2024	Actual 2023
Gross interest paid on term debt will not exceed 15% of gross operating revenue	15.0%	8.4%	6.9%
Net debt as percentage of operating revenue shall not exceed 250%	250%	138%	140%
Net cash inflow from operating activities exceeds gross annual interest expense by two times	2.0 times	2.6 times	3.4 times
Net interest is a maximum of 25% of rates revenue	25.0%	8.2%	7.8%
Net debt as a percentage of total assets will not exceed 15%	15%	6.4%	6.4%
Liquidity ratio of greater than 110%	110%	149%	135%

Non-financial performance measures and levels of service

- 4.9 The Council achieved 68% of its performance measures for the year, compared with 67% in 2023. A further 8% were almost met (assessed as having been achieved to within 5% of the intended target).

Annual Report Summary

- 4.10 Under sections 98 & 99 of the Local Government Act 2002, the Council is required to make publicly available a summary of its Annual Report. The summary is required to be audited. A copy of the draft summary is attached. It comprises:

- The Mayor's report
- A summary of the Financial Statements
- Key performance measures from the LTP
- Summary of Activity.

Audit

- 4.11 As at the time of preparing this report, the audit is approaching completion. It is anticipated that the audit will have been completed and clearance from the Auditor to issue the Auditor report and the Council to adopt by the time Council meets on 15 October 2024. The Audit report is expected to be an unmodified opinion.
- 4.12 There is no disclosure required to be made for "events after balance date" to the Annual Report.
- 4.13 It is standard practice for the Mayor and the Chief Executive to sign a letter of representation relating to the audit.
- 4.14 The letter covers a large number of matters, but the essence is that the Mayor and Chief Executive believe the financial statements are fairly stated and that they are not aware of any financial irregularities. The letter also states that Management consider the organisation to be a going concern.

Options

- 4.15 The Council could:
- adopt the Annual Report for the Year Ended 30 June 2024; or
 - request that modifications be made to the Annual Report for the year ended 30 June 2024; or
 - hold a further meeting for the purpose of adopting the Annual Report. If the meeting is not held prior to the 31 October 2024 this would not meet the statutory timeframes as set out in the Local Government Act 2002.

Implications for Community Wellbeing

- 4.16 The Annual Reports provides extensive information on the activities that the Council undertakes to support community wellbeing and is part of the accountability framework through which the community can assess the Council's performance.
- 4.17 The Management Team have reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1 Mana whenua

Te Ngāi Tūāhuriri hapū are consulted through various forums and their views were taken into consideration during the annual plan. Joint meetings are held throughout the year and contribute to the outcomes provided in the Annual Report.

5.2 Groups and Organisations

Audit New Zealand have conducted interim audits and audited the Annual Report.

5.3 Wider Community

Readers and stakeholders of Council have an interest in the Annual Report, including the Auditor's Report.

6. FINANCIAL IMPLICATIONS AND RISKS

6.1 Financial Implications

The Annual Report contains extensive financial information about the Council but the adoption on the Annual Report does not have direct financial implications.

6.2 Sustainability and Climate Change Impacts

The recommendations in this report do not have sustainability and/or climate change impacts, however the information included in the Annual Report is relevant to these matters.

6.3 Risk Management

The audit work carried out by Audit New Zealand provides added assurance regarding the accuracy of the Council's financial statements. At the time of preparing the report, the audit was not finalised. There have been no significant matters arising from the audit and therefore it is expected an unmodified opinion will be issued by Audit New Zealand, who are the auditors appointed by the Office of the Auditor General to audit the Council's Annual Report.

6.4 Health and Safety

Not applicable to adopting the Annual Report.

7. CONTEXT

7.1 Consistent with Policy

These issues are not matters of significance in terms of the Council's Significance and Engagement Policy.

7.2 Authorising Legislation

Section 98(1) of the Local Government Act 2002 requires that "a local authority must prepare and adopt in respect of each financial year an annual report".

Section 98(3) of the Local Government Act 2002 requires that "The annual report must be completed and adopted by resolution within 4 months of the end of the financial year to which it relates".

Section 98(4) provides that “A local authority must, within 1 month after the adoption of its annual report, make publicly available – (a) its annual report; and (b) a summary of the information contained in its annual report”.

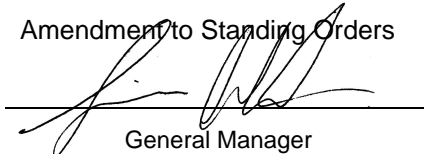
The Local Government (Financial Reporting and Prudence) Regulations 2014 requires Council to disclose performance in relation to benchmarks in the annual plan, annual report and long-term plan.

7.3 Consistent with Community Outcomes

The publication of the Annual Report supports the achievement of community outcomes by reporting on the Council's performance and the delivery of its work programmes.

7.4 Authorising Delegations

The Council must adopt its Annual Report including the Auditor's report by 31 October 2024.

WAIMAKARIRI DISTRICT COUNCIL**REPORT FOR DECISION****FILE NO and TRIM NO:** GOV-01-11/241003170494**REPORT TO:** COUNCIL**DATE OF MEETING:** 15 October 2024**AUTHOR(S):** Sarah Nichols, Governance Manager**SUBJECT:** Amendment to Standing Orders**ENDORSED BY:**
(for Reports to Council,
Committees or Boards)


General Manager



Chief Executive
1. SUMMARY

- 1.1. This report seeks to amend the Council Standing Orders to enable the continuation of Members joining a meeting remotely (electronic link) to be counted as part of a quorum.

Attachments:

- i. Excerpt of proposed amendments to Standing Orders.

2. RECOMMENDATION**THAT** the Council

- (a) **Receives** Report No. 241003170494.
- (b) **Revokes** Standing Orders Clause 11.4 that reads: *A meeting is constituted where a quorum of members is present, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.*
- (c) **Approves** Standing Orders Clause 11.4 to read: *A meeting is constituted where a quorum of members is present either in person or via audio or audiovideo link, whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.*
- (d) **Notes** wording change to Standing Orders for clarity in the definitions for 'present' and 'quorum' and clauses 11.1 as Members who attend meetings by electronic link will be counted as present for the purposes of a quorum as per legislative change Local Government Act 2002, Schedule 7, section 25A(4).
- (e) **Notes** the Community Board Standing Orders will reviewed and be accordingly amended in February/March 2025 to reflect the legislative change and any other changes recommended by Local Government New Zealand and in alignment with the Council Standing Orders.
- (f) **Circulates** a copy of this report to all the Community Boards for information.

3. BACKGROUND

- 3.1. The Government have introduced the Local Government Electoral Legislation Act 2023 which amends Schedule 7 section 25A(4) of the Local Government Act 2002 to allow for elected members to join the meetings remotely, being counted as part of the quorum.

- 3.2. Audio-visual technology has become increasingly used over the past few years. However, members that have used this technology have traditionally not been able to be counted as part of the quorum. In light of the Covid-19 pandemic and more recently the effects of Cyclone Gabrielle, the government has amended legislation to allow for members joining the meeting remotely to be counted as quorum. This assists the Council to carry out their business uninterrupted by having members join remotely if they are unable to attend the meeting in person (which is the preference).

4. ISSUES AND OPTIONS

- 4.1. The Local Government Electoral Legislation Act 2023 amended Schedule 7 s25A(4) of the Local Government Act 2002 to allow for members joining the meeting remotely to be counted as quorum, so long as the provision is catered for within the Standing Orders of Council.
- 4.2. As this has been almost a constant provision since early 2020 there has not been a need to amend the Standing Orders until now. The amendment made for Cyclone Gabrielle was repealed on 1 October 2024, so it is prudent to add the provision for future needs into the Standing Orders now. In addition, there are times when an online meeting might be needed, and this would provide an ability for that to occur (post 1 October 2024).
- 4.3. It should be noted that with any changes proposed for the Standing Orders, a majority of 75% must be achieved by members present and voting.
- 4.4. The changes proposed are:
- Definition of 'Present' and 'Quorum' with "Present at the meeting to constitute quorum means a member is either to be physically present in the room or attending the meeting by audio/visual link".
- Clause 11.1, removing the word 'physically'
- Clause 11.4, clarifying 'present'
- 4.5. The advantage of the amendment is to reflect a practice that is already happening to good effect and is already allowed in the legislation. There is no disadvantage to the amendment, as it enables members to count them as present for the purposes of a quorum.
- 4.6. LGNZ model Standing Orders are currently under review and not anticipated to be available for consideration of other amendments before February 2025. Therefore it is prudent to amend the Council Standing Orders now to align with a legislative change to enable a continuing smooth operation of meetings with reduced risk of lack of quorum. A workshop will be held with the Council in the new year prior to any further amendments to the Standing Orders, once staff review the updated LGNZ documentation. The Community Boards will also be consulted in February/March regarding amending their Standing Orders to incorporate the legislative change and any other alignment with the Council Standing Orders.

Implications for Community Wellbeing

There are not implications on community wellbeing by the issues and options that are the subject matter of this report.

- 4.7. The Management Team has reviewed this report and support the recommendations.

5. COMMUNITY VIEWS

5.1. Mana whenua

Te Ngāi Tūāhuriri hapū are not likely to be affected by, or have an interest in the subject matter of this report.

5.2. **Groups and Organisations**

There are not groups and organisations likely to be affected by, or to have an interest in the subject matter of this report.

5.3. **Wider Community**

The wider community is not likely to be affected by, or to have an interest in the subject matter of this report.

6. **OTHER IMPLICATIONS AND RISK MANAGEMENT**

6.1. **Financial Implications**

There are not financial implications of the decisions sought by this report.

6.2. **Sustainability and Climate Change Impacts**

The recommendations in this report do not have sustainability and/or climate change impacts.

6.3 **Risk Management**

There are risks arising from the adoption/implementation of the recommendations in this report. If the change was not made, there is a chance of losing a quorum for a meeting, particularly if required to operate under emergency situations.

6.3 **Health and Safety**

There are not health and safety risks arising from the adoption/implementation of the recommendations in this report.

7. **CONTEXT**

7.1. **Consistency with Policy**

This matter is not a matter of significance in terms of the Council's Significance and Engagement Policy.

7.2. **Authorising Legislation**

Local Government Act 2002.

7.3. **Consistency with Community Outcomes**

The Council's community outcomes are relevant to the actions arising from recommendations in this report.

7.4. **Authorising Delegations**

Legislation.



Standing Orders

For Meetings of the Council, Committees, Subcommittees
and Hearing Panels.

Adopted by Council on **15 October 2024**



Petition means a request to a local authority, which contains at least five signatures.

Powhiri means a formal welcome involving a Karanga from the Tangata Whenua (the home people) followed by formal speech making. A Powhiri is generally used for formal occasions of the highest significance.

Present at the meeting to constitute quorum means the member is to be **either** physically present in the room, **or attending the meeting by electronic (audio/video) link subject to clause 11.4** and 13.8 of the Standing Orders.

Presiding member means the Chairperson.

Procedural motion means a motion that is used to control the way in which a motion or the meeting is managed as specified in Standing Orders 24.1 – 24.7.

Public excluded information refers to information, which is currently before a public excluded session, is proposed to be considered at a public excluded session or had previously been considered at a public excluded session and not yet been released as publicly available information. It includes:

- Any minutes (or portions of minutes) of public excluded sessions which have not been subsequently released by the local authority; and
- Any other information, which has not been released by the local authority as publicly available information.
- Public excluded session also referred to as confidential or in-committee session refers to those meetings or parts of meetings from which the public is excluded by the local authority as provided for in LGOIMA.

Public forum refers to a period set aside usually at the start of a meeting for the purpose of public input.

Public notice means one that is made publicly available, until any opportunity for review or appeal in relation to the matter notified has lapsed, on the local authority's website. In addition, is published in at least one daily newspaper circulating in the region or district of the local authority, or one or more other newspapers that have a combined circulation in that region or district, which is at least equivalent to that of a daily newspaper circulating in that region, or district.

Publicly notified means notified to members of the public by a notice contained in a newspaper circulating in the district of the local authority, or where there is no such newspaper, by notice displayed in a public place. The notice may also be replicated on a Council's website.

Qualified privilege means the privilege conferred on member by s 52 and s 53 of LGOIMA.

Quasi-judicial means a meeting involving the consideration of issues requiring the evaluation of evidence, the assessment of legal argument and / or the application of legal principles.

Quorum means the minimum number of members required to be present **(physically or virtually)** in order to constitute a valid meeting.

9.16. Public excluded business on the Agenda

Items that are likely to be discussed under public-excluded must be indicated on each agenda, including the general subject of the item. The Chief Executive, however, may exclude public access to any reports, or parts of reports, attachments of minutes which are reasonably expected to be discussed with the public excluded based on reasons or grounds outlined in LGOIMA sections 5, 6, 7 8 and 17.

LGOIMA 1987, s 46A(9).

9.17. Qualified privilege relating to Agenda and Minutes

Where any meeting is open to the public and a member of the public is supplied with a copy of the agenda, or the Minutes of that meeting, the publication of any defamatory matter included in the agenda or in the Minutes is privileged. This does not apply if the publication is proved to have been made with ill will, or improper advantage has been taken of the publication.

LGOIMA 1987, s 52.

MEETING PROCEDURES

10. Opening and Closing

The Council and Committees may, at the start of a meeting, choose to recognise the civic importance of the occasion through some form of reflection. This could be an expression of community values, a reminder of the contribution of members who have gone before or a formal welcome, such as a mihi whakatau.

Options for opening a meeting could include a karakia timitanga, mihi whakatau, or powhiri as well as a karakia whakamutunga to close a meeting where appropriate.

11. Quorum

11.1. Council meetings

The quorum for a meeting of the Council is:

- (a) Half of the members ~~physically~~ present, where the number of members (including vacancies) is even; and
- (b) A majority of the members ~~physically~~ present, where the number of members (including vacancies) is odd.

LGA 2002, sch 7, cl 23(3)(a).

11.2. Committees and Subcommittee meetings

A Council sets the quorum for its Committees and Subcommittees, either by resolution or by stating the quorum in the terms of reference. Committees may set the quorums for their Subcommittees by resolution if it is not less than two members.

In the case of Subcommittees, the quorum will be two members unless otherwise stated. In the case of Committees, three members will constitute a quorum and at least one member of the quorum must be a member of the Council.

LGA 2002, sch 7, cl 23(3)(b).

11.3. Joint Committees

The quorum at a meeting of a Joint Committee must be consistent with Standing Order 11.1. Local authorities participating in the Joint Committee may decide, by agreement, whether the quorum includes one or more members appointed by each local authority or any party.

LGA 2002, sch 7, cl 30A(6)(c).

11.4. Requirement for a quorum

A meeting is constituted where a quorum of members is present, **(physically or by electronic means)** whether or not they are all voting or entitled to vote. In order to conduct any business at a meeting, a quorum of members must be present for the whole time that the business is being considered.

LGA 2002, sch 7, cl 23(1) & (2).

11.5. Meeting lapses where no quorum

A meeting must lapse, and the Chairperson vacate the chair, if a quorum is not present within 30 minutes of the advertised start of the meeting.

No business may be conducted while waiting for the quorum to be reached. Minutes will record when a meeting lapses due to a lack of a quorum, along with the names of the members who attended.

11.6. Business from lapsed meetings

Where meetings lapse the remaining business will be adjourned and be placed at the beginning of the agenda of the next ordinary meeting, unless the Chairperson sets an earlier meeting, and this is notified by the Chief Executive.

11.7. Exclusions for meetings at which no resolutions or decisions are made

For the avoidance of doubt, these Standing Orders only apply to decision-making meetings and do not apply to any non-decision-making meeting of the local authority, which has been properly constituted as a meeting under the Local Government Act 2002 or the Local Government Official Information and Meetings Act 1987.

13.7. Right to attend by Audio or Audio-visual link

Provided the conditions in Standing Orders 13.11 and 13.12 are met, members of the Council and its Committees (and members of the public for the purpose of a deputation approved by the Chairperson), have the right to attend meetings by means of an electronic link, unless they have been lawfully excluded.

13.8. Member attend meetings by Electronic link's status: Quorum

Members who attend meetings by electronic link will be counted as present for the purposes of a quorum, subject to the activations of an Endemic Preparation Order or local state of emergency.

LGA 2002, sch 7, cl 25A(4).

13.9. Member attend meetings by Electronic link's status: Voting

Where a meeting has a quorum, determined by the number present, the members attending by electronic link can vote on any matters raised at the meeting.

13.10. Chairperson's duties regarding attendance by Electronic link

Where the technology is available and a member is attending a meeting by audio or audio-visual link, the Chairperson must ensure that:

- (a) The technology for the link is available and of suitable quality; and
- (b) Procedures for using the technology in the meeting will ensure that:
 - i. Everyone participating in the meeting can hear each other.
 - ii. The member's attendance by audio or audio-visual link does not reduce their accountability or accessibility of that person in relation to the meeting.
 - iii. The requirements of Part 7 of LGOIMA are met; and
 - iv. The requirements in these Standing Orders are met.

LGA 2002, sch 7, cl 25A(3).

13.11. Conditions for attending by audio or audio-visual link

Noting Standing Order 13.7, the Chairperson may give approval for a member to attend meetings by electronic link, either generally or for a specific meeting. Examples of situations where approval can be given include:

- (a) Where the member is at a place that makes their physical presence at the meeting impracticable or impossible.
- (b) Where a member is unwell; and
- (c) Where a member is unable to attend due to an emergency.

13.12. Request to attend by audio or audio-visual link

Where possible, a member will give the Chairperson and the Chief Executive at least two working days' notice when they want to attend a meeting by audio or audio-visual link. Should, due to illness or emergency, this is not possible the member may give less notice.

Where such a request is made and the technology is available, the Chief Executive must take reasonable steps to enable the member to attend by audio or audio-visual link. However, the Council has no obligation to make the technology for an audio or audio-visual link available.

If the member's request cannot be accommodated, or there is a technological issue with the link, this will not invalidate any acts or proceedings of the Council or its Committees.

13.13. Chairperson may terminate link

The Chairperson may direct that an electronic link should be terminated where:

- (a) Use of the link is increasing, or may unreasonably increase, the length of the meeting.
- (b) The behaviour of the members using the link warrants termination, including the style, degree and extent of interaction between members.
- (c) It is distracting to the members who are physically present at the meeting.
- (d) The quality of the link is no longer suitable.
- (e) Information classified as confidential may be compromised (see also SO 13.16).

13.14. Giving or showing a document

A person attending a meeting by audio or audio-visual link may give or show a document by:

- (a) Transmitting it electronically.
- (b) Using the audio-visual link; or
- (c) Any other manner that the Chairperson thinks fit.

LGA 2002, sch 7, cl 25(A)(6).

13.15. Link failure

Where an audio or audio-visual link fails, or there are other technological issues that prevent a member who is attending by link from participating in a meeting, that member must be deemed to be no longer attending the meeting.