

Date: 23 March 2023

Item: Matters Arising, Actions List and Use of Delegated Authority

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. The paper also reports on progress against actions from previous meetings.
- 1.2 Since the meeting of the Committee on 16 January 2023, there has been: one use of Chair's Action in relation to the Commercial Office Investment Programme Joint Venture; and one use of Procurement Authority by the Commissioner in relation to the Bollo Lane development.
- 1.3 There have been no other uses of authority nor any Mayoral Directions to TfL within the remit of the Committee.
- 1.4 Similar papers are submitted to the Finance Committee and the Programmes and Investment Committee in respect of any use of Chair's Action or Procurement Authority, Programme and Project Authority and Land Authority granted by the Commissioner and the Chief Finance Officer in respect of matters within the remit of those Committees, 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 last meeting.

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 last meeting.

Commercial Office Investment Portfolio Joint Venture

- 4.3 On 16 January 2023, the Committee considered an item on the Commercial Office Investment Portfolio Joint Venture. A decision was deferred until the procurement process was further advanced and additional information was available.
- 4.4 On 9 March 2023, Members were asked to approve TTL Properties Limited (TTLP) investing in a joint venture to create a growing long-term income stream from a portfolio of high-quality, commercial office assets with best-in-class environmental and wellbeing credentials located near central London transport interchanges. This joint venture is a core element of TTLP's Investment Strategy. As well as long-term income and financial returns that can be reinvested across the portfolio, it will provide investment diversification and will enhance TTLP's environmental sustainability performance and credentials.
- 4.5 On 14 March 2023, the Chair, in consultation with Members, noted the paper and the exempt supplementary information provided in the exempt appendix and approved:
- (a) unbudgeted Financial Authority, and Land Authority, in the sums set out in the exempt appendix for the transaction as described in the paper (the Transaction); and
 - (b) the formation of a wholly owned subsidiary company or the use of an existing, unused subsidiary company for the purposes of entering into the contractual agreements relating to the Transaction.
- 4.6 The use of Chair's Action was considered appropriate as a decision was required ahead of this meeting. The public paper relating to this request has been published on tfl.gov.uk. The information in the appendix to that paper remains exempt from publication.

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 Financial Authority, 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 170.
- 5.4 Since the last meeting, there has been one use of delegated authority to approve Procurement Authority by the Commissioner. Following approval by the Committee on 16 January 2023 in relation to the Bollo Lane and West London Development Joint Venture, the Commissioner approved Procurement Authority for the Bollo Lane Development Contract Award at £68.3m (£51.2m of this authority is for income, with £17.1m of expenditure).

6 Mayoral Directions to TfL

- 6.1 The Greater London Authority (GLA) 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 are reported to this Committee.
- 6.8 There have been no Directions issued to TfL within the remit of the Committee since the last meeting.

List of appendices to this report:

Appendix 1: Actions List.

List of Background Papers:

Minutes from the previous meeting of the Committee.
Greater London Authority Decision Making Database.

Contact Officer: Howard Carter, General Counsel
Email: HowardCarter@tfl.gov.uk

Land and Property Committee Actions List (to be reported to the meeting on 23 March 2023)

Actions from the meeting held on 16 January 2023

Minute No.	Item/Description	Action By	Target Date	Status/Note
05/01/23 (1)	<p>TTL Properties Limited Quarterly Performance Report: Map</p> <p>Members requested that the next iteration include slides on health and safety performance, cash flow and a map showing the location of major projects.</p>	Graeme Craig	March 2023	Completed. A map has been included in the latest and future reports.
05/01/23 (2)	<p>TTL Properties Limited Quarterly Performance Report: Market context</p> <p>Members would receive a briefing on market context ahead of the Committee's meeting on 23 March 2023.</p>	Graeme Craig	March 2023	Completed. A briefing is scheduled to be held ahead of this meeting.
05/01/23 (3)	<p>TTL Properties Limited Quarterly Performance Report: Site visit</p> <p>A site visit would be arranged to see the work of the Arches team in Kilburn and to see the work on the existing estate at Whitechapel and Victoria.</p>	Graeme Craig	April/May 2023	Site visit to be scheduled.

09/01/23	Bollo Lane and West London Development Joint Venture: Briefing on Joint Ventures A briefing would be provided to Members on how Joint Venture companies operated, so that they understood how the Committee had oversight of investment decisions and performance and how operational assets were protected.	Graeme Craig	March 2023	Completed. A briefing is scheduled to be held ahead of this meeting.
-----------------	--	--------------	------------	---

There are no outstanding actions from previous meetings.