

Date: **2 March 2022**

Title: **Use of Delegated Authority**

This paper will be considered in public

1 Summary

- 1.1 This 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 Authority and Programme and Project 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 last meeting of the Committee, on 15 December 2021, there have been:
 - (a) no uses of specific authority delegated by the Board;
 - (b) two uses of Chair's Action in relation to the approval of authority requests submitted to the meeting of the Committee on 15 December 2021 and the Elephant and Castle Station Capacity Upgrade project;
 - (c) no approval of Project and Procurement Authority by the Chief Finance Officer;
 - (d) one approval of Procurement Authority by the Commissioner, relating to Cycle Hire – Bike Maintenance and Supply Contract Extension;
 - (e) four approvals of Procurement Authority by the Chief Finance Officer, relating to: Stops and Shelters, Advertising Shelters Assets – Advertising Panel LED Replacement; Lot 1 of Media Planning and Buying Services from Wavemaker; Maintenance of Platform Edge Doors (PED) on the Jubilee line with Knorr-Bremse Rail Systems (UK) Limited; and Jubilee line Heavy Overhaul Programme Lifts Components – Alstom and the Overhaul of Jubilee line – Line Contactors; and
 - (f) no Mayoral Directions within the Committee's remit.
- 1.3 A similar report is submitted to the Finance Committee in respect of the use of Chair's Action and of Procurement Authority and Land Authority granted by the Commissioner and the Chief Finance Officer in respect of matters within the Finance 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 have been no uses of authority delegated by the Board since the last meeting of the Committee.

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 have been two uses of Chair's Action since the last meeting of the Committee:

Approval of Authority Requests at the Meeting of the Committee on 15 December 2021

- 4.3 Owing to changes in Government guidance to manage the coronavirus pandemic, Members of the Committee were not able to meet in person. The meeting was held entirely on Microsoft Teams, following which the Chair exercised Chair's Action to approve the recommendations in the papers, as published on the TfL website. The minutes of the meeting are elsewhere on the agenda.

Elephant and Castle Station Capacity Upgrade project

- 4.4 On 16 December 2021, the Committee was sent a paper that provided an update on the Elephant and Castle Station Capacity Upgrade project, which sought the use of Chair's Action to approve related authority requests. The use of Chair's Action was considered appropriate as the proposed Development Agreement had to be in place for the station project to commence in line with the wider development which formed part of the Elephant and Castle regeneration programme.
- 4.5 On 17 December 2021, the Chair of the Committee, following consultation with Members, approved additional Financial Authority for the project and approved TfL and London Underground entering into a Development Agreement relating to the design and construction of a new subterranean statin box and associated interfaces at Elephant and Castle. He also granted Land Authority to enter into the land transactions pursuant to the Development Agreement. The paper has been published on the [TfL website](#) but the appendix remains exempt from publication.

5 Programme and Project Authority Approvals

- 5.1 To enable an appropriate level of governance, processes are in place for the authorisation, control and reporting of projects.
- 5.2 Programme and Project Authority will normally be granted by the Committee for all programmes and projects as part of the defined Programmes within the overall Investment Programme. Where individual programmes or projects have a value in excess of £50m and have not already received full approval as part of a Programme, requests will be submitted to the Committee for consideration. Those programmes and projects with an estimated final cost of £50m or below, which have been approved by the Commissioner or the Chief Finance Officer, will be reported to subsequent meetings of the Committee.
- 5.3 Where the main contract has not yet been awarded, the Financial Authority and Estimated Final Cost may not be stated because they are commercially confidential.

Approvals by the Commissioner

- 5.4 Since the last meeting of the Committee, the Commissioner has not approved any Programme and Project Authority requests within the Committee's remit.

Approvals by the Chief Finance Officer

- 5.5 Since the last meeting of the Committee, the Chief Finance Officer has not approved any Programme and Project Authority requests within the Committee's remit

6 Procurement Approvals

Approvals by the Commissioner

- 6.1 Since the last meeting of the Committee, the Commissioner has approved one Procurement Authority request in respect of matters within the Committee's remit, relating to the Cycle Hire – Bike Maintenance and Supply Contract Extension.

Approvals by the Chief Finance Officer

- 6.2 Since the last meeting of the Committee, the Chief Finance Officer has approved four Procurement Authority requests in respect of matters within the Committee's remit. These related to: Stops and Shelters, Advertising Shelters Assets – Advertising Panel LED Replacement; Lot 1 of Media Planning and Buying Services from Wavemaker; Maintenance of Platform Edge Doors on the Jubilee line with Knorr-Bremse Rail Systems (UK) Limited; and Jubilee line Heavy Overhaul Programme Lifts Components – Alstom and the Overhaul of Jubilee line – Line Contactors.

7 Mayoral Directions to TfL

- 7.1 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.

- 7.2 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 Greater London Authority (GLA).
- 7.3 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>.
- 7.4 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.
- 7.5 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.
- 7.6 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. That page will be updated as and when further Directions are made.
- 7.7 Mayoral Directions to TfL related to projects and programmes are reported to this Committee. There have been no Mayoral Directions to TfL within the Committee's remit since the last meeting.

List of appendices to this report:

None

List of Background Papers:

None

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