

**Board**



**Date: 29 March 2023**

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

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## **This paper will be considered in public**

### **1 Summary**

- 1.1 This paper informs the Board of any use of Chair's Action or authority delegated by the Board, any Mayoral Directions to TfL and progress against actions agreed at previous meetings, since the last meeting of the Board on 1 February 2023.
- 1.2 There have been no uses of Chair's Action, nor any other use of specific authority delegated by the Board to Committees.
- 1.3 The paper requests a delegation of authority to the General Counsel to make changes to Standing Orders, in due course, to reflect the close out of the Crossrail project and standing down of the Elizabeth Line Committee.
- 1.4 There have been two Mayoral Directions issued to TfL since the last meeting, relating to Low-Paid Transport Workers' Concession Scheme (MD3079) and March 2023 fare changes (MD3104).
- 1.5 Appendix 1 sets out the progress against actions agreed at previous meetings.

### **2 Recommendation**

- 2.1 **The Board is asked to note the paper and:**
  - (a) **note the change to the Commissioner Appointment Panel;**
  - (b) **authorise the General Counsel, in due course, to make any amendments to Standing Orders and the Terms of Reference of the Committees and Panels necessary to reflect the close out of the Crossrail project and standing down of the Elizabeth Line Committee, as outlined in the paper; and**
  - (c) **note the actions list, set out in Appendix 1 of the paper.**

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

- 3.1 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. Any use of Chair's Action is reported to the

next ordinary meeting. The Board on occasion will also make specific delegations to its Committees which, when exercised, are reported to the next ordinary meeting of the Board, as well as the next meeting of the relevant Committee.

3.2 There has been no use of Chair's Action since the last meeting.

## **4 Use of Delegated Authority**

4.1 There has been no use of authority relating to matters reserved to the Board.

### **Appointment of a Permanent Commissioner of Transport**

4.2 At its meeting on 1 February 2023, the Board delegated authority to the Chair of TfL to approve the permanent appointment of the successful candidate, in consultation with the Appointment Panel, to ensure a timely appointment.

4.3 Since that meeting, Professor Greg Clark CBE has stood down as a member of the Appointment Panel, due to other work commitments, and Peter Strachan has joined the Panel. The Appointment Panel now comprises Seb Dance, as its Chair, and Members Anne McMeel, Dr Mee Ling Ng OBE, Marie Pye and Peter Strachan.

4.4 Members are being kept informed of the progress of the recruitment campaign and the Remuneration Committee has had an informal discussion on the proposition for the remuneration of the role.

4.5 At the appropriate time, the Appointment Panel will review the list of candidates and approve a shortlist of those that it will interview for the role. The Remuneration Committee has agreed the remuneration parameters for the role through Chair's Action.

### **Close out of the Crossrail Project and Elizabeth Line Committee**

4.6 Since November 2016, the Board has received regular standalone reports on the progress of the Crossrail project, which as the project progressed and the Elizabeth line entered operational service in May 2022 have focussed on the performance of the line and the completion of the outstanding phases of the project.

4.7 On 1 October 2020, the responsibility for the Crossrail project moved to sit directly with TfL to ensure that decision making was seamless and fully aligned during the critical final phases of the project as the operational testing was undertaken and the remaining parts of the railway were completed and transferred to our operational teams. The governance transition plans were approved by the Board and Department for Transport Ministers and included the establishment of a special purpose committee, the Elizabeth Line Committee, to simplify decision making and provide assurance and oversight for the Board on the completion and close out of the Crossrail project and the opening of the Elizabeth line.

- 4.8 The final phase of the Elizabeth line into a fully integrated railway and the full transition of the Crossrail project into TfL are on track to be completed by the end of May 2023. As part of that transition, it is proposed that reporting on all aspects of the Elizabeth line revert to business-as-usual processes through the existing Committees and Panels.
- 4.9 The Commissioner's Report to the meeting of the Board in June 2023 will provide an update on the final integration of the railway. Future updates to the Board on safety, operational performance, contracts, future investment and assurance will be reported through the Commissioner's Report to the Board and through the Committee and Panel structure as with other TfL projects and services.
- 4.10 The Elizabeth Line Committee is scheduled to meet in May 2023, shortly before the final phase of the line is completed. It is proposed that its final meeting will be in July 2023, where it will receive reports on the evaluation of the business case for the project, Crossrail complaints and a detailed update on ridership.
- 4.11 The completion of the project and standing down the Elizabeth Line Committee will require changes to Standing Orders in due course to remove references to the Crossrail project and the Elizabeth Line Committee. These changes will include the general delegations in relation to the Crossrail project, references to the project and to the Elizabeth Line Committee and the deletion of the Elizabeth Line Committee in the Terms of Reference of Committees and Panels document and the transfer of any residual authorities to the relevant Committee.

## **5 Mayoral Directions to TfL**

- 5.1 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.
- 5.2 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.
- 5.3 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>.
- 5.4 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.

- 5.5 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.
- 5.6 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.
- 5.7 There have been two Mayoral Direction issued to TfL since the last meeting, which have been reported to the Finance Committee and the Audit and Assurance Committee:

(a) **Low-Paid Transport Workers' Concession Scheme (MD3079)**

The Mayor directed TfL to introduce, implement and administer the Low-Paid Transport Workers' Concession Scheme as soon as practicable from April 2023. The travel concession will provide free travel on public passenger transport services on the TfL network to employees of TfL's directly contracted suppliers who are paid no more than 10 per cent above the London Living Wage, as well as to workers employed on this same level of pay by TfL's contracted public transport operators in cleaning roles dedicated to TfL's services.

(b) **March 2023 Fare Changes (MD3104 – replacing MD3083)**

The funding settlement with Government, dated 30 August 2022, assumed that the Mayor would increase fares for 2023/24 in line with increases in National Rail fares and provided that, if he did not do this, this would affect TfL's funding. Government decided to increase National Rail fares by 5.9 per cent for 2023/24. The Mayor approved an overall average increase on TfL fares under his control of 5.9 per cent.

The Mayor directed TfL to implement the fare changes from 5 March 2023.

The original Mayoral Direction, MD3083, was replaced with MD3104 to correct administrative errors in the original Direction, which had resulted in some fares being stated incorrectly. The corrections did not change the overall average increase in fares.

## 6 Actions List

- 6.1 Appendix 1 sets out the progress against actions agreed at previous meetings.

**List of appendices to this report:**

Appendix 1: Actions List

**List of Background Papers:**

Minutes from previous meetings.

Standing Orders and Terms of Reference of Committees and Panels

Greater London Authority Decision Making Database.

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