

# Subject: London TravelWatch – Memorandum of Understanding

Report to: Transport Committee

Report of: Executive Director of Secretariat

Date: 9 January 2014

This report will be considered in public

## 1. Summary

- 1.1 This report sets out for the Committee's approval a revised Memorandum of Understanding with London TravelWatch, the operating name of the London Transport Users' Committee.

## 2. Recommendation

- 2.1 That the revised Memorandum of Understanding with London TravelWatch be approved.

## 3. Background

- 3.1 The Transport Committee and London TravelWatch have previously agreed a Memorandum of Understanding to establish a clear and transparent basis upon which the Transport Committee, the Greater London Authority and London TravelWatch will work and interact with each other. The Memorandum of Understanding needs to be agreed between the Transport Committee (acting on behalf of the London Assembly) and the London TravelWatch Board.
- 3.2 The Memorandum of Understanding with London TravelWatch may be amended from time to time by the Chair of the Transport Committee (in consultation with the Deputy Chair and the Group Leads) and the Chair of the London TravelWatch Board (in consultation with the London TravelWatch Chief Executive and the Board) agreeing to the proposed amendments.
- 3.3 The Memorandum of Understanding is reviewed from time to time in order to ensure its relevance and effectiveness. Following the suspension of the Memorandum of Understanding in July 2011 and the ensuing deliberations, the Chair and Deputy Chair of the Committee agreed to defer the review and revision of the document pending the appointment of the new London TravelWatch Board. The new Board members were all in place early in 2013 and discussions commenced once those members had familiarised themselves with the issues. The attached document is the product of the exchanges that have taken place over recent months.

#### **4. Issues for Consideration**

- 4.1 The draft Memorandum of Understanding, attached at **Appendix 1**, has been revised in consultation with the Chair and Deputy Chair of the Committee and the Board of London TravelWatch.

#### **5. Legal Implications**

- 5.1 The Committee has the power to do what is recommended in this report.

#### **6. Financial Implications**

- 6.1 There are no financial implications arising from this report.

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#### **List of appendices to this report:**

Appendix 1: Revised Draft Memorandum of Understanding with London TravelWatch

#### **Local Government (Access to Information) Act 1985**

List of Background Papers:

London TravelWatch - Protocol for accounts and financial procedures

London TravelWatch - Protocol for Board appointments

London TravelWatch - Protocol for recruitment and employment of staff of London TravelWatch

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**Memorandum of Understanding between The Greater London Authority and London TravelWatch<sup>1</sup>**

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<sup>1</sup> London TravelWatch is the operating name of the London Transport Users Committee

## **1. Introduction**

- 1.1 This Memorandum of Understanding has been agreed between the London Assembly's Transport Committee (acting on behalf of the London Assembly) and the London TravelWatch Board, and may be amended from time to time in accordance with paragraph B.1 below. It cannot override any of the requirements of the GLA Act or any other relevant legislation.
- 1.2 The aim of this Memorandum is to establish a clear and transparent basis upon which Transport Committee, the Greater London Authority and London TravelWatch will work and interact with each other.
- 1.3 To this end, the Transport Committee and London TravelWatch will:
  - Maintain an open and constructive working relationship which recognises that London TravelWatch is independent from all transport operators and providers, and needs to work within the strategic framework that the Transport Committee sets; and
  - Adopt a "no surprises" policy based on telling each other well in advance, where possible, of significant announcements and developments that have a bearing on their common interest.

## **2. Support and assistance from the GLA**

- 2.1 Where there is no conflict of interest, after consideration by the GLA Executive Director of Secretariat, who may take legal advice, the Secretariat, Finance and Human Resources & Organisational Development departments of the core GLA may on request provide assistance to London TravelWatch.

## **3. Liaison and co-ordination**

- 3.1 Generally, but not exclusively, the protocol shall be for communication to be conducted between the Chairs (or their designated representatives) or between the officers of the two bodies. Nothing shall be regarded as the formal position of either body unless it is ratified as necessary and confirmed in writing.
- 3.2 The Chairs of both the Transport Committee and the London TravelWatch Board will meet on a regular basis to discuss the progress of their respective work programmes and other matters of common interest.
- 3.3 In searching for the maximum benefit, officers will consult annually in February / March (or in June/July in the years of ordinary elections to the Assembly) on the provisional work programmes for the following year in order to identify opportunities for—
  - joint or complementary working
  - inputs to projects being undertaken by the other body, and
  - information sharing opportunities or other measures to eliminate duplication.

- 3.4 Systematic joint working between the officers of both bodies will monitor progress and developments, and identify further opportunities for London TravelWatch to contribute to the Transport Committee's work programme. The London TravelWatch work programme will be sent to the Chair of Transport Committee within 10 working days of its approval. London TravelWatch will produce updates on its work programmes as part of its six-monthly reports to the Transport Committee.

*Urgency*

- 3.5 Where anything in this Memorandum of Understanding requires the consideration, agreement or approval of the Transport Committee, or involves an urgent response to a major incident, but the matter is of such urgency that it cannot wait for a meeting of that Committee, the Chair of London TravelWatch Board will refer the matter to the Chair of the Committee in writing, copied to the Chief Executive of London TravelWatch and the GLA's Executive Director of Secretariat, giving a short explanation of the decision required and why it is urgent.

#### **4. London TravelWatch Board appointments**

*The establishment of London TravelWatch Board*

- 4.1 Transport Committee will determine how many members (not more than 24 and currently 6 plus a Chair) will comprise the London TravelWatch Board<sup>2</sup>.
- 4.2 Transport Committee will not change the membership size of the London TravelWatch Board without first having consulted with the Chair of the London TravelWatch Board.
- 4.3 Procedures for the recruitment and appointment of the Chair and other members of the London TravelWatch Board will be set by the Transport Committee and, before any change is proposed, there will be prior consultation with the Chair of the London TravelWatch Board and its Chief Executive.
- 4.4 To ensure continuity the appointment of new members will normally be phased so that the terms of office of no more than half of the membership of the Board will finish at the same time
- 4.5 In the event that this normal phasing of appointments is broken the Transport Committee will consult with the Chair of the London TravelWatch Board to agree what action should be taken to recover the situation during the following three years.
- 4.6 Where vacancies occur the Transport Committee will take steps to make a replacement appointment as quickly as possible.

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<sup>2</sup> The GLA Act 1999 s 247(2)

## **5. Operation of the London TravelWatch Board and interaction with the GLA**

### *London TravelWatch Board meetings*

- 5.1 The London TravelWatch Board should operate as a strategic body and will programme meetings throughout the year, giving directions and guidance to the permanent Secretariat of London TravelWatch, which will then carry out the Board's decisions.

### *Sharing information*

- 5.2 In addition to the statutory requirements for the notification of decisions and provided that it would not be unlawful or in breach of commercial confidentiality to do so, -
- a) London TravelWatch will share any information that it holds (except that which was given to it in confidence) with Transport Committee where it is prudent to do so, or on request from Transport Committee; and
  - b) Transport Committee (or its Secretariat, if more appropriate) shall, on request from London TravelWatch, make available any information that it has that would assist London TravelWatch in its work.

### *Guidance and directions*

- 5.3 If the Transport Committee resolves to issue to London TravelWatch any guidance or directions as to the manner in which it is to exercise its functions<sup>3</sup>, this must be issued in writing and sent to the Chair of London TravelWatch and copied to its Chief Executive.<sup>4</sup>
- 5.4 Ordinarily, Transport Committee will not issue any such guidance or directions without first having consulted with the Chair of the London TravelWatch Board and the Chief Executive of London TravelWatch, and having had regard to any representations made by them either in writing or made orally at a Transport Committee meeting.

## **6. Staffing of London TravelWatch**

### *The staffing establishment of London TravelWatch*

- 6.1 Transport Committee must approve the overall staffing cost of London TravelWatch's secretariat and be informed of the staffing establishment and structure, both of which shall routinely be reported as part of the annual submission of the draft budget and business plan.
- 6.2 Procedures for the recruitment, appointment and employment of staff of London TravelWatch will be set by the London TravelWatch Board in accordance with the protocol attached to this agreement.

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<sup>3</sup> The GLA Act 1999 s 251(1)

<sup>4</sup> The GLA Act 1999 s 251(3)

#### *Staff restructures*

- 6.3 If a staff restructure is proposed that is not within budget, the London TravelWatch Board shall formally notify Transport Committee in writing of its proposals. Transport Committee will then notify the Board as to how it should apply for approval to proceed with the proposed restructuring.
- 6.4 The Transport Committee will determine whether or not to authorise any London TravelWatch staff restructuring that is not within the budget, and London TravelWatch will be bound by Transport Committee's decision.

## **7. Finance and performance**

#### *Members' and staff salaries and expenses*

- 7.1 Transport Committee shall provide London TravelWatch with the funds with which to pay a) its Members such travelling and other allowances as Transport Committee may determine<sup>5</sup>, and b) its officers such remuneration and such travelling and other allowances as the London TravelWatch Board may determine.<sup>6</sup> Transport Committee's determinations will be made in accordance with the Mayor's budget guidance.

#### *Budget process and Business Plan*

- 7.2 The annual procedure for the submission of a draft budget and accompanying business plan is set out in Appendix A and may be varied from time to time by the Transport Committee following formal consultation with the London TravelWatch Board (made via the Chair of the London TravelWatch Board).

#### *Virements*

- 7.3 After consultation as appropriate with London TravelWatch Board, the Chief Executive of London TravelWatch may approve London TravelWatch budget virements of up to £100,000. Any such virements will be recorded in the quarterly reports and outturn projections to the GLA's Executive Director of Resources that may be required under the provisions of paragraph 7.6 below, and in the periodic performance reports to Transport Committee.
- 7.4 Any London TravelWatch budget virements in excess of £100,000 need approval by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads), following a written request by the Chief Executive of London TravelWatch to the GLA Liaison Officer and the Chair of Transport Committee.

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<sup>5</sup> The GLA Act 1999 Schedule 18 paragraph 6 (1)(a)

<sup>6</sup> The GLA Act 1999 Schedule 18 paragraph (6)(1)(b)

### *Accounts*

- 7.5 The Chief Executive of London TravelWatch (as accounting officer) must ensure that accounting records are kept, which set out and explain London TravelWatch's financial transactions, disclose with reasonable accuracy the financial status of London TravelWatch at any time, and enable London TravelWatch to prepare a statement of accounts.<sup>7</sup>
- 7.6 The accounting and financial procedures are set out in the attached protocol and may be varied from time to time by the Transport Committee following formal consultation with the London TravelWatch Board (made via the Chair of the London TravelWatch Board).

### *Complaints from members of the public*

- 7.7 Where a member of the public makes a complaint (oral or written) about the conduct or behaviour of a member (other than the Chair) of the London TravelWatch Board, the complaint shall be logged (and recorded in writing if made orally), and will be referred to the Chair of the Board who will determine how the matter should be taken forward. Once the matter is concluded, the Chair of the Board shall inform the Chair of the Transport Committee in writing of the complaint and any action taken, with copies to the Chief Executive of London TravelWatch and the GLA's Liaison Officer.
- 7.8 In the event of a substantive complaint about the Chair of the London TravelWatch Board, an independent person will be appointed at the time with the agreement of the Deputy Chair of the Board and the Chair of the Transport Committee to investigate and report to the Chair of the Transport Committee and Deputy Chair of the Board.
- 7.9 All other complaints, including complaints about officers or London TravelWatch service provision, will be dealt with in accordance with London TravelWatch's complaints procedures and /or its relevant employment procedures. Once those procedures are exhausted, and if a complainant remains dissatisfied, they should be referred to the GLA's Liaison Officer.
- 7.10 In this section "complaints" do not include those that London TravelWatch receives from members of the public concerning the services or actions of any transport providers which are subject to London TravelWatch's remit, but do include those about London TravelWatch's handling of such complaints.

### *Annual report*

- 7.11 The London TravelWatch Board must make an annual report to Transport Committee and the Secretary of State<sup>8</sup>.
- 7.12 London TravelWatch will log, and in its annual report will record, all complaints (referred to in paragraphs 7.7 – 7.10 above) received under, and dealt with in accordance with, its complaints procedures.

### *Performance Management and Reporting*

- 7.13 London TravelWatch will comply with the requirements for performance management and periodic reporting as set out in Appendix B.

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<sup>7</sup> The GLA Act 1999 Schedule 18 paragraph 8(1)

<sup>8</sup> The GLA Act 1999 s 250 (2)



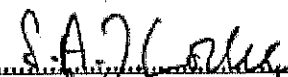
**8. Amending this memorandum**

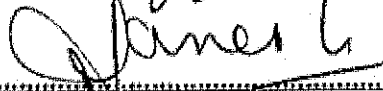
8.1 This Memorandum may be amended from time to time by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads) and the Chair of the London TravelWatch Board (in consultation with the London TravelWatch Chief Executive and the Board) agreeing to the proposed amendments.

Approved by:   
..... Date

And   
..... Date 27/3/2014

**For the London Assembly**

  
..... Date

And   
..... Date 28.3.14.

**For London TravelWatch**

## Appendix A

### Budget process and Business Plan

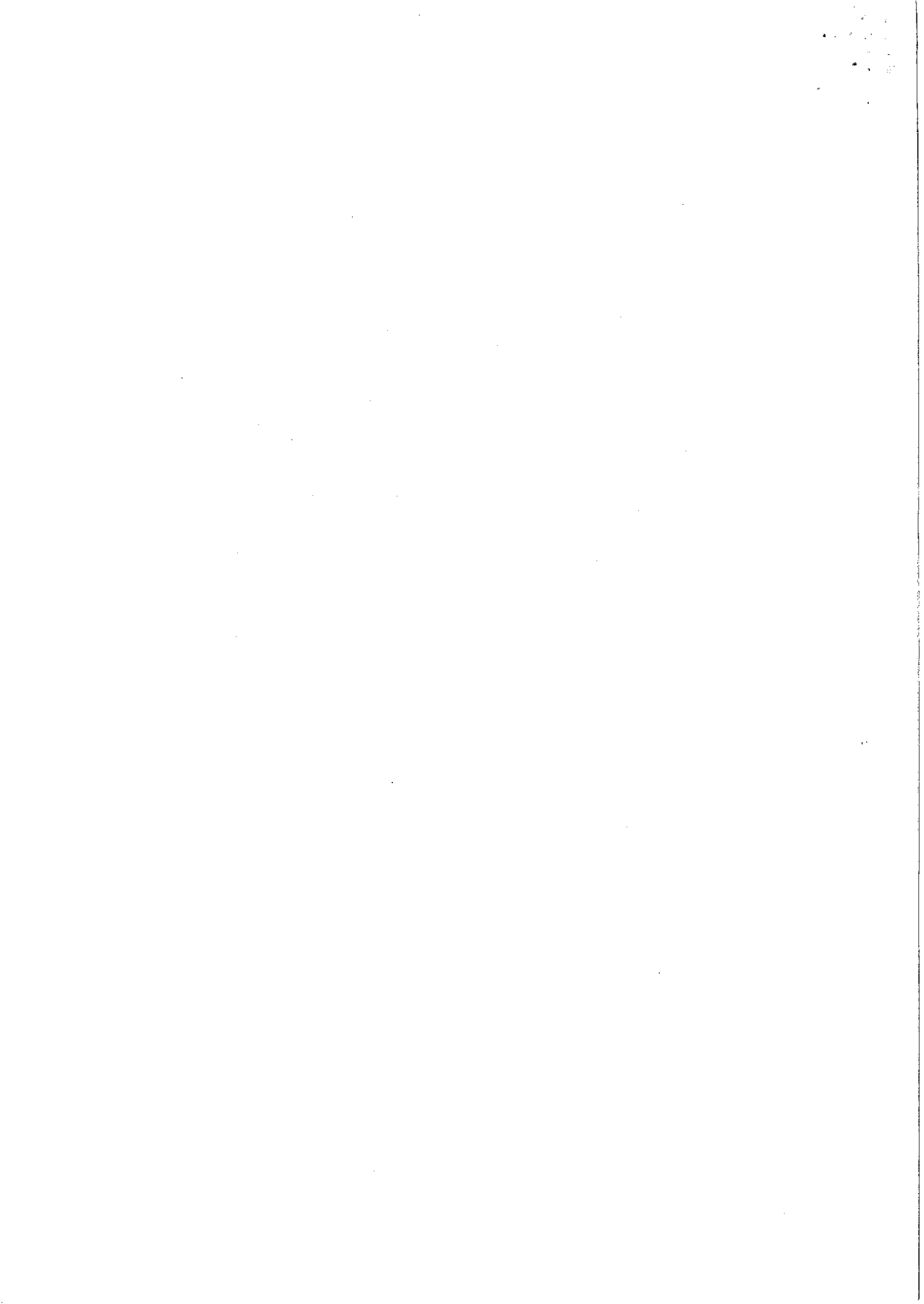
- A.1 Within two weeks of receipt of the Mayor's budget guidance, the Transport Committee will issue budget guidance to London TravelWatch. This will set out the proposed cash limited budget for the next financial year and may set out indicative cash limited budgets for the following two years. London TravelWatch will then prepare a budget submission based on these cash limited budgets having regard to the requirements set out in the budget guidance.
- A.2 During the preparation of the draft budget submission, the London TravelWatch Chief Executive will confer (in confidence if required) with the designated lead officer in GLA Resources Directorate to ensure that the submission is based on a full understanding of the Mayor's budget guidance and GLA procedures generally.
- A.3 The London TravelWatch Board must produce an annual Business Plan for the following year that must be sent for consideration to Transport Committee at the same time as the proposed budget. The Business Plan will
- a. be based on the broad objectives set for London TravelWatch by the Transport Committee,
  - b. include an organogram showing the existing staffing structure and establishment, and
  - c. set out how London TravelWatch will seek opportunities for joint working with the Transport Committee, and the contributions that London TravelWatch can make to the Transport Committee's work programme for the following year.
- A.4 The London TravelWatch Board will (with the advice of the London TravelWatch Chief Executive) submit a draft budget proposal to Transport Committee (to be sent to the GLA Liaison Officer and copied to the Committee Officer for Transport Committee who will arrange for it to be sent to the Chair, Deputy Chair and Group Leads of Transport Committee) in line with the timetable set out in the budget guidance.
- A.5 On receipt of the London TravelWatch Board's draft budget submission, and before the London TravelWatch Board submits its final budget submission (in accordance with paragraph A.6 below), the GLA Liaison Officer, and Chair, Deputy Chair and Group Leads of Transport Committee will, if appropriate, meet the Chair and Deputy Chair of the Board and the Chief Executive of London TravelWatch to discuss the Board's draft budget submission.
- A.6 Further to the meeting referred to in paragraph A.5 above, the London TravelWatch Board, with the approval of the London TravelWatch Chief Executive as Accounting Officer, will, in line with the deadlines set out in the Mayor's budget guidance, present a final budget submission to Transport Committee.
- A.7 Transport Committee will formally consider London TravelWatch's proposed budget and business plan and will recommend the budget to the Mayor, with or without any amendments that it considers appropriate, for inclusion in the Assembly's budget submission, in line with the deadlines set by the Mayor.

## Appendix B

### Performance management framework

- B.1 This Memorandum of Understanding is based on the principle that the Transport Committee should be informed of how London TravelWatch spends the grant that it receives from the London Assembly
- B.2 London TravelWatch's Board should set strategic objectives and performance targets for its activities and maintain appropriate internal mechanisms to monitor progress towards achieving these objectives.
- B.3 Twice a year London TravelWatch should produce a more strategic report for the Transport Committee demonstrating how it has met its key business plan objectives and the outcomes it has achieved for transport users as a result of its work.
- B.4 The performance reports should also summarise the volume and type of casework activity handled by London TravelWatch during the period and include a short overview setting out the main issues raised by the public.
- B.5 The performance reports should include management accounts for the preceding six or twelve months as appropriate.
- B.6 The end of year performance report should also include corporate health information as set out in the following table. The targets set will normally be the same as those adopted by the GLA for its own staff.

PI no.	Indicator	Target	Frequency to report
1	The number of working days / shifts lost to sickness absence per staff member	6	Annual
2	% of employees that are women	52%	Annual
3	% of employees from ethnic minority backgrounds	29%	Annual
4	% of employees declaring that they meet the Disability Discrimination Act 1995 definition and / or have declared themselves disabled	13%	Annual



## Protocol for accounts and financial procedures

### *Accounts*

- 1 London TravelWatch will conduct a monthly monitoring and review of its finances, to include forecasts against the full-year revenue and capital budgets, explanations for variances and any proposed corrective action. The Chief Executive of London TravelWatch will report this quarterly to the GLA's Executive Director of Resources and six monthly to Transport Committee in the format required by the Executive Director of Resources.
- 2 The Chief Executive of London TravelWatch (as Accounting Officer) must ensure that a statement of accounts is prepared for each financial year that gives a true and fair view of London TravelWatch's financial status at the end of that year, and its expenditure for that year<sup>1</sup>.
- 3 The Chief Executive of London TravelWatch must submit, in line with the agreed timetable, financial information required by the GLA's Executive Director of Resources for the preparation of the GLA Statement of Accounts.
- 4 Transport Committee may issue guidance as to the preparation of a statement of accounts and, if it does so, London TravelWatch must prepare the statement in compliance with the direction<sup>2</sup>.
- 5 The Statement of Accounts must be audited by an auditor appointed by Transport Committee. <sup>3</sup> The cost of the audit will be met by London TravelWatch.

### *Financial procedures*

- 6 Where London TravelWatch proposes to make any significant changes or amendments to any of its financial systems and procedures, its proposals must be agreed to by the London TravelWatch Board (or to any body within London TravelWatch to which such functions of the London TravelWatch Board have been properly delegated) and the London TravelWatch Chief Executive and must be submitted in writing to the GLA Liaison Officer, who will determine how to take the matter forward.
- 7 Any such proposals can only be approved by Transport Committee, in conjunction with the GLA's Executive Director of Resources.

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<sup>1</sup> The GLA Act 1999 Schedule 18 paragraph 8(2)

<sup>2</sup> The GLA Act 1999 Schedule 18 paragraph 8(3)

<sup>3</sup> The GLA Act 1999 Schedule 18 paragraph 8(4)

## Protocol for Board appointments

### *Appointment of the Chair, Deputy Chair and Members of London TravelWatch Board*

- 1 Transport Committee will, after consultation with the DfT, appoint the members and Chair of the London TravelWatch Board<sup>1</sup>.
- 2 Transport Committee may designate one or more members of the London TravelWatch Board to be Deputy Chair<sup>2</sup> and, ordinarily, members (including the Chair or Deputy Chair) of London TravelWatch will be appointed for a fixed term of two or four years.

### *Recruitment of the Chair and members of London TravelWatch Board*

- 3 Transport Committee will determine the arrangements for recruiting to the London TravelWatch Board, including the composition of the recruitment panel and any arrangements for a pool of reserve members. However, before doing this, Transport Committee will consider any representations received from the Chair of the London TravelWatch Board and the Chief Executive of London TravelWatch, either in writing or made orally at a Transport Committee meeting.
- 4 Ordinarily, recruitment to the London TravelWatch Board will be conducted in order to achieve one half of the Board being appointed every 2 years.
- 5 In accordance with the DfT policy<sup>3</sup>, appointments to the London TravelWatch Board will only be made after any vacancies have been advertised publicly, and after there has been open and competitive interview process. The GLA will organise and fund any such recruitment campaigns.
- 6 Appointments will be made on the basis of merit, taking into account and where relevant complying with sections 247(3 – 4) of the GLA Act 1999
- 7 A substitute pool member will not be used to fill any vacancy in the office of the Chair or Deputy Chair of the London TravelWatch Board.

### *Terms and conditions of the Chair and members of London TravelWatch Board*

- 8 Transport Committee will determine and approve the London TravelWatch Board members' terms and conditions of appointment<sup>4</sup> – including – but not limited to:
  - (a) remuneration (including any upgrades)
  - (b) time commitment (subject to paragraph 9 below)
  - (c) pensions
  - (d) probationary and appraisal procedures
  - (e) grievance procedures
  - (f) any travelling and other allowances
  - (g) unpaid and special leave.

<sup>1</sup> The GLA Act 1999 s 247(2)

<sup>2</sup> The GLA Act 1999 s 247(6)

<sup>3</sup> The DfT policy is based on guidance issued by the Cabinet Office on Making and Managing Public Appointments

<sup>4</sup> The GLA Act 1999 Schedule 18 paragraphs 1-4, 6(1)(a) and (2), and 7(1) – (2)

*Other members of the London TravelWatch Board*

- 17 The probationary assessment and performance reviews of the members of the London TravelWatch Board will be undertaken by the Chair of the London TravelWatch Board in accordance with their terms and conditions of appointment.
- 18 Where the Chair of the London TravelWatch proposes to recommend removal of a member, the Chair must notify the Chair of Transport Committee in writing, copied to the Chief Executive of London TravelWatch and the GLA Liaison Officer.

**Grievances against Members of the London TravelWatch Board**

- 19 Where any officer of London TravelWatch (including the Chief Executive of London TravelWatch) has a grievance against any members of the London TravelWatch Board (including the Chair), or where any of the members of the London TravelWatch Board have an employment related grievance against each other, the grievance procedure contained in London TravelWatch members' terms and conditions of appointment shall apply.

## Protocol for recruitment and employment of staff of London TravelWatch

### *Recruitment of Chief Executive at London TravelWatch<sup>1</sup>*

- 1 Subject to the approval of the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads), and subject to paragraph 8 below, the London TravelWatch Board will determine the arrangements for recruiting to a vacancy in the post of Chief Executive. Such arrangements must include public advertisement and a competitive interview and selection process.
- 2 The Chief Executive will be selected by an appointments panel comprising members of the Board and an Assembly Member appointed by the Chair of Transport Committee (in consultation with the Deputy Chair and the Group Leads) to serve as a full member of the panel<sup>2</sup>.
- 3 London TravelWatch will fund any such recruitment campaigns.

### *Recruitment of staff (other than the Chief Executive) at London TravelWatch*

- 4 The London TravelWatch Board will determine the arrangements for recruiting to all vacant staff posts, other than the post of Chief Executive.
- 5 In determining these arrangements, the London TravelWatch Board must consult the Chief Executive but will take the final decisions.
- 6 Such arrangements for permanent vacancies must include public advertisement and a competitive interview and selection process.
- 7 London TravelWatch will fund any such recruitment campaigns.

### *Terms and conditions of London TravelWatch officers*

- 8 Subject to paragraph 9 below, the London TravelWatch Board will, with the approval of Transport Committee, determine the terms and conditions of its officers' employment, including terms as to remuneration<sup>3</sup>. The GLA will notify London TravelWatch at the appropriate time of any cost of living increases it is intending to give to its own staff so that London TravelWatch can ensure it applies the same formula.
- 9 The London TravelWatch Board may approve any changes to officers' terms and conditions of employment provided that:

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<sup>1</sup> LTW may appoint such officers as appear to LTW to be required for the performance of their functions (the GLA Act 1999 Schedule 18 paragraph 5(1), but the appointments must be made in accordance with the GLA's rules of appointment and are subject to the approval of the Assembly – (the GLA Act Schedule 18 paragraph 5(2)).

<sup>2</sup> Transport Committee minutes of 17.7.07 at 5.3(c)

<sup>3</sup> The Assembly must provide LTW with the funds to pay its (LTW's) officers, such remuneration and such travelling and other allowances as the Committee may with the approval of the Assembly determine- Schedule 18 paragraph (6)(1)(b)



## Statutory provisions

### Greater London Authority Act 1999 (as amended)

#### Part IV

247 The London Transport Users' Committee.

(1) There shall be a body corporate to be known as the London Transport Users' Committee, referred to in this Chapter as the Committee.

(2) The Committee shall consist of—

(a) a Chairman, and

(b) not more than twenty-four other members,

appointed by the Assembly after consultation with the Secretary of State.

(3) In appointing members under subsection (2) above, the Assembly shall have regard to the desirability of ensuring that the members of the Committee between them represent the interests of—

(a) those who use passenger transport facilities and services in Greater London, and

(b) those who use rail passenger transport facilities and services in the area for which the Committee fell, immediately before the repeal of section 2 of the Railways Act 1993 (Rail Passengers' Committees), to be treated as the Rail Passengers' Committee for the purposes specified in subsection (4) of that section.

(4) A person may not be appointed under subsection (2) above if he is—

(a) an Assembly member,

(b) a member of Transport for London,

(c) a member of staff of Transport for London, or

(d) a member of staff of the Authority.

(5) If, at any time after he is appointed, a member of the Committee becomes a person within subsection (4)(a) to (d) above, he shall cease to be a member of the Committee.

(6) The Assembly may designate one or more members of the Committee to be deputy chairman or (as the case may be) deputy chairmen of the Committee.

(7) Schedule 18 to this Act shall have effect with respect to the Committee.

#### Schedule 18

1 If the Assembly so determines, there shall be paid to the chairman and other members of the Committee such remuneration as the Assembly may determine.

2 If the Assembly so determines in the case of a person who has been remunerated under paragraph 1 above as chairman, a pension shall be paid to or in respect of that person, or payments towards the provision of a pension to or in respect of that person shall be made in accordance with the determination.

- (b) disclose with reasonable accuracy the financial status of the Committee at any time, and
  - (c) enable the Committee to comply with the requirements of this Act in preparing any statement of accounts.
- (2) The Committee shall prepare in respect of each financial year a statement of accounts giving a true and fair view of—
- (a) the Committee's financial status at the end of that year, and
  - (b) the Committee's income and expenditure for that year.
- (3) If the Assembly issues guidance to the Committee as to the preparation of a statement of accounts, the Committee shall prepare the statement of accounts in compliance with the direction.
- (4) A statement of accounts shall be audited by a person appointed by the Assembly as auditor to do so.
- (5) A person shall not be qualified to be appointed as auditor unless—
- (a) he is eligible for appointment as a company auditor under Part II of the Companies Act 1989 (eligibility for appointment as company auditor), and
  - (b) if the Committee were a company to which section 384 of the Companies Act 1985 applies (duty to appoint auditors), he would not be ineligible for appointment as company auditor of the Committee by virtue of section 27 of the Companies Act 1989 (ineligibility on ground of lack of independence).
- (6) As soon as reasonably practicable after a statement of accounts has been audited, the auditor shall send a copy to the Assembly.
- (7) The Committee's financial year shall be such period as may be determined by the Assembly and notified to the Committee

*Accommodation*

9 The Assembly may after consultation with the Secretary of State make arrangements for the Committee to be provided with office accommodation.

*Constitution and procedure*

10(1) The persons appointed to be members of the Committee shall hold and vacate office in accordance with the terms of their respective appointments and shall, on ceasing to be members of the Committee, be eligible for reappointment.

(2) Any person so appointed may at any time by notice in writing to the Assembly resign his office.

11(1) The Committee shall meet—

- (a) at least twice a year; and
- (b) whenever convened by the chairman.

(2) Without prejudice to the discretion of the chairman to call a meeting whenever he thinks fit, he shall call a meeting when required to do so by any three members of the Committee.

*Investigation of complaints*

16(1) Section 25 of the Local Government Act 1974 (authorities subject to investigation by the Commission for Local Administration) shall be amended as follows.

(2) In subsection (1)—

(a) the word “and” preceding paragraph (d) shall cease to have effect; and

(b) at the end of paragraph (d) there shall be inserted “; and

(e) the London Transport Users’ Committee.”

(3) After subsection (4A) (which is inserted by section 74(3) above) there shall be inserted—

“(4B) Any reference to an authority to which this Part of this Act applies also includes, in the case of the London Transport Users’ Committee, a reference to a sub-committee of that Committee.”

