

10 DECEMBER 2007

REPORT OF DIRECTOR, NET

NET PHASE TWO TRANSPORT & WORKS ACT (TWA) ORDER

1. PURPOSE OF REPORT

- 1.1 This report requests that the Advisory Committee to withdraw its objection to the NET Phase Two TWA Order.

2. RECOMMENDATION

- 2.1 It is Recommended that the Advisory Committee inform the Secretary of State that it is content with the proposed Article 85 of the proposed NET Phase Two TWA Order (dealing with Greater Nottingham Light Rapid Transit Advisory Committee) and wishes to withdraw its objection to the Order.

3. Article dealing with Greater Nottingham Light Rapid Transit Advisory Committee

- 3.1 Following the further comments made by the Advisory Committee at its meeting on 11 September 2007, the proposed article to be included in the NET Phase Two Transport and Works Act Order has been amended and is attached at Appendix 1. These changes are designed to meet the Committee's recommendations.

- 3.2 The title of the proposed Committee has been changed to the "Greater Nottingham Light Rapid Transit Advisory Committee" [clause (1)].

- 3.3 The clause [clause (4)] dealing with the term of office of members of the Committee has been amended to better fit the situation of members representing the Councils and now reads:

(4) Without affecting any member of the Committee's right to resign as a member of the Committee at any time by giving notice in writing to the promoter, the term of office of a member of the Committee shall extend as follows:

(a) in the case of a member who is a member of the City Council or the County Council, from the date of his or her appointment until the end of his or her council's period of administration or, if earlier, the date on which he or she ceases to be a member of the council concerned; or

(b) in the case of any other member, for three years from the date of his or her appointment;

and, on ceasing to hold office pursuant to this paragraph, a member of the Committee shall be eligible for re-appointment as a member of the Committee.

- 3.4 The Article [clause (3)] now provides for the Committee to co-opt representatives of the operator. It is not considered that the Article need make any specific provision for the attendance of the operator as the attendance of any persons other than Committee members would always be at the invitation of the Committee.
- 3.5 The Committee is requested to confirm approval of these changes and inform the Secretary of State accordingly.

DIRECTOR, NET

Lawrence House

Talbot Street, Nottingham NG1 5NT

Contact Officer: Pat Armstrong

Telephone Number: 0115 9156713

E-mail: pat.armstrong@nottinghamcity.gov.uk

Greater Nottingham Light Rapid Transit Advisory Committee

85.–(1) The promoter shall establish a body, to be known as the Greater Nottingham Light Rapid Transit Advisory Committee (in this article referred to as “the Committee”).

(2) The purpose of the Committee is to advise the promoter on the operation of the authorised tramway and Line One (in this article referred to together as “the Nottingham Express Transit system”) and except in a case of special urgency where it is not reasonably practicable to do so, the promoter shall consult the Committee on the operation of the Nottingham Express Transit system.

(3) The members of the Committee shall be appointed by the promoter, and shall include representatives of users of the Nottingham Express Transit system and members of the City Council and the County Council. The Committee may co-opt onto the Committee such representatives of any person given a right to operate the Nottingham Express Transit system pursuant to an agreement made under article 53 as the Committee sees fit.

(4) Without affecting any member of the Committee’s right to resign as a member of the Committee at any time by giving notice in writing to the promoter, the term of office of a member of the Committee shall extend as follows:

- (a) in the case of a member who is a member of the City Council or the County Council, from the date of his or her appointment until the end of his or her council’s period of administration or, if earlier, the date on which he or she ceases to be a member of the council concerned; or
- (b) in the case of any other member, for three years from the date of his or her appointment;

and, on ceasing to hold office pursuant to this paragraph, a member of the Committee shall be eligible for re-appointment as a member of the Committee.

(5) The Committee may determine its own quorum and procedure and shall appoint the Chair.

(6) It shall be the duty of the Committee to consider representations made to it regarding the operation of the Nottingham Express Transit system by members of the public.

(7) The Committee may at any time refer or make representations or recommendations to the promoter regarding the operation of the Nottingham Express Transit system, whether or not the Committee has been consulted on the matter by the promoter.

(8) The promoter shall take into consideration any matter, recommendation or representation which may from time to time be referred or made to it by the Committee, whether or not the Committee has been consulted by the promoter on the matter, recommendation or representation so referred or made.

(9) When so requested by the Committee, the promoter shall give its reasons in writing to the Committee for disagreeing with any recommendation or representation of the Committee.

(10) The promoter shall provide the Committee with accommodation and pay all its reasonable secretarial and administration costs.

(11) In this article, references to the operation of the authorised tramway, Line One and the Nottingham Express Transit system include references to matters affecting their operation.