

GNLRT ADVISORY COMMITTEE

22nd June 2004

REPORT OF HEAD OF TRANSPORT MAJOR PROJECTS

TERMS OF REFERENCE OF THE ADVISORY COMMITTEE

1. At the meeting on 23 March 2004 the Committee resolved that the terms of reference of the Advisory Committee be included as an item on the next meeting. The fundamental purpose of the Advisory Committee, as confirmed at Council on 19th May 2003, is:

to advise on issues relating to the construction and operation of the system (within the constraints of the contractual arrangements).

2. The full terms of reference are attached and were formulated in response to the provisions of the GNLRT Act which requires that:
 - Undertakers (the City and County Councils) are to establish the advisory committee to advise the undertakers as regards the construction and operation of 'the system' (NET Line One).
 - Undertakers are to consult the Rail Users' Consultative Committee (now the Rail Passenger Committee (RPC)) before making appointments to the advisory committee.
 - Advisory committee are to consider representations made to them as regards construction and operation of the system by members of the public.
3. The Advisory committee was established in December 2000 with appropriate representation (following consultation with Midlands RPC). Its remit was defined at the defined at the inaugural meeting and the committee has endeavoured to fulfil this remit through the consideration of reports on the project from officers of the councils, the concessionaire (Arrow) and the operator (Nottingham Tram Consortium).

The advisory committee has:

- recommended that reports on vehicle and passenger facilities be sent to the City Council's disability and elderly consultative groups;
- sought Arrow's further consideration of through ticketing and integration;
- commented on the vehicle design with particular reference to safety aspects of the external livery;
- sought further consideration of cycle access on trams if an acceptable solution was developed in the future;

- asked that consideration be given to extending operating hours on certain days of the week;
 - requested that the provision of public telephones on or near tramstops. be reviewed in the future;
 - noted action on dealing with fly-tipping at Hucknall following public complaints;
 - commented on proposals for fares and inter-ticketing between modes and requested Nottingham Tram Consortium to meet with Trent Barton to encourage co-operation;
 - commented on the Bye-Laws for the system;
 - sought action on a number of traffic and safety enforcement issues (see another report on this agenda);
 - made representation and sought further advice on noise and parking issues on Noel Street.
4. In 2002 the committee requested suggestions as to how its profile could be raised. Since September 2001, construction newsletters distributed to over 35,000 properties on Line One have contained details of the committee, its remit and how to get in touch. All major publications now carry this text. The city-wide brochure delivered to 250,000 households in Autumn 2002 also advertised the committee and the role it plays.

Recommendation

It is recommended that the Advisory Committee note the terms of reference and the action taken to date.

HEAD OF TRANSPORT MAJOR PROJECTS

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GREATER NOTTINGHAM LIGHT RAPID TRANSIT ADVISORY COMMITTEE – ESTABLISHMENT AND PROPOSED TERMS OF REFERENCE

(as amended following the inaugural meeting of the Advisory Committee on 6th December 2000)

1. During preparation of the Parliamentary Bill for NET Line One representations were received from the Midlands Area Transport Users' Consultative Committee (subsequently – under the Railways Act 1993 – the Rail Users Consultative Committee – RUCC). The RUCC wished to be able to represent those users of the system who, for whatever reason, are in dispute with the operator of the system. Consequently provision was made in the GNLRT Act (Section 74) obliging the City and County Councils to establish a committee to advise them on issues relating to the construction and operation of the system (see A below).
2. The purpose of this was to provide a means whereby the **users** of the system could make representations and that these would be considered and the Councils advised accordingly. Thus Section 74 further requires that the committee shall consider representations made to them relating to the construction and operation of the system by members of the public.
3. The section also requires that before making appointments to the Advisory Committee the Councils shall consult the RUCC for the area. The RUCC has recently been reformed with local representation under Rail Passenger Committees. The Midlands RPC has been consulted and has no objections to the proposed structure of the Advisory Committee described below.
4. Many of the obligations of the Councils under the GNLRT Act have been passed to Arrow under the recently completed Concession Agreement. However, the obligations under Section 74 remain with the Councils, although Arrow must participate in the Advisory Committee (see B below).
5. In addition, the contractual arrangements under PFI are intended to effect performance and outputs, not to determine how these are achieved. This substantially limits the ability of the Councils as Promoters to require changes to designs or operating practices. The Promoters cannot approve or disapprove of designs although the Councils do have some controls through their statutory roles as Planning and Highways Authorities. The Concessionaire (Arrow) has complete freedom in setting fares and the service timetable, subject to meeting contractually specified capacities and headways. The actual operating performance is subject to payments based on contractually determined measures. The role of the Advisory Committee must, therefore, be limited to providing advice, which may or may not be adopted by the Concessionaire.
6. The Councils have agreed that the Advisory Committee should comprise 5 City Councillors, 5 County Councillors and 5 independent members.

7. The councillors were present to represent the views of residents and users. The Rail Passenger Committee sees benefit in the link between users as constituents and their councillors, provided that users are not restricted to this approach.
8. The independent members will comprise representatives from each of the following:
- **Midlands Rail Passenger Committee**
 - **Nottinghamshire Transport 2000**
 - **Nottingham Trent University** (the university sector staff and students are potentially very significant users)
 - **Nottingham Transport Partnership**
 - **Nottinghamshire Chamber of Commerce & Industry** representing the business community
- These organisations have agreed to be involved and nominations have been received.
- In addition, **Pedals**, the local cyclists group, have been invited to nominate a representative. This is in accordance with a Deed of Agreement reached between Pedals and the two Councils when the GNLRT Bill was placed before Parliament. This brings the number of independent members to six, one more than originally proposed. Furthermore, as the Advisory Committee develops it may be appropriate to invite other representatives to present views.
9. It is proposed that **the role of the Advisory Committee** shall be:
- to hear representations from members of the public and prospective users of NET Line One concerning the construction of the line – how design may impact on the users future enjoyment and utility of the system, including access for disabled and elderly persons:
 - vehicle interior layout, seating, etc.
 - stop layout and facilities, shelters, seating, signing, etc.;
 - to hear representations from members of the public and users or prospective users of NET Line One concerning the operation or proposed operation and how it may impact on the users future enjoyment and utility of the system:
 - ticketing arrangements,
 - timetable,
 - performance;
 - to consider all such matters and in so doing may call upon Arrow representatives, the Promoters Representative or other appropriate officers of the City and County Councils to answer the concerns and seek to resolve them, and;
 - to advise the Promoters' Representative of its conclusions where concerns remain unresolved. The Promoters Representative would then report to the NET Project Board and the City and County Council's Responsible Officers who will consider whether further action is required, reporting to GNRT and/or the Councils' Executive Board/Cabinet where appropriate.

A Greater Nottingham Light Rapid Transit Act 1994

74.-(1) The undertakers shall establish a committee to be known as the Greater Nottingham Light Rapid Transit Advisory Committee (“the advisory committee”) to advise the undertakers as regards the construction and operation of the LRT system.

(2) Before making appointments to the advisory committee the undertakers shall consult the Rail Users’ Consultative Committee for the time being established under section 2 (2) of the Act of 1993 for the area where the LRT system is situated.

(3) It shall be the duty of the advisory committee to consider representations made to them as regards the construction and operation of the LRT system by members of the public.

B Concession Agreement

12.4 *Advisory Committee under the Act*

The Concessionaire shall comply with any reasonable request of the Promoters from time to time that the Concessionaire should participate (without cost to the Promoters) in any advisory committee established by the Promoters under section 74(1) of the Act.