



# London Regional Transport Act 1984

## 1984 CHAPTER 32

### PART III

#### MISCELLANEOUS AND GENERAL

##### *Consultation with passengers*

#### **40 The London Regional Passengers' Committee**

- (1) There shall be established in accordance with this section a body to be known as the London Regional Passengers' Committee.
- (2) The Committee shall consist of a chairman appointed by the Secretary of State, and such other members (not exceeding thirty) as the Secretary of State may appoint after consultation with such bodies as appear to him to be representative of the interests of persons likely to be significantly concerned with matters within the competence of the Committee.
- (3) The Secretary of State may appoint one or more members of the Committee to be deputy chairman or (as the case may be) deputy chairmen of the Committee.
- (4) Subject to subsection (6) below, it shall be the duty of the Committee to consider and, where it appears to them to be desirable, make recommendations with respect to any matter affecting the services and facilities provided—
  - (a) by London Regional Transport or any subsidiary of theirs; or
  - (b) by any other person in pursuance of an agreement entered into by London Regional Transport by virtue of section 3(2) of this Act; or
  - (c) by the Railways Board or any subsidiary of theirs;which falls to be considered by the Committee in accordance with subsection (5) below.
- (5) A matter falls to be considered by the Committee if—

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- (a) it has been the subject of representations (other than representations appearing to the Committee to be frivolous) made to the Committee by or on behalf of users of any services or facilities so provided ; or
- (b) it has been referred to the Committee by the Secretary of State, by London Regional Transport or by the Railways Board; or
- (c) it otherwise appears to the Committee to be a matter to which consideration ought to be given ;

and, in the case of any matter affecting services or facilities provided by the Railways Board or any subsidiary of theirs, those services or facilities are within the competence of the Committee by virtue of section 41(7) of this Act.

- (6) Without prejudice to section 41 of this Act, the Committee may not by virtue of subsection (4) above consider the charges made for any service or facility or any question relating to—
  - (a) the discontinuance by London Regional Transport or any subsidiary of theirs of all railway passenger services from any station or on any line on their railways ; or
  - (b) the discontinuance or reduction of railway services provided by the Railways Board or any subsidiary of theirs.
- (7) Copies of the minutes, conclusions and recommendations of the Committee with respect to any matter shall be sent—
  - (a) in the case of any matter affecting services and facilities provided as mentioned in subsection (4)(a) or (b) above, to London Regional Transport;
  - (b) in the case of any matter affecting services and facilities provided as mentioned in subsection (4)(c) above, to the Railways Board ; and
  - (c) in the case of any matter referred to the Committee by the Secretary of State, to the Secretary of State.
- (8) Where the Secretary of State receives a recommendation under subsection (7) above he may give to London Regional Transport or (as the case may require) to the Railways Board such directions as he thinks fit with respect to matters dealt with in the recommendation which concern them or a subsidiary of theirs; but before giving any such direction to London Regional Transport the Secretary of State shall consult with London Regional Transport.
- (9) On reaching a decision with respect to matters dealt with in any recommendation received by them or him under subsection (7) above, London Regional Transport, the Railways Board or (as the case may be) the Secretary of State shall give notice in writing of that decision to the Passengers' Committee.
- (10) The Committee shall make an annual report to the Secretary of State, and the Secretary of State shall lay a copy of the report before each House of Parliament.
- (11) A company which would not otherwise be a subsidiary of London Regional Transport or the Railways Board shall not be treated as such for the purposes of this section by virtue of section 62 of this Act.
- (12) Schedule 3 to this Act has effect with respect to the Committee.

#### **41 Operation of the Passengers' Committee as an Area Transport Users' Consultative Committee**

- (1) The Passengers' Committee shall be treated as one of the Area Transport Users' Consultative Committees (referred to below in this section as " Area Committees ") for the purposes of the provisions of section 56 of the 1962 Act mentioned in subsection (2) below—
- (a) in substitution for the Area Committee whose area comprises Greater London immediately before the appointed day; and
  - (b) subject to any directions given by the Secretary of State under subsection (1) (b) of that section as it applies by virtue of subsection (2)(a) below, for the same area as the area of that Area Committee at that time ;
- and that Area Committee shall accordingly cease to exist, and the persons who are for the time being its members shall cease to hold office, on the appointed day.
- (2) The provisions of section 56 referred to in subsection (1) above are—
- (a) subsection (1)(b) (Area Committees to be established for all parts of Great Britain);
  - (b) subsection (2), so far as relates to the constitution of the Central Transport Consultative Committee for Great Britain (referred to below in this section as the " Central Committee ") and the attendance of a chairman of an Area Committee at a meeting of the Central Committee ; and
  - (c) subsections (7) to (10) and (13) (which relate to railway closures);
- and the power of the Passengers' Committee under paragraph 9(4) of Schedule 3 to this Act to determine their own procedure is subject to subsection (13) of that section as applied by this section.
- (3) Without prejudice to section 40(7) of this Act, copies of the minutes, conclusions and recommendations of the Passengers' Committee with respect to any matter affecting services or facilities provided by the Railways Board or any subsidiary of theirs shall be sent to the Central Committee.
- (4) The Passengers' Committee shall be treated as an Area Committee within the meaning of section 56 of the 1962 Act for the purposes of section 54(5) of the 1968 Act (reference to an Area Committee of any matter affecting the provision of alternative services in case of a railway closure).
- (5) The Central Committee may from time to time make general recommendations to the Passengers' Committee with respect to any matter affecting the functions of the Committee—
- (a) under section 40 of this Act, so far as relates to services or facilities provided by the Railways Board or any subsidiary of theirs; or
  - (b) under section 56 of the 1962 Act or section 54(5) of the 1968 Act;
- or the procedure of the Committee in exercising or performing any of those functions.
- (6) The annual report of the Central Committee under section 56(15) of the 1962 Act shall not deal with the exercise and performance of the functions of the Passengers' Committee except in so far as relates to matters affecting services or facilities provided by the Railways Board or any subsidiary of theirs.
- (7) Services or facilities so provided are within the competence of the Passengers' Committee for the purposes of section 40 of this Act if they are provided within the

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area for which the Passengers' Committee act as an Area Committee by virtue of this section.