
ORDINARY MEETING

OF

WELLINGTON CITY COUNCIL

SUPPLEMENTARY AGENDA

Time: 5.30pm
Date: Wednesday, 8 April 2015
Venue: Committee Room 1
Ground Floor, Council Offices
101 Wakefield Street
Wellington

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3. General Business

PETONE TO GRENADA (P2G)

Purpose

1. This report outlines the issues to be considered by councillors in determining a Wellington City Council position on the proposed Petone to Grenada (P2G) link road and associated works. It is important that the Council makes these decisions to provide clear direction to the Regional Transport Committee who will make a decision on the scope of the options for “north of Tawa” for the P2G project for inclusion in the Regional Land Transport Plan on 28 April 2015.

Summary

2. The need for and benefits of the P2G link road have been well established and are supported by the project having one of the best benefit/cost ratios of any road related transport project within the country.
3. The P2G project is the catalyst for a range of associated regionally significant transport related projects. The aggregated benefit of these projects leads to the conclusion that best outcomes are achieved if they are delivered as part of a “package”.
4. The elements of the “package” are interdependent and any one is unlikely to proceed in isolation from the others. The projects dependent upon P2G are:
 - a. Petone to Ngauranga reclamation;
 - b. Great Harbour Way
 - c. Melling to Wellington CBD cycle way;
 - d. Improvements to rail based public transport;
 - e. Petone to Ngauranga corridor and a significant improvement in overall network resiliency
 - f. Cross Valley link (Petone to Seaview)
 - g. Benefit maximization from the State Highway 2 interchange improvements.
5. It will open up a range of opportunities for regional economic development and enhanced land use.
6. The P2G project and associated works add considerably to the resilience of the region’s transport network for both natural events and other incidents degrading network reliability.
7. Modelling suggests that additional capacity to the north of Tawa is needed to minimise congestion. In order to address this and maximise resiliency benefits, a route via the Takapu Valley is preferred rather than widening SH1 or adopting a “wait and see” approach.
8. It must be noted that the modelled forecasts don’t include any allowance for increased traffic volumes resulting from the Wellington City Council investment in the growing the local economy. This is expected to shift the mid-level growth projections used in the current modelling towards the higher growth scenarios.

Recommendations

That the Council:

1. Receives the report.
2. Notes the content of the report and the conclusions of the Chief Executives' Forum set out in Appendix One.
3. Notes that the P2G link road is an important project for the future of the region acknowledging that it improves east-west connectivity, resilience, land use integration, freight efficiency, relieves severe congestion, and delivers substantial economic benefits.
4. Notes the opportunity to use surplus fill from the P2G Link Road to support a seaward side reclamation option for the Wellington to Hutt Valley walking and cycling link (the Great Harbour Way) that is future-proofed for potential additional transport improvements (including public transport rail services) along this corridor.
5. Supports an integrated package of transport improvements, including a new Wellington to Hutt Valley walking and cycling link (the Great Harbour Way), a significant safety upgrade of SH58, SH2 corridor improvements and a new Cross Valley Link between SH2 and Seaview.
6. Encourages the NZ Transport Agency to bring forward sections of the project to provide early benefits to the wider strategic road network, including a new grade separated intersection at Petone. This will facilitate an early start on the package of improvements.
7. Supports the addition of the Takapu Link Road to the P2G Link Road project.

Background

9. The P2G route was first identified in the early 1970's as an important transport connection. This was then developed further in the Ngauranga Triangle Strategic Study published in January 2010. Further reinforcement comes from the Western Corridor Plan (latest iteration adopted in August 2012).
10. In early 2014, the New Zealand Transport Agency (NZTA) undertook consultation on a number of options for P2G. A copy of the engagement report released in August 2014 can be found at <http://www.nzta.govt.nz/projects/petone-grenada-link-road/docs/p2g-engagement-report-201408.pdf>
11. The consultation report revealed widespread acceptance of the preferred route on the Hutt Valley side, and that the economic benefits were well recognised. However, the community also raised a number of issues it wanted to see addressed as the P2G link road proposal was developed further.
12. In May 2014 the Regional Transport Committee requested the regional chief executives' forum investigate and report back on alternative options (i.e. public transport and travel demand upgrades) to the widening SH1 and Takapu Link options before either option was included in the Regional Land Transport Plan. Between May and December 2014, the chief executives evaluated transport modelling and other technical information provided by the NZTA and other sources, including council officers. Additional modelling was undertaken by Greater Wellington Regional Council

and whilst the report is still only draft, (with a number of matters remaining in contention) it was also made available to the chief executives. Three options were confirmed through this process – a widened SH1, the Takapu Link Road or adopt a “wait and see” approach. Timing options included, “build now”, “build later” (but designate and monitor) or do-nothing (but monitor).

13. In accordance with the Regional Transport Committee’s request to socialise the results of its work, the NZTA briefed the councils during February. The chief executives then reported back to the Regional Transport Committee on 9 March 2015. Their recommendations were not adopted in their entirety and the Regional Transport Committee requested further additional information. It is somewhat unusual to have not accepted the collective advice of the chief executives. The exact wording of the amended resolutions from the Committee is not yet available.
14. The conclusions reached by the chief executives are shown in Appendix One of this report.

Discussion

15. On the presumption that there is general support for P2G the questions to be addressed are:
 - Whether or not to provide for an improved connection on or for SH1 between Tawa (where the P2G Link exits onto SH1) and the future Transmission Gully interchange at Linden?
 - If an improved connection is to be provided, which alignment should it take and when should it be built?

Additional capacity

16. Once both P2G and Transmission Gully are operational, traffic volumes on the section of SH1 between Tawa and the Transmission Gully Motorway intersection is predicted to grow by at least 19% by 2031. This section of SH1 only has 4 lanes, compared with 8 lanes to the north and south (when adding TG and P2G to the existing SH1).
17. The detailed analysis examined the forecast level of service (LoS) and travel times and found that without any north-south capacity improvements, the level of service would reduce from C to D (moderate to significant delays) during the AM peak period (southbound) and from LoS D (moderate to significant delays) to LoS E (significant delays) during the PM peak (northbound) over the period to 2031.
18. Looking specifically at the options for north of Tawa, it is forecast that the difference in travel time between no capacity improvements north of Tawa is an additional 10-30 seconds in the AM peak period (southbound) and an additional 90-170 seconds in the PM peak period (northbound). There would also be reduced travel time reliability.
19. Overall it is clear that that once P2G and Transmission Gully are operational there will be congestion north of Tawa, shown through the LoS and travel times.
20. The Government Policy Statement (GPS) objective to address “current and future” demand suggests that this forecast increase in demand north of Tawa can legitimately be considered as an integral part of the P2G project.
21. It must be noted that these modelled forecasts don’t include any allowance for increased growth resulting from the Wellington City Council investment in the growing

the local economy. This is expected to shift the mid-level growth projections used in the current modelling towards the higher growth scenario.

Route Selection

22. With 5 major network outages in the past few weeks the fragility of the Wellington transport network has been exposed. None of these outages were the result of natural events. The disruption to the local economy is yet to be quantified but is expected to be high. If the option of widening SH1 is chosen, there would remain a 'single point of failure' between SH1 and P2G to the south and SH1 and TG to the north, (any diversion through Tawa being unsuitable for the type and volume of traffic).
23. The option of widening (or designating to increase) State Highway 1 to six lanes affects 6 houses and 30 land parcels including a school. The Takapu Valley route affects 1 house and 21 land parcels.
24. The disruption during widening State Highway 1 north of Tawa will compromise the highway existing capacity for an estimated two years and will have widespread adverse effects.
25. The incremental benefit cost impact of the motorway expansion is 1.0 and for the Takapu Valley route is assessed as 1.4.
26. The need to provide certainty for the community combined with the points above suggests that a decision to proceed with a solution to address congestion north of Tawa be made now.

Modelling

27. The outputs from transport modelling are dependent on the inputs and require specialist interpretation. Transport modelling doesn't deliver absolute outcomes but is a useful measure for assessing relativities between options.
28. There has been (and will be more) debate about the interpretation of the outcomes from the transport modelling for P2G and in particular the issues north of Tawa.
29. The model predicts that there will be congestion but there remains debate about how severe this will be and when it will occur. In reality there will always be a lag between when future congestion occurs and when decisions upon its resolution and funding can be made available. While it is a valid option to "wait and see" in reality making a decision to address this issue now provides both future proofing and certainty for the community.
30. As noted above the modelling inputs are based on a medium growth scenario whereas the Wellington City Council investment in economic initiatives is expected to push growth to the higher end of the spectrum.
31. It is becoming clear that for transport projects a centralised "single point of truth" modelling entity is required, which is independent of NZTA and Councils.

Project Interdependencies

32. There are a number of project interdependencies. It remains uncertain if P2G can be consented without indicating how the modelled increased in traffic congestion between Tawa and Linden can be managed.
33. The consenting of P2G in turn is required to provide fill for the widening of the Petone to Ngauranga reclamation.

34. The Petone to Ngauranga reclamation is in turn essential if the improvements to commuter cycling, the Great Harbour Way, rail services, network reliability and resiliency benefits are to be delivered.
35. In turn the benefits of planned improvements to State Highway 2 north of Petone will be more difficult to realize.
36. Equally P2G is the catalyst for the Cross Valley link providing a more direct connection between the industrial area of Seaview and the highway network.

Public Transport Impacts

37. One of the concerns is that rail patronage is forecast to decline. The predicted decline for passengers from the northwest is mostly due to the impact of Transmission Gully. The number of commuters using train as the primary transport mode between the northwest and the Hutt Valley is not high due to the transfer penalty (cost, travel time, lack of directness, the only option being to travel to Wellington Station, then take another train to the Hutt Valley).
38. Hence the impact of P2G on train commuter patronage from the northwest is predicted to be Wellington minimal.
39. Hence the impact of P2G on train commuter patronage from the northwest is predicted to be Wellington minimal.
40. On the other hand relieving congestion through the motorway north of Tawa removes the last bottle neck in the road journey from the northwest and this then provides transport choice between road and rail for those whose final destination is Wellington.
41. One school of thought is to retain the bottle neck (do nothing or wait and see) to minimise the impact on commuter rail patronage. (Restrictive.)
42. The other option is to improve the service offering for rail commuters and grow patronage on that basis. (Customer led choice.)
43. Public transport on buses is likely to be a big winner. P2G provides the ability to offer direct bus services from the northern Wellington suburbs and Porirua to the Hutt Valley. Journey times will be significantly reduced and travel time reliability will be high. The route will also offer a direct cycling option.
44. Overall the forecasts suggest that more people will use public transport with big gains for buses and rail needing to work to maintain market share.

Wait and See Option

45. The “wait and see” and/or “designation” options have been touted as viable. However there is anecdotal evidence to suggest that the current uncertainty has already has a detrimental impact on property sales. Prolonging this uncertainty will be detrimental to community well-being.
46. Modelled forecasts advise that congestion will occur. Just as passengers move away from unreliable public transport services the consequences of an unreliable road network is that investment (in property, business and the economy) doesn't happen. That investment goes elsewhere.

Options

47. The Council has been asked for its preference for the scope of the P2G project, particularly the network connections between Tawa and Linden.

48. The Council can either provide this preference, or decline to do so. Given tahtteh works are within Wellington City's boundaries, not providing a prefercen would be unusual.

Next Actions

49. The Council's decision will be conveyed to the Regional Transport Committee to inform them on 28 April. At that meeting the scope of P2G will be determined for inclusion in the Regional Land Transport Plan.

Attachments

Attachment 1. Chief Executive Forum Conclusions Page 10
Attachment 2. Options North of Tawa Page 11

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SUPPORTING INFORMATION

Consultation and Engagement

Extensive consultation on the project and options has been undertaken by NZTA. A link to their engagement report is noted

Treaty of Waitangi considerations

Any Treaty of Waitangi issues will need to be determined as part of the detailed design once the scope for the project has been confirmed.

Financial implications

There are no direct financial implications for the Council as the project will be funded 100% by NZTA, however if the project does not proceed this will have implications for the Council's investment in improved cycling infrastructure.

Policy and legislative implications

At this stage the Council is only being asked to express a preference. No policy decision is being sought.

There are no legislative implications

Risks / legal

No legal risks have been identified

Climate Change impact and considerations

By significantly reducing travel times between Porirua and Petone emissions will be reduced. If as predicted fuel use is increased this will further reduce emissions. NZTA has commissioned additional emissions modelling to confirm their preliminary view that the Takapu Valley link has reduced emissions when compared to widening SH1.

Communications Plan

All communications will be managed by NZTA and the Regional Transport Committee.

Appendix One – Chief Executive Forum Conclusions

Petone to Grenada

- That the P2G link road is a vitally important project for the future of the region acknowledging that it improves east-west connectivity, resilience, land use integration, freight efficiency, relieves severe congestion and delivers substantial economic benefits.
- The wider economic development and urban development benefits of the P2G link road are substantial and have the potential to strengthen the regional economy.
- There are opportunities for the surplus fill from the P2G Link Road to be used to support the proposed Wellington to Hutt Valley walking and cycling link. This would enable a wider (20m) reclamation to be pursued which would have additional benefits to resilience, walking and cycling, and future-proof for any later improvements to SH2 or the Hutt rail line.
- It is essential that the P2G Link Road be delivered as part of an integrated package of transport improvements, including a new Wellington to Hutt Valley walking and cycling link, a significant safety upgrade of SH58, SH2 corridor improvements and a new Cross Valley Link between SH2 and Seaview.
- There are opportunities to bring forward sections of the project to provide benefits to the wider strategic road network. The early construction of the grade separated Petone intersection is recommended as this would provide travel time benefits to existing SH2 users and the Petone Esplanade as well as enable an early start on the widening of the Petone to Ngauranga corridor.
- The impacts of the P2G Link Road on public transport patronage are considered minor. Improvements for public transport to mitigate these are possible.
- The P2G Link Road has the best benefit cost assessment of all New Zealand major roading projects.

North of Tawa

- The assessment of the options north of Tawa shows that there will be negative impacts on levels of service and travel times by 2031. All five territorial authorities have a preference for the Takapu Valley connection to Transmission Gully for the following reasons:
 - *It provides congestion relief and maintains an acceptable level of service;*
 - *It is less disruptive to the community than the alternative motorway widening;*
 - *It opens up additional land for development opportunities;*
 - *It is a logical extension to the Transmission Gully route;*
 - *It provides resiliency benefits in the event of network disruption on the motorway;*
 - *It provides environmental benefits through lower fuel usage for freight movement as it maintains elevation;*
 - *Funding is available now and may not be in the future.*
 - *Of the options considered it has the largest contribution to overall project benefit cost.*

Appendix Two – Options North of Tawa

There are four key options north of Tawa for consideration:

- Option 1:** “Do nothing”. No increase in north-south capacity.
- Option 2:** Widen SH1 between Tawa and Transmission Gully to six lanes.
- Option 3:** Construct a new Takapu Link through Takapu Valley joining to Transmission Gully Motorway.
- Option 4:** Wait and see.

The pros and cons of each of the options north of Tawa are:

	<i>Pros</i>	<i>Cons</i>
Option 1 <i>“Do Nothing”</i> Option 4 <i>“Wait and see”</i>	<ul style="list-style-type: none"> • Cost savings of \$25-\$60M • No additional ecological, property and social impacts 	<ul style="list-style-type: none"> • Forecast impacts on congestion and travel times at peak times • Uncertainty for property owners (unless a future designation is pursued) • Loss of available NLTF funding
Option 2 Widen SH1	<ul style="list-style-type: none"> • Alleviates forecast congestion on SH1 between Tawa and Transmission Gully at peak times • Some resilience benefits for minor events (ie road accidents) from a wider carriageway • Regional benefit from available NLTF funding 	<ul style="list-style-type: none"> • Additional cost of \$25-50M • Property impacts - 6 houses and 30 land parcels • Social impacts - construction and noise impacts on properties alongside SH1 • Limited ecological impacts (to be addressed as part of consenting) • Construction impacts/delays on SH1 traffic
Option 3 Takapu Link	<ul style="list-style-type: none"> • Alleviates forecast congestion on SH1 between Tawa and Transmission Gully at peak times • Resilience benefits from an alternative route in an emergency event • Regional benefit from available NLTF funding • Freight efficiency benefits 	<ul style="list-style-type: none"> • Additional cost of \$30-60M • Property impacts - 1 house and 21 land parcels • Social impacts - construction impacts on Takapu Valley residents and significant change in the landscape and character of an existing rural environment • Significant ecological impacts (to be addressed as part of consenting)

A preliminary economic assessment was undertaken on the three options north of Tawa to produce the following Benefit Cost Ratios (BCRs):

	Overall BCR (including P2G)	Incremental BCR
Option 1 & Option 4	2.2	----
Option 2	2.0	1.0
Option 3	2.1	1.4

Item 3.3 Attachment 2

When the wider economic benefits of the project are factored in the BCR is over 4.0 for the P2G project as a whole with Option 3 clearly the best option.

4. Committee Reports

REPORT OF THE GOVERNANCE, FINANCE AND PLANNING COMMITTEE MEETING OF 26 MARCH 2015

Members: Mayor Wade-Brown, Councillor Ahipene-Mercer, Councillor Coughlan, Councillor Eagle, Councillor Foster, Councillor Free, Councillor Lee, Councillor Lester (Chair), Councillor Marsh, Councillor Pannett, Councillor Peck, Councillor Ritchie, Councillor Sparrow, Councillor Woolf, Councillor Young.

The Committee recommends:

WELLINGTON CITY COUNCIL STANDING ORDER AMENDMENTS

Recommendations

That the Council:

1. Agree to provide audio and audiovisual links to Council and its Committee meetings in accordance with the new provisions in Standing Orders 2.21 and 2.22.
2. Amend Standing Orders in accordance with the Local Government Act 2002, Schedule 7, clause 27(3) to:
 - I. Include new clauses in attachment 1.
 - II. 3.21.2 Keeping of Minutes:
Amend to read -
“The Chief Executive or his/her designated representative must keep the minutes of meetings. The minutes must record ...
 - *The names of those members present in person or by means of audio link or audiovisual link.”*
 - III. 3.23.2 Agenda to provide for public participation
Amend to include the words –
“The public participation procedure does not apply in respect of any hearing, including the hearing of submissions where the local authority, committee or subcommittee sits in a quasi-judicial capacity.”
 - IV. 3.23.3 Public participation where heard
Amend to read -
Public participation may be received by the local authority or any of its committees provided a written, oral or electronic application to address the meeting setting forth the subject, has been lodged with the Chief Executive by 12:00 noon of the working day prior to the meeting concerned, and has been subsequently approved by the chairperson.

The chairperson may refuse requests for public participation:

- (a) *that are repetitious or offensive;*
- (b) *where the person or group of people with a specific purpose or common view an interest group or organisation has been heard on the same item at committee prior to it being referred to Council for decision;*
- (c) *where the person or group of people with a specific purpose or common view an interest group or organisation has been heard on the same item at a subcommittee prior to it being referred to a committee for consideration or decision;*
- (d) *where the public participation relates to a matter that is subject to a statutory hearing process currently before the Council;*
- (e) *where the item does not fall within the scope of the agenda for a Council meeting;*
- (f) *where meetings are scheduled for the purpose of oral hearings only.*

Provided that if public participation is declined under (e) that the Chairperson refers the public participant to the relevant Committee

- V. 3.12.1 Any member present may move a motion or amendment

Amend to read -

“If the mover of an agenda item wishes to move an amendment to the motion, they must state at the time of moving the motion that it is being moved ‘pro-forma’, and following the seconding of the motion, immediately propose an amendment to the motion.

- VI. 3.12.8 – Amendment once moved

Amend to read -

“Except for reports from statutory hearing committees, when a motion has been moved and seconded, then proposed by the chairperson for discussion, an amendment may be moved or seconded by any member who has not spoken to the motion, whether an original motion or a substituted motion.

At a meeting of the Council, the mover or seconder of a motion for the adoption of the report of a committee may with the leave of the meeting only propose a minor amendment for the purpose of clarifying the intent of the report to ensure appropriate process is followed.

Notwithstanding the above, at a meeting of a committee, if the mover of an agenda item states the item is being moved ‘pro-forma’, the mover may also subsequently propose an amendment to the motion.”

- VII. 3.15.2 Second repeat where notice of motion rejected

Delete –

“If such a repeat notice of motion as provided for in Standing Order 3.15.1 is also rejected by the local authority, any further notice prior to the expiration of the original period of six months must be signed by a majority of all members, including vacancies.”

- VIII. Appendix E – Motions and Amendments: Amendment withdrawn by a majority decision
Replace “SO 3.10.3” with “SO 3.12.4”.

Attachments

Attachment 1. Standing Orders Audio and Audiovisual Links

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2.19 ATTENDANCE AT MEETINGS BY MEMBERS OF THE LOCAL AUTHORITY OR OF ANY COMMITTEE OF THE LOCAL AUTHORITY BY AUDIO LINK OR AUDIOVISUAL LINK

Statutory provision for attendance at meetings by audio link or audiovisual link

2.19.1
“A member of a local authority, or of a committee of a local authority, has, unless lawfully excluded, the right to attend any meeting of the local authority or committee by means of audio link or audiovisual link if ... the presiding member at that meeting is satisfied that all conditions and requirements in the standing orders in relation to attendance at that meeting by means of audio link or audiovisual link are met.”
[Clauses 25A(1) and 27(5)(a), Schedule 7, LGA]

Definitions for the purposes of this Standing Order

2.19.2
“ ‘audio link’ means facilities that enable audio communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting
“ ‘audiovisual’ link means facilities that enable audio and visual communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting.”
[Clause 25A(7), Schedule 7, LGA]

Meetings to which Standing Order 2.19 applies

2.19.3
Subject to the provisos below the presiding member may permit attendance by a member at meetings of the local authority or of the committee by means of audio link or audiovisual link either generally or for specified meetings:
(a) If the member is representing the Council at some place which makes the member’s physical presence at the meeting impossible or impracticable,
(b) To accommodate the member’s illness or infirmity, or
(c) To accommodate unforeseen circumstances such that physical attendance is not possible,
Provided however that Standing Order 2.19 does not apply to meetings in the nature of hearings (for instance, hearings under the Local Government Act 2002 or the Resource Management Act 1991), and
Provided that the necessary audio or audiovisual technology is available to facilitate the member’s request.
[Clause 25A(1), Schedule 7, LGA]

Prior arrangements to enable a member of a local authority, or of a committee of a local authority to attend any meeting of the local authority or committee by means of audio link or audiovisual link under Standing Order 2.19

2.19.4

- (a) Where it is possible to do so, a member of the local authority or of any committee shall give the chairperson and the chief executive not less than two clear working days' written notice of the member's desire to attend a meeting of the local authority or of the committee by means of audio link or audiovisual link for specified meetings.
- (b) Where, because of the member's illness or infirmity or some emergency, it is not possible for a member to give the chairperson and chief executive not less than two working days' written notice of the member's desire to attend a meeting of the local authority or of the committee by means of audio link or audiovisual link the member may give less than two working days' written notice.
- (c) The chief executive shall take reasonable steps to seek to facilitate a member's desire to attend a meeting of the local authority or of the committee by means of audio link or audiovisual link.
- (d) An act or proceeding of the local authority or committee is not invalidated if a member's request under this Standing Order 2.19 is not accommodated or if there is any technological failure or defect in any audio link or audiovisual link for a meeting.

[Clauses 25A(1) and 27(5), Schedule 7, LGA]

Duties of the person presiding where a member of a local authority, or of a committee of a local authority, participates in a meeting under Standing Order 2.19

2.19.5

- (a) Where a member of a local authority, or of a committee of a local authority attends any meeting of the local authority or committee by means of audio link or audiovisual link the "person presiding must ... ensure that—
 - [(i)] technology for the audio link or audiovisual link is available and is of suitable quality; and
 - [(ii)] the procedure for the use of that technology in all the circumstances of the particular meeting will ensure that—
 - [A] all those participating in the meeting can hear and be heard by each other; and
 - [B] in relation to [Standing Order 2.19.1], the attendance of a member by means of audio link or audiovisual link does not reduce the accountability or accessibility of that person

in relation to the meeting; and
[c] the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met.”

- (b) Where a member of a local authority, or of a committee of a local authority, participates in a meeting under this Standing Order the chairperson may direct that the audio link or audiovisual link be terminated after taking into account relevant factors including:
- (i) That having people participating by audio link or audiovisual link has unreasonably increased or may unreasonably increase the length of the meeting,
 - (ii) The behaviour of the people participating by audio link or audiovisual link,
 - (iii) The style, degree and extent of inter-action between the different people participating by audio link or audiovisual link, and
 - (iv) Any distraction to those physically present at the meeting caused as a result of having people participating by audio link or audiovisual link.

[Clause 25A(1) and (3), Schedule 7, LGA]

Member not physically present at meeting not to be counted as present for the purposes of the quorum

2.19.6

- (a) “Despite [Standing Order 2.20.1], a member of the local authority who is not physically present at the meeting is not to be counted as present for the purposes of clause 23 [of Schedule 7 of the Local Government Act 2002].”

[Clause 25A(4), Schedule 7, LGA]

Local authority not required to make technology for an audio link or audiovisual link available

2.19.7

“Nothing in this [Standing Order] requires [the] local authority to make technology for an audio link or audiovisual link available.”

[Clause 25A(5), Schedule 7, LGA]

Giving or showing documents to a person appearing at a meeting by way of audio link or audiovisual link

2.19.8

“A document may be given or shown to, or by, a person appearing at a meeting by way of audio link or audiovisual link—

- (a) by transmitting it electronically; or
- (b) by use of audiovisual link (if the person is appearing by audiovisual link); or
- (c) by any other manner that the person presiding thinks fit.”

[Clause 25A(6), Schedule 7, LGA]

Local authority not responsible for the failure of any audio link or audiovisual link

2.19.9

“The local authority is not responsible for the consequences of any inadequacies or any failure of an audio link or audiovisual link, but if any member ceases to be able to participate in a meeting by reason of any technological failure or defect in any audio link or audiovisual link for the meeting that member shall be deemed to have ceased to be in attendance at the meeting.”
[Clause 25A(1), Schedule 7, LGA]

2.20 ATTENDANCE AT MEETINGS BY MEMBERS OF THE PUBLIC AT MEETINGS OF THE LOCAL AUTHORITY OR OF ANY COMMITTEE OF THE LOCAL AUTHORITY BY AUDIO LINK OR AUDIOVISUAL LINK

Statutory provision for attendance at meetings by audio link or audiovisual link

2.20.1

“A person other than a member of a local authority, or committee, may participate in a meeting of the local authority or committee by means of audio link or audiovisual link if ... the presiding member at that meeting is satisfied that all conditions and requirements in the standing orders are met in relation to—
(i) participation at that meeting by persons other than members; and
(ii) the use of audio link or audiovisual link for that participation.”

[Clauses 25A(2) and 27(5)(a), Schedule 7, LGA]

Definitions for the purposes of this Standing Order

2.20.2

“ ‘audio link’ means facilities that enable audio communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting
“ ‘audiovisual’ link means facilities that enable audio and visual communication between participants at a meeting when 1 or more of them is not physically present at the place of the meeting.”

[Clause 25A(7), Schedule 7, LGA]

Meetings to which Standing Order 2.20 applies

2.20.3

Subject to the provisos below the presiding member may permit a person other than a member of a local authority or committee,

to participate in a meeting by means of audio link or audiovisual link for specified meetings. When considering whether or not to grant such permission the presiding member may take into account factors such as:

- (a) The likely length of the meeting and the possibility that having people participating by audio link or audiovisual link may unreasonably increase the length of the meeting,
- (b) The potential behaviour of people participating by audio link or audiovisual link,
- (c) The likely style, degree and extent of inter-action between the different people participating by audio link or audiovisual link, and
- (d) The potential that having people participating by audio link or audiovisual link may have to distract those physically present at the meeting

[Clause 25A(2), Schedule 7, LGA]

Prior arrangements to enable a person other than a member of a local authority or committee to participate in a meeting under Standing Order 2.20

2.20.4

- (a) A person other than a member of a local authority or committee shall give the chairperson and the chief executive not less than two clear working days' written notice of that person's desire to participate in a specified meeting of the local authority or of the committee by means of audio link or audiovisual link.
- (b) The local authority shall take reasonable steps to seek to facilitate that person's desire to participate in a specified meeting of the local authority or of the committee by means of audio link or audiovisual link.
- (c) An act or proceeding of the local authority or committee is not invalidated if that person's request under this Standing Order 2.20 is not accommodated or if there is any technological failure or defect in any audio link or audiovisual link for a meeting.

[Clause 25A(2), Schedule 7, LGA]

Duties of the person presiding where a person other than a member of a local authority or committee participates in a meeting under Standing Order 2.20

2.20.5

- (a) Where a person other than a member of a local authority or committee participates in a meeting of the local authority or committee by means of audio link or audiovisual link the **"person presiding must ... ensure that—**
 - [(a)] technology for the audio link or audiovisual link is available and is of suitable quality; and**
 - [(b)] the procedure for the use of that technology in all**

the circumstances of the particular meeting will ensure that—

[(A)] all those participating in the meeting can hear and be heard by each other; and

[(B)] in relation to [Standing Order 2.20.1], the attendance of a member by means of audio link or audiovisual link does not reduce the accountability or accessibility of that person in relation to the meeting; and

[(C)] the requirements of Part 7 of the Local Government Official Information and Meetings Act 1987 are met.”

- (b) Where a person other than a member of a local authority or committee participates in a meeting under this Standing Order the meeting may direct that the audio link or audiovisual link be terminated after taking into account relevant factors including:
- (i) That having people participating by audio link or audiovisual link has unreasonably increased or may unreasonably increase the length of the meeting,
 - (ii) The behaviour of people participating by audio link or audiovisual link,
 - (iii) The style, degree and extent of inter-action between the different people participating by audio link or audiovisual link, and
 - (iv) Any distraction to those physically present at the meeting caused as a result of having people participating by audio link or audiovisual link.

[Clause 25A (2) and (3), Schedule 7, LGA]

Local authority not required to make technology for an audio link or audiovisual link available

2.20.6
“Nothing in this [Standing Order 2.20] requires [the] local authority to make technology for an audio link or audiovisual link available.”

[Clause 25A(5), Schedule 7, LGA]

Giving or showing documents to a person appearing at a meeting by way of audio link or audiovisual link

2.20.7
“A document may be given or shown to, or by, a person appearing at a meeting by way of audio link or audiovisual link—

- (a) by transmitting it electronically; or**
- (b) by use of audiovisual link (if the person is appearing by audiovisual link); or**
- (c) by any other manner that the person presiding thinks**

fit.”

[Clause 25A(6), Schedule 7, LGA]

Local authority not responsible for the failure of any audio link or audiovisual link

2.20.8

“The local authority is not responsible for the consequences of any technological failure or defect in any audio link or audiovisual link for a meeting.”

[Clause 25A(1), Schedule 7, LGA]

Consequential amendment to Standing Order 3.17.2:

In the third line of SO 3.17.2 after the phrase “the names of those members present;” add “the names of those members attending the meeting by means of audio link or audiovisual link;”