

**Date: 6 October 2021**

**Item: Use of Delegated Authority**

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**This paper will be considered in public**

**1 Summary**

- 1.1 The use of delegated authority is a standing item on the agenda to inform the Committee of any use of delegated authority by the Committee, through Chair's Action or of Procurement or Land Authority (in respect of matters within the Committee's remit) granted by the Commissioner and the Chief Finance Officer in accordance with delegated authorities under TfL's Standing Orders since the last meeting of the Committee. The paper also provides information on Mayoral Directions to TfL within the Committee's remit.
- 1.2 Since the meeting of the Committee on 23 June 2021, there has been:
- (a) one use of Chair's Action in relation to amendments to advertising concessions;
  - (b) no use of authority delegated by the Board;
  - (c) three uses of Procurement Authority granted by the Commissioner or the Chief Finance Officer but no use of Land Authority; and
  - (d) one Mayoral Direction to TfL, in relation to implementing further financial support fund for Seven Sisters Market traders (MD2868, 31 August 2021).
- 1.3 A similar paper is submitted to the Programmes and Investment Committee in respect of any use of Chair's Action or Procurement Authority and Programme and Project Authority granted by the Commissioner and the Chief Finance Officer in respect of matters within that Committee's remit, together with relevant Mayoral Directions.

**2 Recommendation**

- 2.1 **The Committee is asked to note the paper.**

**3 Use of Authority Delegated by the Board**

- 3.1 There has been no use of authority delegated by the Board since the meeting on 23 June 2021.

## **4 Use of Chair's Action**

- 4.1 Under Standing Order 113, in situations of urgency, the Board delegates to each of the Chair and the Chairs of any Committee or Panel the exercise of any functions of TfL on its behalf, including the appointment of Members to Committees and Panels. Any use of Chair's Action is reported to the next ordinary meeting.
- 4.2 There has been one use of Chair's Action since the meeting on 23 June 2021.

### **Proposed Amendments to Advertising Concessions**

- 4.3 Members of the Committee considered a paper which provided an overview of the impacts of the coronavirus pandemic and the delayed opening of the Elizabeth line on both the advertising industry and on TfL's income from commercial advertising sales.
- 4.4 On 25 July 2021, the Vice-Chair of the Committee, following consultation with available Members of the Board, approved the Procurement Authority required to vary the level of income due to TfL under its two main advertising contracts:
- (a) the Advertising Partnership Agreement with Global which covers all Rail and Underground advertising; and
  - (b) the Bus Shelter advertising concession with JCDecaux.
- 4.5 The use of Chair's Action was considered appropriate as a decision was required before this meeting of the Committee to enable TfL to focus on rebuilding its commercial media revenue streams.
- 4.6 Further information is included in the Chair's Action paper published on [tfl.gov.uk](http://tfl.gov.uk). The supplementary appendix remains exempt from publication by virtue of paragraphs 3 and 5 of Schedule 12A of the Local Government Act 1972 in that it contains information relating to the business affairs of TfL and is legally privileged.

## **5 Procurement and Land Authority Approvals**

- 5.1 Procurement Authority is the authority to make a binding or contractual commitment with a supplier for the purchase of goods, services, land or works or to receive income arising from TfL Group activities in the areas of goods, services land or works.
- 5.2 Land Authority is the authority to engage in a Land Transaction or to dispose of any assets.
- 5.3 The Board had delegated to the Committee approval of unlimited Procurement Authority and Land Authority in relation to Transactions and Commercial Development opportunities. The approvals delegated to the

Commissioner and the Chief Finance Officer are set out in the Table of Authorities in Standing Order 169.

- 5.4 Since the last meeting, there has been no use of delegated authority to approve Land Authority by the Commissioner and the Chief Finance Officer.
- 5.5 The Commissioner granted Procurement Authority relating to the Speed Awareness Course for drivers who commit speed offences in London and an uplift in Security Services funding.
- 5.6 The Chief Finance Officer granted Procurement Authority relating to Retained Insurance Services for Standalone Construction Projects.

## **6 Mayoral Directions to TfL**

- 6.1 The Greater London Authority Act 1999 (as amended), permits the Mayor to issue to TfL general directions as to the manner in which TfL is to exercise its functions or specific directions as to the exercise of its functions (or not to exercise a power specified in the direction). Directions are also often made in relation to the implementation of matters in respect of which the Mayor delegates statutory powers to TfL.
- 6.2 The Mayor makes Mayoral Directions through Mayoral Decisions. Papers for Mayoral Directions set out the financial and other implications. If those implications change over time, that will be reported to the GLA.
- 6.3 All Mayoral Decisions are issued in writing, with the information that is not exempt from publication included on the GLA's Decisions Database on its website: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/decisions?order=DESC>.
- 6.4 Mayoral Directions fall into three broad categories: those addressing technical issues relating to statutory powers; those related to commercial development activities; and those related to projects and programmes. Mayoral Directions relating to TfL are reported to the Board's Committees for discussion as soon as possible after they are received by TfL or published. Regular reports will list the relevant Directions for as long as they are applicable.
- 6.5 Annually the Audit and Assurance Committee considers the list as part of its consideration of the annual audit plan to ensure that appropriate audit resource is applied to assurance on TfL's work in implementing Mayoral Directions. This will also be kept under review at each quarterly meeting of that Committee.
- 6.6 A summary of current Mayoral Directions to TfL is maintained on the "How we are governed" page on our website, with links to the relevant Mayoral Decisions: <https://tfl.gov.uk/corporate/about-tfl/how-we-work/how-we-are-governed>. That page will be updated as and when further Directions are made.

- 6.7 Mayoral Directions to TfL addressing technical issues with our statutory powers or related to our commercial development activities are reported to this Committee.
- 6.8 There has been one Direction issued to TfL since the last meeting, which was reported to the Audit and Assurance Committee on 15 September 2021 and will also be reported to the meeting of the Board on 20 October 2021.

#### **Financial support fund for Seven Sisters Market traders MD2868**

- 6.9 On 30 November 2020 (MD2724), the Mayor directed TfL to provide direct financial assistance of up to £500,000 to the traders from Seven Sisters Market. The financial support was intended to see the traders through a transition period between the closure of the TfL owned building that housed the market and the provision of a temporary market at Apex Gardens in 2021 (reported to the Board on 9 December 2020, this Committee on 10 March 2021 and the Audit and Assurance Committee on 17 March 2021).
- 6.10 On 5 August 2021, Grainger withdrew from the Seven Sisters regeneration project, including the installation of a temporary market at Apex Gardens. Although TfL is progressing plans for a separate temporary market, traders face a further period where they are unable to trade. On 31 August 2021, the Mayor directed TfL to provide further financial support across all traders up to £500,000.

#### **List of appendices to this report:**

None.

#### **List of Background Papers:**

Minutes from previous meetings of the Committee.

Chair's Actions paper: Proposed Amendment to Advertising Concessions (issued 22 July, approved 25 July 2021)

Greater London Authority Decision Making Database.

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