

## SCHEDULE

Regulation 4

### Constitution

#### Membership

**1.—**(1) Each constituent authority is to appoint one of its elected members to be a voting member of TfN.

(2) The person appointed must be—

- (a) in the case of a constituent authority that has an elected mayor, the mayor or the elected member with responsibility for transport, or
- (b) in any other case, the leader of the constituent authority, the Chair or the elected member with responsibility for transport.

(3) Each constituent authority is to appoint another of its elected members to be a voting member of TfN in the absence of the member appointed under sub-paragraph (1) (the “substitute member”).

(4) A person appointed by a constituent authority to be a member or substitute member of TfN ceases to be a member or substitute member of TfN on ceasing to be a member of the constituent authority that made the appointment.

(5) A person appointed to be a member or substitute member of TfN may resign as a member or substitute member by written notice served on the proper officer of the constituent authority that made the appointment and the resignation takes effect on receipt of the notice by that officer.

(6) Where a person ceases to be a member or substitute member of TfN by virtue of sub-paragraph (4) or (5) the constituent authority that made the appointment must, as soon as practicable—

- (a) give written notice of that fact to TfN, and
- (b) appoint another of its elected members in that person’s place.

(7) A constituent authority may at any time terminate the appointment of a member or substitute member appointed by it to TfN and appoint another of its elected members in that person’s place.

(8) Where a constituent authority exercises its power under sub-paragraph (7), it must give written notice of the new appointment and the termination of the previous appointment to TfN.

(9) The new appointment is to take effect and the previous appointment is to terminate at the end of—

- (a) the period of one week beginning with the day on which notice is given, or
- (b) such longer period not exceeding one month as is specified in the notice.

(10) Sub-paragraph (11) applies in relation to each local transport authority—

- (a) which is a member of Rail North Ltd or, at any time when Rail North Ltd no longer exists, was a member of Rail North Ltd immediately before it ceased to exist, and
- (b) which is not a constituent authority.

(11) Each local transport authority to which this sub-paragraph applies is to appoint one of its elected members to be a co-opted member of TfN.

(12) The chair of the Partnership Board (see paragraph 4) is to be appointed as a co-opted member of TfN.

(13) The voting members of TfN may appoint further co-opted members if they all agree to do so.

(14) Co-opted members of TfN are non-voting (subject to any resolution by the voting members under section 102G(5) of the Local Transport Act 2008<sup>(1)</sup>)

(15) For the purposes of this paragraph, an elected mayor of a constituent authority is to be treated as a member of the constituent authority.

### **Chair and vice-chair**

**2.**—(1) TfN—

- (a) must in each year appoint a chair, and
- (b) may appoint one or more vice-chairs.

(2) The chair and any vice-chair may be appointed only from among the members of TfN, including the co-opted members.

### **Proceedings**

**3.**—(1) There are to be at least 4 meetings per year of the members of TfN.

(2) A question to be decided by TfN on the matters in sub-paragraph (3) may be decided only if agreed by both—

- (a) members who together hold at least 75% of the votes in a weighted vote, and
- (b) a simple majority of the members.

(3) The matters are—

- (a) the approval or revision of TfN’s transport strategy,
- (b) the approval of TfN’s annual budget, and
- (c) the adoption of and any changes to TfN’s constitution.

(4) Except as provided in these Regulations, a question to be decided by TfN on any other matter may be decided only if agreed by members who together hold more than 50% of the votes in a weighted vote.

(5) For the purposes of this regulation, a “weighted vote” is—

- (a) in the case of a question about the management of the Northern or TransPennine Express franchises, a vote in which the number of votes to be cast by a member appointed by a constituent authority is determined by multiplying the percentage of passenger miles on the Northern and TransPennine Express franchises that are in the area of the constituent authority by ten, and, if the result is not a whole number, rounding to the nearest whole number, and
- (b) in any other case, a vote in which the number of votes to be cast by a member appointed by a constituent authority is determined by dividing the total resident population of the area of that constituent authority at the relevant date as estimated by the Statistics Board by 200,000, and, if the result is not a whole number, rounding up to the next whole number.

(6) For the purposes of sub-paragraph (5)(b) the relevant date in relation to a vote is 30th June in the financial year which commenced two years before the financial year in which the vote takes place.

(7) If a vote is tied on any matter it is deemed not to have been carried.

(8) In this paragraph, references to “members”—

- (a) are to the members present at a meeting of TfN who are entitled to vote in relation to the question to be decided, and

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(1) 2008 c.26; this section was inserted by the Cities and Local Government Devolution Act 2016 (c.1), section 21.

- (b) include references to “substitute members”.

### **Partnership Board**

4.—(1) TfN is to establish a board (the “Partnership Board”) to advise TfN on matters relating to transport to, from or within the area of TfN.

- (2) TfN is to appoint a person to chair the Partnership Board.

### **Scrutiny committee**

5.—(1) TfN must appoint a committee (the “scrutiny committee”) to—

- (a) review or scrutinise decisions made, or other action taken, in connection with the discharge by TfN of its functions,
- (b) make reports or recommendations to TfN with respect to the discharge by TfN of its functions, and
- (c) make reports or recommendations to TfN on matters relating to transport to, from or within TfN’s area.

(2) Each constituent authority is entitled to appoint—

- (a) one member of the authority to be a member of the scrutiny committee, and
- (b) one member of the authority to be a member of the scrutiny committee in the absence of the person appointed under paragraph (a) (a “substitute member”).

(3) In sub-paragraph (2) the references to a “member of the authority” are to—

- (a) in the case of a constituent authority which is a combined authority, an elected member of the combined authority or of any of the constituent councils of the combined authority, and
- (b) in the case of a constituent authority which is not a combined authority, an elected member of that constituent authority.

(4) No person who is a member of TfN (including as a substitute member or a co-opted member) may be appointed to be a member or a substitute member of the scrutiny committee.

### **Standing orders**

6. TfN may make and vary or revoke standing orders for the regulation of—

- (a) its proceedings and business, and
- (b) the proceedings and business of the scrutiny committee.