

Date: 21 June 2023

Item: 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 Financial Authority (unbudgeted), 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 8 March 2023, there has been:
- (a) one use of Chair's Action, in relation to the award of the Mechanical and Electrical Maintenance Services Contract Extension;
 - (b) four uses of Procurement Authority by the Commissioner; and
 - (c) one Mayoral Direction to TfL relating to: Further financial support fund for Seven Sisters Market traders (MD3097).
- 1.3 Similar papers are submitted to the Land and Property Committee and 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 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.

Mechanical and Electrical Maintenance Services Contract Extension

- 4.3 On 1 June 2023, the Committee was asked to consider a request to approve additional Procurement Authority for the award of a contract extension.
- 4.4 On 5 June 2023, the Chair of the Committee, in consultation with available Members, granted additional Procurement Authority, in the sum set out in the exempt appendix, for the extension of the contract for the supply of mechanical and electrical maintenance services across the TfL estate.
- 4.5 The use of Chair's Action was considered appropriate as a decision was required ahead of this meeting, due to the contract expiring on 24 June 2023 and to allow time for the signing and sealing of the Deed of Variation.
- 4.6 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 Authority Approvals

- 5.1 Financial Authority is the authority to spend money, receive income, incur a financial liability or redistribute funds to relevant third parties in respect of their respective allocated budgets. Financial Authority is automatically granted to the extent that an activity or Programme or Project is 'budgeted'. This paper reports on any use of unbudgeted Financial Authority.
- 5.2 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.
- 5.3 Land Authority is the authority to engage in a Land Transaction or to dispose of any assets. Use of Land Authority related to TTL Properties Limited will be reported to the Land and Property Committee.
- 5.4 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.
- 5.5 Since the last meeting, the following use of delegated authority has been exercised.

Procurement Authority Commissioner:

- (a) Microsoft Retender Contract Award Contact Centre Outsourced Services (various suppliers);
- (b) Project Hina, Phase 2, with Cubic Transport Systems, variation;
- (c) Signalling System, Maintenance Support Contract Elizabeth line, with Siemens Mobility Limited, variation; and
- (d) Service Evolution to ICT12804 Core Support Services with Computacentre, variation.

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 has been one Direction issued to TfL since the last report, which has also been reported to the Board on 29 March and the Audit and Assurance Committee on 5 June 2023.

(a) **Further financial support fund for Seven Sisters Market traders**
(MD3097 23/03/23)

Seven Sisters Market is an indoor market consisting of 38 traders and plays a vital role in London's Latin American community as a specialist, culturally specific amenity. The market was housed in a TfL owned building that had to close. As the traders were unable to trade, MD2724 directed TfL to provide financial assistance to traders until a temporary market opened at Apex Gardens as part of the Seven Sisters regeneration project. The developer withdrew from the regeneration project and MD2868 directed TfL to provide further financial support while TfL progressed new plans. MD3097 directed TfL to provide further financial support across all traders as they are unable to trade until a temporary market opens.

List of appendices to this report:

None

List of Background Papers:

Minutes from previous meetings of the Committee.

Chair's Action paper on Mechanical and Electrical Maintenance Services Contract, issued on 1 June 2023.

Greater London Authority Decision Making Database.

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