

# **AGENDA ITEM NO: 5**

## **WEST YORKSHIRE PASSENGER TRANSPORT AUTHORITY**

### **AT A MEETING OF THE APPOINTED MEMBERS HELD IN WELLINGTON HOUSE ON THURSDAY 14 JULY 2005**

**PRESENT:** Councillor K Hussain (Chair)

Councillors M Lyons and G Wainwright

#### **1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor J S King.

#### **2. DECLARATIONS OF INTEREST**

There were no personal or prejudicial interests declared by Members at the meeting.

#### **3. THEFT OF PTA MONIES**

Consideration was given to a report of the Clerk seeking authority to recover missing sums, which were believed to have been stolen from the Authority's bank account, including commencing proceedings without delay to obtain a Court Order to freeze the assets of the officer concerned.

It was noted that the police have powers to obtain a restraint order which would have a similar effect to the freezing order, but the Appointed Members were concerned that this might give rise to delays and the Authority would not have any control over the proceedings.

It was also reported that it was a requirement of the application that the applicant had to give an undertaking that in the event that the injunction against the defendant was not substantial and the defendant suffered loss as a consequence, the applicant would indemnify the defendant against such a loss.

The Appointed Members were told that a full investigation into the fraud had already commenced comprising Internal Auditors of the Authority and Leeds City Council and the Audit Commission and it was suggested that a meeting involving the PTA's three main party leaders be convened

to consider the investigatory team's findings and recommendations prior to a report being submitted to a full meeting of the Authority.

**RESOLVED** - That the Clerk to the Authority be authorised to commence High Court proceedings to obtain a freezing order and to give the undertaking as outlined in the submitted report.