

Board



Date: 18 October 2023

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

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 25 June 2023.
- 1.2 There has been no use of Chair's Action, nor any other use of specific authority delegated by the Board to Committees.
- 1.3 There has been one Mayoral Direction issued to TfL since the last meeting in relation to the implementation and operation of the 18-25 Care Leavers' Discounted Travel Concession Scheme (MD3173).
- 1.4 At the last meeting, the Board delegated authority to the Commissioner, in consultation with the Deputy Chair of TfL, to agree the interim arrangements for the role of General Counsel. It was subsequently agreed to appoint Andrea Clarke as the interim General Counsel for 12 months while a recruitment exercise was undertaken.
- 1.5 Appendix 1 sets out the progress against actions agreed at previous meetings.

2 Recommendations

- 2.1 **The Board is asked to note the paper and note:**
 - (a) **the appointment of Andrea Clarke as the interim General Counsel, under the authority delegated by the Board on 25 July 2023 to the Commissioner in consultation with the Deputy Chair of TfL; and**
 - (b) **the actions list, set out in Appendix 1 of the paper.**

3 Use of Chair's Action

- 3.1 Under Standing Order 112, 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 specific authority delegated by the Board to Committees since the last meeting.

5 General Counsel Interim Arrangements

- 5.1 Under Standing Order 100(c)(iii), the appointment or removal of the General Counsel is a matter reserved to the Board.
- 5.2 At the meeting of the Board on 25 July 2023, the Board delegated authority to the Commissioner, in consultation with the Deputy Chair of TfL, Seb Dance, to approve the interim arrangements for the role of General Counsel due to the retirement of Howard Carter.
- 5.3 On 27 July 2023, the Commissioner announced the appointment of Andrea Clarke, TfL's Director of Legal, as the interim General Counsel from 25 September 2023 for 12 months, and that a recruitment process for the permanent General Counsel role would be carried out within that time.
- 5.4 It was also announced that the Licensing and Regulation team within General Counsel would in future report to the Chief Operating Officer.
- 5.5 On 25 July 2023, the Board also delegated authority to the Deputy Chair of TfL, in consultation with an Appointment Panel selected and Chaired by the Deputy Chair, to approve the future appointment of a permanent General Counsel.

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 There has been one Mayoral Direction issued to TfL since the last meeting.

18-25 Care Leavers' Discounted Travel Concession Scheme ([MD3173](#) 6 October 2023)

The Mayor directed TfL to implement and operate the 18-25 Care Leavers' Discounted Travel Concession Scheme for those meeting the eligibility criteria as soon as practicable before the end of February 2024. This will provide London care leavers aged 18-25 with half-price adult fares on the TfL bus and tram network. The travel concession will extend to pay-as-you-go tickets and Bus & Tram Pass season tickets. TfL will fund the development and ongoing costs of this new concession from its existing budgets, including utilising previous financial support for Mayoral ticketing priorities which have already been provided by the GLA.

7 Actions List

- 7.1 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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