
Confidential MinutesAgenda item 14
Drafted 23.9.09

**Confidential minutes of the Consumer Affairs Committee meeting
held on 23 September 2009 at 6 Middle Street, London EC1**

These minutes are in addition to the public minutes of a meeting of the Committee on the same date. In that meeting it was resolved, under section 15(2)(b) of schedule 18 of the Greater London Authority Act 1999, that by reason of the confidential nature of the item(s) to be discussed, it was desirable in the public interest that the public should be excluded for this part of the meeting.

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Present

Members

David Leibling

David Barry

Sharon Grant

Chair of the Board

Lorna Reith

Member, ex officio of this committee

Sarah Pond

Chair of the Committee

Daniel Francis

Deputy Chair of the committee

Terry Bennett

Secretariat

Carmel Cannon

Senior Committee Administrator

Janet Cooke

Chief Executive

Bryan Davey

Director, Public Liaison

Jo deBank

Communications Officer

Julia Pearson

Communications Assistant

1 Confidential pre-meeting

The late receipt of papers was discussed and Secretariat was asked to ensure that papers are sent out on time. Where this was not possible, it was requested that electronic alerts are attached to emails suggesting members read papers online. On these occasions, hard copies would always be made available at the meeting.

The Chair of the Board and members queried why item 12 on the agenda (regarding the response to the Department for Transport consultation on passenger rights) was to be held in

confidential session. The Chief Executive advised that the DfT had requested that this be discussed in confidence, and the Director, Public Liaison, advised that, as this was a matter of London TravelWatch policy formation, it was exempt under the Freedom of Information Act from being discussed in public. In addition, as consultees London TravelWatch was privy to confidential papers from DfT which were not available to the public.

Members were still keen that, unless good reason was given, all matters should be discussed in public. A clarification of reasons for the private session was requested, and the Director, Public Liaison, undertook to review the confidential nature of the documents, bearing in mind advice from the Department, and to make a recommendation on this at the next meeting.

Action : Director, Public Liaison

Confidential update on the matters arising, regarding Lewisham gating (8.7.09 min 5, iii) – ministers were minded not to support gating all the exits at Lewisham. This matter would henceforth be pursued by Fares and Ticketing Committee.

2 Confidential minutes

The confidential minutes of the Consumer Affairs committee meeting held on 8 July 2009 were approved and signed for the record.

The Committee raised the issue of audits mentioned in the minutes, and Mr Davey was asked to present an update of all audits in progress or planned within the current financial year to the next meeting.

Action: Director, Public Liaison

3 DfT proposal to match UK Passenger Rights to EU regulations

London TravelWatch was working with Passenger Focus on a consultation response to this proposal. Whilst it substantially referred to national and international services, there were implications for services stopping or starting in London, and possibly for the workload for London TravelWatch. The legislation, due to take effect in July 2010, would not affect TfL.

The Chair invited comments on two key issues raised by the consultation: the provision of cash compensation rather than vouchers, and the transferability of tickets.

It was agreed that cash compensation was in all cases preferable to vouchers. The question of transferability of tickets was seen as more complex. The effect regarding advance purchase tickets would be that passengers would have the right to resell them. Members did feel that this issue was worth acknowledging particularly as TOCs have flagged the impact of this change as potentially costly to operators. The committee did not feel inclined to oppose this change,

Members also acknowledged the work that London TravelWatch has already done on this issue, endorsed the points previously raised and supported reiteration of those views in the LTW response.

The Chair of the Board referred to the consultation's questions page, regarding the proposal of a change to London TravelWatch's status to one which would refer to the Office of Rail Regulators (ORR) as an independent body rather than the Secretary of State. Her concern was with what this might mean in terms of increased workload for London TravelWatch,

particularly if the ORR became more active in promoting passenger rights. In order to take on any further work, London TravelWatch would need to be properly resourced.

The Director, Public Liaison, referred members to the last page of the annex of his guidance notes, showing that London TravelWatch had previously written to DfT supporting the idea that the enforcement role would be a function best performed by ORR, as it would overcome any potential conflict of interest between the DfT's role in specifying franchise and enforcing passenger rights. Members could see no disbenefits for London passengers but were mindful of the effect on London TravelWatch's workload as part of the enforcement element.

Members were invited to respond with any further comments by email to the Director, Public Liaison, by 14 October, with the draft response to be tabled at the subsequent meeting of this Committee.

Action : Members and Director, Public Liaison

4 London TravelWatch guides (12.20)

4.1. 'How to Complain' leaflet

The draft of a consumer leaflet on how to complain was presented for comment. Members were asked to submit detailed comments by email by 7 October 2009. Committee Services would distribute a pdf version for this.

The original intention had been that such a leaflet would be sent out to any initial caller to London TravelWatch. The Communications Officer pointed out that it would be more useful to those who had never heard of London TravelWatch, and so public distribution (eg to local libraries, citizens' advice bureaux etc) might be necessary. However, in order for distribution to be effective, outside funding would be necessary. The ideal distribution point was leaflet racks in stations, but TOCs promoted their own products through these and may take some persuasion to include this leaflet.

The committee agreed that the leaflet should, in the first instance be produced for its original intended purpose and that it's potential wider use should be discussed separately once that objective had been achieved.

Action : Committee Services & members

4.2. 'Guide to passenger rights by mode' report

The committee scoped the idea in order to begin developing this report as featured in the work plan. The question of the intended audience was discussed as a key factor for early consideration of this report. The Director, Public Liaison framed the questions as – Do we want an all-embracing publication, or separate leaflets for different modes? Would it be better perhaps to present this information through the website?

The Chair of the Board suggested that it should be focussed around the sorts of scenarios that London TravelWatch knows are most likely to happen, as informed by current casework. That it would be a leaflet intended for the general travelling public, as a service to them. It would cover all modes - bus, train, tube and tram, and perhaps could include passengers' responsibilities as well as rights, but should remain simple and non-technical.

Members felt that it should be on the website as well as in leaflet form, and included on the Citizens' Advice Website. Acknowledging this was a good starting point, the Chair of

committee asked for an update to the next committee meeting. Members were invited to give feedback and thoughts on this by email to the Director, Public Liaison.

Action : Members and Director, Public Liaison

5 Meeting review

- (a) To review the issues raised and any financial, reputation or other risks that these issues pose to the organisation.

Members were reassured that risk was mitigated by the new database installation but that reputation would be risked if four audits were not completed in time.

- (b) To discuss future agenda items and committee work plan.

It was agreed not to add any further items other than those agreed in today's meeting, and that these should be properly planned and included in secretariat work plans.

[end]