

The Mayor of London
City Hall
The Queen's Walk
London
SE1 2AA

3 July 2017

Dear Mayor Khan,

I'm following up on my letter dated 19th June.

As I said in that letter, we are wholly sensitive to the current priorities, but just for once the issue relating to the Garden Bridge is binary: with your support, we believe that we can see a way ahead to build it; without it we do not believe that it is either practical or right to proceed.

Since your announcement on 28 April we have also, inevitably, received enquiries from donors, other supporters and the public as to the status of the project, and we do now need to be clear about that.

As discussed with your Chief of Staff, the potential guarantor is the Government. They also ask, however, whether the project has your support, and an answer to that question is a pre-requisite to more detailed discussions with them.

There will still be details to work out, and that will include revised plans to take account of the further delay in seeking an alternative guarantor subsequent to your decision not to confirm the GLA in that role. Re-making those plans, does, however, have a cost, and that is a cost that cannot be justified if we cannot break into the loop of Government and the GLA both asking the Trust to seek assurance about the position of each other.

At this stage, therefore, we just need to know whether, subject to Government stepping in as guarantor, and the Trust tabling revised detailed plans for execution (including the readiness of Lambeth, Westminster, the PLA and Coin Street to act as required – in respect of which we ask only for an early re-run of the meeting convened by David Bellamy back in April), the Garden Bridge project will then receive your whole-hearted support.

Recognising how busy you will be, and having received no reply to my earlier letter, I think we now have to put this on a default basis and say that if we haven't heard from you in response to that letter by this Friday, 7 July, then we must assume that the bridge does not have your support and we will implement plans for drawing the project to a close and for the communications necessarily associated with that.

Alternatively, or as well, I would repeat that I'm available to meet with you at almost any time to discuss the future of this project, which my fellow Trustees and I will always remain convinced would be (or would have been) a real and lasting asset to a city that is open to all.

Yours sincerely



Lord Davies of Abersoch
Chairman of the Garden Bridge Trust

Cc Rt Hon Chris Grayling MP, Secretary of State for Transport

MAYOR OF LONDON

Lord Davies of Abersoch CBE

Chair
Garden Bridge Trust
Somerset House
Strand
London WC2R 1LA

Our ref: MGLA270617-7958

Date: 13 JUL 2017

Dear Lord Davies,

Thank you for your recent letter. I am sorry that I have not been able to reply within the timeframe you requested, but as you mentioned in your first letter I have had to focus my time on the consequences of the terrible events at Grenfell Tower and Finsbury Park.

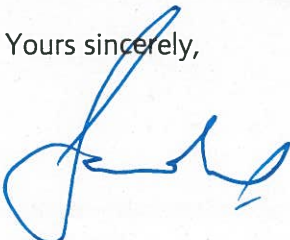
I have been supportive of the Garden Bridge project both for the benefits it could bring and because the taxpayer would be better off with it completed than if it was not built. Equally, I have been clear that I will not agree to spending any more of London taxpayers' money that I am responsible for on the Garden Bridge project, and that the provision of guarantees for the operating and maintenance costs of the bridge would place an unacceptable financial risk on the GLA.

I remain committed to that consistent position. Clearly, for the Trust to continue with the project, you would need to secure financial support and structure your arrangements so that there is no risk of additional financial support being required from the GLA Group in any circumstances at any time in the future. This includes your proposed guarantor being to the satisfaction of the local authorities and the Port of London Authority.

As you are aware, my officials have devoted significant time over the last year to supporting the Trust in attempting to obtain the necessary agreement with Coin Street Community Builders (CSCB), and their related agreement with Lambeth Council. This follows from the, doubtless considerable, efforts made under the previous Mayor.

CSCB, Lambeth Council and Westminster City Council are sovereign bodies with their own democratic mandates from local residents. I am satisfied that they understand my position and are able to work directly with the Trust without assistance from my officials.

Yours sincerely,



Sadiq Khan
Mayor of London

Paul Robinson

From: Bee Emmott [REDACTED]@gardenbridge.london>
Sent: 08 August 2017 15:28
To: Information Governance
Subject: Re: MGLA250717-1753 FOI request

Categories: Blue Category

No that's fine Paul
Many thanks for checking.
Bee

Bee Emmott
Executive Director
Garden Bridge Trust
[REDACTED]

On 8 Aug 2017, at 15:25, Information Governance [REDACTED]@london.gov.uk> wrote:

Hi Bee

Just checking whether we need to wait whilst you seek feedback at GBT on these?

Thanks

Paul

From: Paul Robinson
Sent: 02 August 2017 09:25
To: [REDACTED]@gardenbridge.london
Cc: Information Governance [REDACTED]@london.gov.uk>
Subject: MGLA250717-1753 FOI request

Hi Bee

We have had another FOI request for correspondence (copied below). We have the attached comms caught by the request and just need to know if disclosure presents any concerns with GBT?

Many thanks

Paul

Paul Robinson
Information Governance Officer
Governance & Performance
GREATER LONDON AUTHORITY
Direct Tel: 020 7983 [REDACTED]

Under the FOI Act, please send me all written correspondence between mayor Sadiq Khan and the following individuals on the subject of the Garden Bridge from April 1st 2017 to the present date.

- Boris Johnson
- Joanna Lumley
- Sarah Sands
- Evgeny Lebedev

- Thomas Heatherwick
- Paul Morrell
- Bee Emmott
- Mervyn Davies
- Peter Hendy
- Richard de Cani
- George Osborne
- Lib Peck
- Scott Rice
- Iain Tuckett
- Richard Rogers

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<From Lord Abersoch 8 May 2017.pdf>

<From Lord Abersoch 19 June 2017.pdf>

<From Lord Abersoch 26 May 2017.pdf>

<To Lord Davies of Abersoch 13 July 2017.pdf>

<To Lord Davies of Abersoch 28 April 2017.pdf>

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Paul Robinson

From: Paul Robinson
Sent: 09 August 2017 09:52
To: [REDACTED] - TfL [REDACTED]@tfl.gov.uk'; [REDACTED] [REDACTED]@tfl.gov.uk'
Cc: Information Governance
Subject: MGLA250717-1753 Garden Bridge communications
Attachments: MGLA250717-1753 [REDACTED]; 1753 - attachement.pdf

Hi Both

This response will be going out today. Do you need to see any of the outgoing Garden Bridge responses now?

Thanks

Paul

Paul Robinson

Information Governance Officer

Governance & Performance

GREATERLONDONAUTHORITY

Direct Tel: 020 7983 [REDACTED]

Paul Robinson

From: [REDACTED]@gardenbridge.london>
Sent: 10 August 2017 11:30
To: Information Governance
Cc: [REDACTED]
Subject: RE: Garden Bridge Review Interview Transcript

Great many thanks Paul

From: Information Governance [mailto:[REDACTED]@london.gov.uk]
Sent: 10 August 2017 11:09
To: [REDACTED]@gardenbridge.london>; Information Governance <[REDACTED]@london.gov.uk>
Cc: [REDACTED]@london.gov.uk>; [REDACTED]@london.gov.uk>
Subject: RE: Garden Bridge Review Interview Transcript

Thanks [REDACTED], we are still in the process of administering the request

[REDACTED] – to note

Thanks

Paul

From: [REDACTED]@gardenbridge.london]
Sent: 10 August 2017 10:42
To: Information Governance <[REDACTED]@london.gov.uk>
Cc: [REDACTED]@london.gov.uk>
Subject: FW: Garden Bridge Review Interview Transcript

Dear team,

Further to my email below, in [REDACTED] absence, could someone from your department please ensure this is picked up and actioned. Could you also confirm you have received this email?

Best wishes

[REDACTED]

From: [REDACTED]
Sent: 10 August 2017 10:31
To: [REDACTED]@london.gov.uk>
Cc: [REDACTED]@gardenbridge.london>
Subject: RE: Garden Bridge Review Interview Transcript

Hello [REDACTED]

Many thanks for your email.

Joanna Lumley has now reviewed the transcript and has requested for the following to be redacted prior to being published.

1. Redact [REDACTED] name as Joanna was told this in complete confidence and this should not be made public.
2. Redact [REDACTED]

Many thanks and best wishes

[REDACTED]
Team Administrator, Garden Bridge Trust
Somerset House, Strand, London, WC2R 1LA

Tel: [REDACTED]
Email: [REDACTED]@gardenbridge.london
w: www.gardenbridge.london

Are you one of the 80% of Londoners who want the Garden Bridge? If so, please send your message of support [here](#).

From: [REDACTED]@london.gov.uk]
Sent: 02 August 2017 17:22
To: Bee Emmott [REDACTED]@gardenbridge.london>
Cc: [REDACTED]@gardenbridge.london>
Subject: Garden Bridge Review Interview Transcript
Importance: High



Good afternoon Bee.

Please can I draw your attention to the attached letter concerning the transcript of your interview alongside Joanna Lumley with Dame Margaret Hodge as part of the Garden Bridge Review.

I have copied in [REDACTED] who I understand will be able to help provide Joanna with her copy of the same letter and the transcript on our behalf.

Please let me know if you have any questions and I will be happy to help where I can.

Regards,



Information Governance Manager

Greater London Authority

City Hall | The Queen's Walk | London | SE1 2AA

Tel: 0207 983 [redacted]

Mob: [redacted]

Email: [redacted]@london.gov.uk

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Paul Robinson

From: [REDACTED]@gardenbridge.london>
Sent: 14 August 2017 10:32
To: [REDACTED]
Subject: Garden Bridge announcement

14th August 2017

GARDEN BRIDGE TRUST ANNOUNCES THE CLOSURE OF THE PROJECT

The Garden Bridge Trust, the charity established to build and run the proposed Garden Bridge in central London, today announced that it will be winding up the project. It has informed the Mayor of London, as well as Transport for London (TfL) and the Department for Transport, who have both allocated public funds to the project, of its decision. The Trust has had no choice but to take this decision because of lack of support for the project going forward from the Mayor.

On 28 April, Sadiq Khan wrote to Lord Mervyn Davies, Chairman of the Garden Bridge Trust, stating that he was not prepared to sign the guarantee for the annual maintenance costs of the Bridge, a condition of planning consent, despite previous assurances given about his support for the project.

Since then the Garden Bridge Trust has examined in detail all options available to it. This included discussions with a potential benefactor who was keen to provide the required guarantee. It also had further discussions with the Government. Unfortunately, the benefactor concerned and the Trustees have all concluded that they cannot proceed with what was always designed to be a public project in the heart of the capital without the support of the Mayor of London.

Lord Davies has today written to the Mayor outlining the reasons why the Trust has taken this decision.

Lord Davies said: "It is with great regret that Trustees have concluded that without Mayoral support the project cannot be delivered. We are incredibly sad that we have not been able to make the dream of the Garden Bridge a reality and that the Mayor does not feel able to continue with the support he initially gave us. We had made great progress obtaining planning permission, satisfying most of our planning conditions and we had raised £70m of private money towards the project.

"The Garden Bridge would have been a unique place; a beautiful new green space in the heart of London, free to use and open to all, showcasing the best of British talent and innovation. It is all the more disappointing because the Trust was set up at the request of TfL, the organisation headed up by the Mayor, to deliver the project. It is a sad day for London because it is sending out a message to the world that we can no longer deliver such exciting projects.

"I would like to thank our donors and supporters, who gave us unstinting help and support along the way."

The Garden Bridge project will now be formally closed. This includes terminating contracts, and concluding donor funding agreements. The Trust itself will then be wound up in accordance with the Companies Acts.

Ends

For further information, please contact [REDACTED] in the Garden Bridge Trust press office at [REDACTED] [@gardenbridge.london](mailto:[REDACTED]@gardenbridge.london) or on [REDACTED]

[REDACTED]
Head of Communications, Garden Bridge Trust
Somerset House, Strand, London, WC2R 1LA

[REDACTED]
[REDACTED] [gardenbridge.london](https://www.gardenbridge.london)
w: www.gardenbridge.london

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Paul Robinson

From: [REDACTED]
Sent: 14 August 2017 08:43
To: [REDACTED]@tfl.gov.uk; [REDACTED]@tfl.gov.uk;
[REDACTED]@tfl.gov.uk
Subject: GBT

Morning

[REDACTED] has been told by Garden Bridge trust that a letter was sent to City Hall last night. Essentially, Lord Davies says the trustees have concluded that without mayoral support the project cannot be delivered, and they will announce this morning (1030 embargo) that the project is being wound up.

Sent from my iPhone

Sadiq Khan
Mayor of London
City Hall
The Queen's Walk
London
SE1 2AA

14 August 2017

Dear Mayor Khan

In view of the less than wholehearted response in your letter of 13 July, the lack of an earlier response to my letters dated 19 June and 3 July, and your subsequent public statements it is now plain that we cannot expect the level of support we need from you to deliver this landmark project.

We have always been clear that we cannot seek to build a landmark in this city if its Mayor is not wholly and publicly supportive. Nonetheless, given the millions of public and private funds expended, the tens of thousands of hours of effort by the design and construction team, and the thousands of hours freely given by Trustees, we felt we had to make sure we had exhausted every possible way of converting that effort into an asset for London. Sadly, we have now reached the point where the Trustees have no choice but to wind up both the project and the Trust, and we have consequently resolved to do so.

As you are aware, since receiving your letter of 28 April announcing your disappointing and unexpected decision not to endorse the commitment of the previous Mayor to provide the necessary operations and maintenance guarantee, we have been in detailed discussions with two parties who stepped forward as alternative guarantors. The first party, a philanthropic Foundation, withdrew after some discussion with you; but we continued to fight for the project and had informed you that the Government was minded to issue the guarantee, but its first requirement was to know that you are genuinely supportive of the project.

We therefore forwarded your 13 July letter to the Secretary of State for Transport immediately on receipt, and asked whether he regarded it as adequate to satisfy that requirement. Having received no reply, we subsequently wrote to say that without a reply we would have to assume that it was not regarded as adequate, would be forced to conclude that the guarantee is not securable, and would proceed accordingly. Immediately subsequent to the Trustees' resolution to halt the project, we did receive a letter from the Secretary of State's office, but simply to say that they had reached out both to the other potential guarantor and to your office, but that they "do not think [they] can do anything further to influence the Mayor's public support for the scheme".

Clearly, therefore, an essentially public scheme that was launched with the support of central and local government, including the complete backing of the then Mayor, no longer has that political support upon which it has always depended. A trust that was created purely to deliver the scheme on behalf of the public, and at the public authorities' behest, can consequently do no more; and we will be making an announcement to that effect today.

At the same time, there are a number of inaccurate statements - made both in your 28 April letter and in subsequent interviews given to the media - that we cannot allow to go unanswered and which I now address here.

Operations and maintenance guarantees

I note that, both in your letter and media statements, you positioned your decision not to provide the guarantee as merely a matter for the Trust to consider. But you must surely have known that the guarantee is critical to the very future of the project, and also has implications for you as Chair of one of our major partners.

Furthermore, since your election, you reiterated that the signing of the guarantee was dependent only upon more work being done on the Business Plan for Operations and Maintenance. Additional work (inevitably involving additional expense) was therefore commissioned, and the result was delivered to the deadline set by your officials.

At a meeting convened by your Chief of Staff on 20 April, along with senior members of Lambeth Council, Westminster Council, Coin Street Community Builders, the GLA and TfL, an independent expert on visitor attractions presented our revised plan. The general view of all those who attended the meeting was that it was robust, and demonstrated a variety of potential income streams. At that meeting, a bit more work was requested on the plan, but critically all parties confirmed that they would take the action necessary to progress the scheme, subject to the issue of the Mayoral guarantee.

It is clear that, if a decision had already been made (but not declared) by 20 April, then no account can have been taken in the decision you published on 28 April of the information produced for that meeting. Instead, rather than relying on work commissioned at the request of your office, your decision seems to have been based on the personal views expressed in the report produced by Dame Margaret Hodge. This is notwithstanding the position we had previously relied upon, as set out in your letter of 13 December 2016, where you stated that *"given previous expenditure, the taxpayer will be better off if the bridge is built...I do not see that Dame Margaret's review could reach a different conclusion"*.

That was quite apart from the merits/demerits of that report. The reality is that Dame Margaret has no particular expertise in many of the areas that her report covers; and my letter of 12 April to her raised serious issues about the validity of her findings, and was copied to you. We have not received any response from Dame Margaret or yourself addressing the inadequacies of her findings, and while you note in your letter that you have seen our reply, clearly you have nonetheless accepted her opinions.

Land agreements

I was surprised by the claim in your letter that, despite three years of negotiations, no agreement has been made with CSCB in respect of the land required for the south landing of the bridge. We reported to your officials at the meeting on 20 April that the Trust and CSCB have agreed detailed heads of terms. This was confirmed by CSCB at the meeting, where they noted they are ready to enter into an agreement with the Trust subject only to resolution of matters with Lambeth Council (LBL). As freeholder, LBL is required to agree the head lease but have taken a position - expressed directly to your Chief of Staff for some months and reiterated at the 20 April meeting by the Chief

Executive of LBL - that they will not expend resources on land negotiations until you had confirmed your intent to issue the guarantee. There was therefore nothing more we could do until you published your decision.

Expenditure of public funds

Your letter also states that much has been spent on the project "under the previous Mayor". But it is over a year since your election, and in that time you have consistently reiterated your support for the project *"both for the benefits it could bring and because the taxpayer would be better off than if it was not built"* – knowing that the future of the project depended upon your guarantee. Your letter of 13 December is also clear on your position in relation to the guarantees, stating *"I accept that the project required guarantees to be issued in order to meet the necessary planning conditions and have no in principle objection to these being given by the Greater London Authority"*.

These assurances, together with the reasonable assumption that you would honour the decision made by your predecessor to provide the guarantee, and the successful navigation through the important democratic processes by which decisions about public projects are properly made, were all critical to the Trustees pushing on with the project - and therefore with the expenditure necessary to maintain progress. The result is that about £9 million of public funds has been committed since the date of the mayoral election, and had you made last May the announcement you have made now, then most of that expenditure would have been avoided.

On the subject of where the money has gone, we will, of course, account for every line of expenditure as part of the winding up operation.

Project cost

In the context of the £60m project cost referred to as a baseline by Dame Margaret, your letter states that costs have escalated. But to our knowledge that figure was, in fact, never offered as an estimate of total cost, and it is certainly not a figure that has at any time been endorsed by the Trust. From the very moment of its establishment (and many months before it took over responsibility for management of the project), the Trust spoke of a budget of £150m. Since that time, further increases have almost without exception been the result of interventions or delays by third parties, including those that have accumulated whilst awaiting a decision on the issue of the guarantees.

Capital fundraising

In relation to fundraising, you say that you will not issue "a blank cheque". But of course the guarantee bears no relationship at all to capital cost, and the Trust has always made clear that it would not commence substantive construction until it was confident that funds adequate to complete it would be secured. The guarantee, by contrast, relates to ongoing maintenance and operations, and the risks around it certainly do not amount to signing a blank cheque, and are no different now than they were when you took office.

Rather than taking issue with every inaccuracy, I will repeat what I wrote to Dame Margaret on this subject: at no stage did she - or you - discuss fundraising with the Trustees responsible or indeed with any of our existing funders, and I do not understand

how you can properly have reached these conclusions without having taken this opportunity.

More generally I have, over the course of the last 15 months, requested a meeting with you, and made clear that I would make myself available to meet at any time. You have just as insistently declined to meet. So to receive your 28 April letter without any discussion was both surprising and incredibly disappointing.

To conclude as I began, this project that has always been conceived as a public project for all of those who live in or visit the capital, but it cannot succeed without the whole-hearted support of the Mayor of London. Despite two potential guarantors approaching the Trust to rescue the project, one of which, as you know, was considering a major contribution to the capital cost as well, you have chosen not to make sufficiently clear to them your support for the project.

And so, with the decision announced in your letter dated 28 April and the inability to agree a way ahead since, it ends. The Garden Bridge would have been a unique place: a beautiful contribution to a green city, free to use and open to all. It would have brought significant transport, business and community benefits, already evident in the offers of funds made by individuals, trusts and companies across the UK as well as in our partnerships with community organisations. It would have been a showcase for the best of British talent, sending a message to the world that London and the UK still lead the way in creativity, ambition and innovation - and, of course, that London is open. Regrettably, declining to lend your sufficient support to the many others already aboard for this landmark project sends a quite different message.

A resolution to wind up has therefore been passed by the Trustees, and a public announcement will be made today, after proper notice to the many donors and other supporters of the project who have remained so loyal during this long period of uncertainty.

Yours sincerely



Lord Davies of Abersoch
Chairman, Garden Bridge Trust

Cc Rt Hon Chris Grayling MP, Secretary of State for Transport

Paul Robinson

From: [REDACTED]@tfl.gov.uk
Sent: 14 August 2017 17:12
To: [REDACTED]
Subject: RE: for approval: line for conor re garden bridge

Thanks. Apparently, technically, it's not our final response yet - I think because it's only been published as part of board papers but I'll remove it as that makes it confusing.

[REDACTED]

From: [REDACTED]@london.gov.uk]
Sent: 14 August 2017 17:06
To: [REDACTED]n
Cc: [REDACTED]
Subject: RE: for approval: line for conor re garden bridge

Thanks [REDACTED] You just need to take out 'draft' as its been approved by the board

From: [REDACTED]@tfl.gov.uk]
Sent: 14 August 2017 16:30
To: [REDACTED]@london.gov.uk>; [REDACTED]@london.gov.uk>
Cc: [REDACTED]@tfl.gov.uk>; [REDACTED]@tfl.gov.uk
Subject: for approval: line for conor re garden bridge

Hi [REDACTED]

As discussed, [REDACTED] is writing about the Garden Bridge and would like the line that we issued in response to the Hodge report and her recommendations relating to procurement.

We issued a line to [REDACTED] in June, which I've now amended.

Let me know if you have any comments.

Thanks,

[REDACTED]

A Transport for London (TfL) spokesperson said: "A number of internal, external and independent reviews have now been carried out into the procurement exercises in 2013 for work on the Garden Bridge. We have taken every opportunity to learn lessons from these reviews and all of the management actions we have taken are set out in our **draft** response to Dame Margaret Hodge's review, which was considered by our Board on 19 July and is published on our website."

Information for reporter:

· TfL's draft response to the Dame Margaret Hodge report can be found here - <http://content.tfl.gov.uk/board-20170719-item15-garden-bridge.pdf>

[REDACTED] | Head of Press Desk | Corporate Desk
Transport for London | TfL Press Office, 11th Floor, Windsor House, 50 Victoria Street, London SW1H 0TL

Paul Robinson

From: [REDACTED]@tfl.gov.uk
Sent: 14 August 2017 13:49
To: [REDACTED]
Subject: RE: Garden bridge - [REDACTED]

Yes ok

From: [REDACTED]@london.gov.uk]
Sent: 14 August 2017 13:19
To: [REDACTED]
Subject: FW: Garden bridge - [REDACTED]

Hi [REDACTED]

Would one of you mind talking to [REDACTED] about the money spent by TfL on the Garden Bridge? She needs talking through that table I think.

Thanks,

[REDACTED]

From: [REDACTED]
Sent: 14 August 2017 13:16
To: [REDACTED]@london.gov.uk>
Subject: Re: Garden bridge - [REDACTED]

Hi [REDACTED]

Thanks for this. I've taken a look at that page, but still slightly confused. Could you please explain it to me? For eg did that money go to TfL or was it spent by TfL, and if the latter, who received the money?

Thanks,

[REDACTED]

--

[REDACTED]



[REDACTED]

Paul Robinson

From: [REDACTED]
Sent: 14 August 2017 12:40
To: [REDACTED]@tfl.gov.uk; Andrew J. Brown
Cc: Matt Brown
Subject: RE: Garden Bridge

Cracking, thanks very much

From: [REDACTED]@tfl.gov.uk]
Sent: 14 August 2017 12:38
To: Andrew J. Brown [REDACTED]@tube.tfl.gov.uk>; [REDACTED]@london.gov.uk>
Cc: [REDACTED]@tfl.gov.uk>
Subject: RE: Garden Bridge

Yes it's 1F. Here is the link to the whole pdf. If you go to bookmarks, it's document 1F

<http://content.tfl.gov.uk/mike-brown-margaret-hodge-correspondence-and-info-30092016-part1.pdf>

From: Brown Andy (Corporate Affairs)
Sent: 14 August 2017 12:35
To: [REDACTED]
Cc: [REDACTED]
Subject: Re: Garden Bridge

Yes - it's in our submission to the Hodge review, which is on our web page

The submission is huge but from memory it's item 1f in that pack

Andy

On 14 Aug 2017, at 12:34, [REDACTED]@london.gov.uk> wrote:

Thanks Andy.

Is this table publicly-available? [REDACTED] asking after a breakdown of the £37m

<image001.jpg>

From: Brown Andy (Corporate Affairs) [REDACTED]@tube.tfl.gov.uk]
Sent: 14 August 2017 11:05
To: [REDACTED]@london.gov.uk>; [REDACTED]@tfl.gov.uk
Cc: [REDACTED]@tfl.gov.uk>
Subject: RE: Garden Bridge

The Mayor said that the Trust had failed to settle the land agreements on the South Bank -- that is still correct.

What the Trust are saying they managed (finally) to do was to agree Heads of Terms with Coin Street Community Builders. This is not a land agreement; it is an agreement on the

principles that will form the land agreement. They still haven't settled the land agreements, after more than three years of negotiating.

And they also say that CSCB wouldn't do a deal until Lambeth were happy, and Lambeth wouldn't do a deal until the guarantee was signed. That is game-playing -- the guarantees are totally separate from any land agreements and they are not related. All that attitude from CSCB and LBL shows is how far away they really were from reaching a deal.

Andy

[REDACTED]

From: [REDACTED] [\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)
Sent: 14 August 2017 10:58
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Garden Bridge

Thanks Andy, that's very helpful.

Do we have any knowledge/details about the claims in the letter about the outline agreement between the Trust and CSCB?

From: Brown Andy (Corporate Affairs) [REDACTED] [\[REDACTED\]@tube.tfl.gov.uk](mailto:[REDACTED]@tube.tfl.gov.uk)
Sent: 14 August 2017 10:55
To: [REDACTED] [\[REDACTED\]@tfl.gov.uk](mailto:[REDACTED]@tfl.gov.uk); [REDACTED] [\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)>
Cc: [REDACTED] [\[REDACTED\]@tfl.gov.uk](mailto:[REDACTED]@tfl.gov.uk)>
Subject: RE: Garden Bridge

Thanks [REDACTED]

The important things about the £9m are that:

- (a) None of it has been paid to the Trust yet and they will now need to make a claim against that £9m.
- (b) It comes from the Government's share of money, not ours.
- (c) But it is sat in our bank account, so we will need to handle the process of paying any money to the Trust.

- (d) There are conditions they need to meet in order to ask for any of the £9m - see the attached letter exchange from last year. The most important of these is that they have to demonstrate how it is made up of proper, legal obligations on the Trust to creditors.
- (e) While we hold the money, we won't be paying anything to them unless we've agreed that payment with the DfT.
- (f) Early indications from the Trust are that they'll be seeking something like c.£8.5m - and that if we don't give them what they're asking for they will be insolvent (which makes winding up much harder for them). We'll have to see how it plays out but I am expecting some tough inspection of the Trust's evidence before they get any agreement from the DfT.

Separate from the £9m, we have spent (ourselves and in grant payments) a total of £37.4m (I usually say 'approximately £37m'). So if the Trust get what they want then I would expect the final outlay to run to £46m.

Of that £46m, approximately £24m is TfL money and £22m will be DfT money.

(The DfT initially gave us £30m, so we could then reasonably expect them to seek to get their money back by reducing a future Transport Grant to TfL by c.£8m.)

Hope that all makes sense but shout if not

Andy

[REDACTED]

From: [REDACTED]
Sent: 14 August 2017 10:51
To: [REDACTED] Brown Andy (Corporate Affairs)
Cc: [REDACTED]
Subject: RE: Garden Bridge

Thanks [REDACTED]

From: [REDACTED] [@london.gov.uk](mailto:[REDACTED]@london.gov.uk)
Sent: 14 August 2017 10:50
To: Brown Andy (Corporate Affairs)
Cc: [REDACTED]
Subject: RE: Garden Bridge

Sadiq Khan said:

“It’s my duty to ensure taxpayers’ money is spent responsibly. Following the very serious issues highlighted in Dame Margaret Hodge’s independent review of the bridge - including a funding gap of over £70million, potentially unlimited costs to London taxpayers to fund the bridge in the future, systemic failings in the procurement process and decisions not being driven by value for money - I could not permit a single penny more of London taxpayers’ money being spent on it.

“Londoners will, like me, be very angry that London taxpayers have now lost tens of millions of pounds – committed by the previous Mayor on a project that has amounted to nothing.”

ENDS

From: [REDACTED]
Sent: 14 August 2017 10:42
To: 'Brown Andy (Corporate Affairs)' [REDACTED] [@tube.tfl.gov.uk](mailto:[REDACTED]@tube.tfl.gov.uk)>
Cc: [REDACTED]
Subject: RE: Garden Bridge

Thanks Andy.

Any thoughts on the £9m since the election and the final TfL outlay would be handy

Thanks

From: Brown Andy (Corporate Affairs) [[mailto:\[REDACTED\]@tube.tfl.gov.uk](mailto:[REDACTED]@tube.tfl.gov.uk)]
Sent: 14 August 2017 10:24
To: [REDACTED] [@london.gov.uk](mailto:[REDACTED]@london.gov.uk)>
Cc: [REDACTED]
Subject: RE: Garden Bridge

Thanks [REDACTED] I know you have been talking with [REDACTED] about lines, etc. Do you need anything from me?

Andy

[REDACTED]

From: [REDACTED] [@london.gov.uk](mailto:[REDACTED]@london.gov.uk)
Sent: 14 August 2017 10:16
To: [REDACTED]
Subject: FW: Garden Bridge

Paul Robinson

From: [REDACTED]
Sent: 14 August 2017 11:09
To: [REDACTED]@tfl.gov.uk; Andrew J. Brown
Cc: [REDACTED]
Subject: RE: Garden Bridge

Final line here

The Mayor of London, Sadiq Khan, said:

“It’s my duty to ensure taxpayers’ money is spent responsibly. Following the very serious issues highlighted in Dame Margaret Hodge’s independent review of the bridge - including a funding gap of over £70million, potentially unlimited costs to London taxpayers to fund the bridge in the future, systemic failings in the procurement process and decisions not being driven by value for money - I could not permit a single penny more of London taxpayers’ money being spent on it.

“I have been clear since before I became Mayor that no more London taxpayers’ money should be spent on this project and when I took office I gave the Garden Bridge Trust time to try and address the multiple serious issues with it.

“Londoners will, like me, be very angry that London taxpayers have now lost tens of millions of pounds – committed by the previous Mayor on a project that has amounted to nothing.”

From: [REDACTED]
Sent: 14 August 2017 10:58
To: [REDACTED]@tfl.gov.uk>; Andrew J. Brown
[REDACTED]@tube.tfl.gov.uk>
Cc: [REDACTED]@tfl.gov.uk>
Subject: RE: Garden Bridge

Further slight amend coming

From: [REDACTED]@tfl.gov.uk]
Sent: 14 August 2017 10:51
To: [REDACTED]@london.gov.uk>; Andrew J. Brown [REDACTED]@tube.tfl.gov.uk>
Cc: [REDACTED]@tfl.gov.uk>
Subject: RE: Garden Bridge

Thanks [REDACTED]

From: [REDACTED]@london.gov.uk]
Sent: 14 August 2017 10:50
To: Brown Andy (Corporate Affairs)
Cc: [REDACTED]
Subject: RE: Garden Bridge

Sadiq Khan said:

“It’s my duty to ensure taxpayers’ money is spent responsibly. Following the very serious issues highlighted in Dame Margaret Hodge’s independent review of the bridge - including a funding gap of over £70million, potentially unlimited costs to London taxpayers to fund the bridge in the future, systemic failings in the procurement process

and decisions not being driven by value for money - I could not permit a single penny more of London taxpayers' money being spent on it.

"Londoners will, like me, be very angry that London taxpayers have now lost tens of millions of pounds – committed by the previous Mayor on a project that has amounted to nothing."

ENDS

From: [REDACTED]
Sent: 14 August 2017 10:42
To: 'Brown Andy (Corporate Affairs)' [REDACTED] <[\[REDACTED\]@tube.tfl.gov.uk](mailto:[REDACTED]@tube.tfl.gov.uk)>
Cc: [REDACTED] <[\[REDACTED\]@tfl.gov.uk](mailto:[REDACTED]@tfl.gov.uk)>
Subject: RE: Garden Bridge

Thanks Andy.

Any thoughts on the £9m since the election and the final TfL outlay would be handy

Thanks

From: Brown Andy (Corporate Affairs) [REDACTED] <[\[REDACTED\]@tube.tfl.gov.uk](mailto:[REDACTED]@tube.tfl.gov.uk)>
Sent: 14 August 2017 10:24
To: [REDACTED] <[\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)>
Cc: [REDACTED] <[\[REDACTED\]@tfl.gov.uk](mailto:[REDACTED]@tfl.gov.uk)>
Subject: RE: Garden Bridge

Thanks [REDACTED] I know you have been talking with [REDACTED] about lines, etc. Do you need anything from me?

Andy

[REDACTED]

From: [REDACTED] <[\[REDACTED\]@london.gov.uk](mailto:[REDACTED]@london.gov.uk)>
Sent: 14 August 2017 10:16
To: Brown Andy (Corporate Affairs); [REDACTED]
Subject: FW: Garden Bridge

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Paul Robinson

From: Andrew J. Brown
Sent: 14 August 2017 11:15
To: David Bellamy
Subject: RE: Letter for the attention of Sadiq Khan, Mayor of London
Attachments: 2016-10-03 Bee Emmott reply to Alex Williams re variation.pdf; 2016-10-06 Alex Williams reply to Bee Emmott re spend to date.pdf

David,

Of course. I am not by any measure an expert in company law but my understanding is that they will now carry out a winding up process that involves taking stock of all their assets, paying off creditors, and finalising their accounts.

The part we need to worry about is the £9 million underwriting that the DfT agreed to provide the Trust last year. There are a few options for how we approach this, which I'll discuss with Fiona on Thursday.

Some more detail below - I hope it all makes sense but please let me know if not.

Thanks

Andy

[REDACTED]

Key points about the £9m underwriting:

- a) None of it has been paid to the Trust yet and they will now need to make a claim against that £9m.
- b) It comes from the Government's share of money, not ours.
- c) But it is sat in our bank account, so we will need to handle the process of paying any money to the Trust.
- d) There are conditions they need to meet in order to ask for any of the £9m - see the attached letter exchange from last year. The most important of these is that they have to demonstrate how it is made up of proper, legal obligations on the Trust to creditors.
- e) While we hold the money, we won't be paying anything to them unless we've agreed that payment with the DfT.
- f) Early indications from the Trust are that they'll be seeking something like c.£8.5m - and that if we don't give them what they're asking for they will be insolvent (which makes winding up much harder for them). We'll have to see how it plays out but I am expecting some tough inspection of the Trust's evidence before they get any agreement from the DfT.
- g) The Trust's main needs for the £9m are:
 - To pay contractual termination payments to their contractors - primarily Bouygues
 - To pay back private funders who had agreed to release grant money before the beginning of construction, on the condition that it be paid back if the project never made it to construction - I have never been given a list of these funders

Total public expenditure

- Separate from the £9m, we have spent (ourselves and in grant payments) a total of £37.4m (I usually say 'approximately £37m'). So if the Trust get what they want then I would expect the final outlay to run to £46m.
- Of that £46m, approximately £24m is TfL money and £22m will be DfT money.
- (The DfT initially gave us £30m, so we could then reasonably expect them to seek to get their money back by reducing a future Transport Grant to TfL by c.£8m.)

From: David Bellamy [mailto:[REDACTED]@london.gov.uk]
Sent: 14 August 2017 10:38
To: Brown Andy (Corporate Affairs)
Subject: RE: Letter for the attention of Sadiq Khan, Mayor of London

Thanks Andy. It might be worth you just dropping a couple of bullets on what happens next (at a very high level) into an email, as we will be asked.

David.

From: Brown Andy (Corporate Affairs) [mailto:[REDACTED]@tube.tfl.gov.uk]
Sent: 14 August 2017 10:36
To: David Bellamy [mailto:[REDACTED]@london.gov.uk]; Fiona Fletcher-Smith [mailto:[REDACTED]@london.gov.uk]
Subject: RE: Letter for the attention of Sadiq Khan, Mayor of London

Thanks David - I have had that through from your press team as well (along with the announcement the Trust have just put out, attached)

I think they've got all their lines sorted out etc. but if I can help at all then of course please give me a shout

I have a slot booked with Fiona later in the week as well, when we can talk about what happens next procedurally

Andy

[REDACTED]

From: David Bellamy [mailto:[REDACTED]@london.gov.uk]
Sent: 14 August 2017 10:33
To: Fiona Fletcher-Smith; Brown Andy (Corporate Affairs)
Subject: FW: Letter for the attention of Sadiq Khan, Mayor of London

FYI.

From: [REDACTED] [mailto:[REDACTED]@gardenbridge.london]
Sent: 14 August 2017 10:02
To: [REDACTED] [mailto:[REDACTED]@london.gov.uk]
Cc: [REDACTED] [mailto:[REDACTED]@london.gov.uk]; [REDACTED] [mailto:[REDACTED]@dft.gsi.gov.uk]; David

Bellamy [REDACTED]@london.gov.uk>

Subject: Letter for the attention of Sadiq Khan, Mayor of London

Dear [REDACTED]

Please find attached a letter from Lord Davies, Chairman of the Garden Bridge Trust, for the attention of Mayor Khan.

Many thanks and best wishes,

[REDACTED]
Team Administrator, Garden Bridge Trust
Somerset House, Strand, London, WC2R 1LA

[REDACTED]
w: www.gardenbridge.london

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3rd October 2016

Alex Williams
Transport for London
Group Planning
10th Floor, Windsor House
42-50 Victoria Street
London
SW1H 0TL

Dear Alex

Thank you for your letter and Deed of Variation dated 28 September.

Please find attached a signed copy of the Deed.

However, the trustees note the increase in the spend to date figure. Considerable work was put into calculating the amount spent to date prior to completing the funding agreement between TfL and Garden Bridge Trust. Please could you provide an explanation as to why this has increased and the detail of the expenditure.

Yours sincerely



Bee Emmott
Executive Director, Garden Bridge Trust



Bee Emmott
Executive Director
Garden Bridge Trust
Somerset House
London
WC2R 1LA

Transport for London
Group Planning

10th Floor, Windsor House
42-50 Victoria Street
London
SW1H 0TL

28 September 2016

www.tfl.gov.uk

Dear Bee

Variation of Deed of Grant and Loan Facility Agreement

We refer to the Deed of Grant between Transport for London ("**TfL**") and Garden Bridge Trust (the "**Trust**") dated 2 July 2015 as subsequently varied, and the Loan Facility Agreement between TfL and the Trust dated 13 November 2015.

Except where expressly stated otherwise, terms defined in the Deed of Grant shall have the same meanings in this letter.

We have been notified that the Department for Transport ("**DfT**") has agreed to extend its underwriting facility, capped at up to £9million, until the point at which the Trust's main contractor begins construction of the Garden Bridge. As we are responsible for managing the payment of the DfT's contribution to the Trust, the primary purpose of this letter is to put into effect the DfT's decision.

This letter constitutes a variation to the Deed of Grant and the Loan Facility Agreement and sets out the terms upon which TfL will give access to the Trust to up to £9million of DfT funding, against (i) the c.£2.6million not yet paid under the Deed of Grant, and against (ii) c.£6.4million of the £20million loan facility made available to the Trust under the Loan Facility Agreement.

Our expenditure on the project is published on our website. This includes some expenditure since the Deed of Grant was signed in July 2015. As you know, this expenditure forms part of the public sector's £60million contribution to the project. Therefore, this letter also constitutes a variation to the Deed of Grant and varies the Payment Profile in the Deed of Grant by increasing the Amount Spent to Date and reducing the final instalment payment. This letter ensures that this expenditure is accounted for so that the total public sector contribution to the project will not exceed £60million.

These variations will come into force with immediate effect. All other terms of the Deed of Grant and the Loan Facility Agreement remain the same.

Access to up to £9million of funding

For the purposes of this letter the **“Period”** means 1 October 2016 to the day preceding the day on which the main contractor commences construction of the Garden Bridge.

During the Period, and where it has satisfied the conditions set out below, the Trust shall be entitled to a single payment from TfL on behalf of the DfT not exceeding £9million.

The conditions that will need to be satisfied are as follows:

- The Trust has provided TfL with notice in writing of the decision of its trustees that the Project will not proceed, together with evidence of this decision (e.g. a copy of the minutes of the meeting of the trustees in which the decision was made);
- The Trust has provided TfL with a figure for the payment it requires (the **“Exit Payment”**), which must first deduct any cash reserves available to meet its commitments;
- The Trust has provided TfL with such evidence as TfL reasonably requires to support the calculation of the Exit Payment including copies of documentation creating a legal obligation on the Trust to make payments to third parties (e.g. a notice of termination under the main construction contract, unpaid invoices from contractors for work to date, etc.) and evidence of its cash reserves.

Once these conditions have been satisfied, TfL will transfer the Exit Payment to the Trust within 10 Working Days.

Upon payment of the Exit Payment to the Trust, both the Deed of Grant and the Loan Facility Agreement will terminate forthwith.

TfL may in its discretion extend the Period on one or more occasions by written notice to the Trust.

Amendment to the Payment Profile

The definition of “Amount Spent to Date” shall be replaced with the following:

“Amount Spent to Date” means the amount spent by TfL towards the Project, being £10,673,631;

The Payment Profile set out in Schedule 2 of the Deed of Grant (as previously varied) shall be replaced with the following:

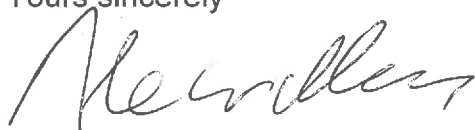
Payment Profile

Trigger	Amount
<i>Amount Spent to Date</i>	£10,673,631
<i>Pre-contract award payment profile</i>	
Within 10 days of Commencement Date	£8,478,922
+ 1 month from trigger	£1,741,570
<i>Preliminary activities payment profile</i>	
Within 5 Working Days of the date of this Deed of Variation	£3,500,000
+ 1 month from the date of this Deed of Variation	£3,000,000
+ 3 months from the date of this Deed of Variation	£3,000,000
<i>Construction payment profile</i>	
Within 10 days of award of the main construction contract (Trust to notify TfL of contract award)	£7,000,000
<i>Final instalment payment profile</i>	
Within 10 days of practical completion of the main construction contract (Trust to notify TfL of practical completion)	£2,605,877
Total Payment	£40,000,000

All references in the Deed of Grant (as previously varied) to the "**Amount Spent to Date**" shall now be deemed to also include amounts spent by TfL towards the Project after the Commencement Date.

Please would you sign, date and return to us the enclosed copy of this letter to indicate your acceptance of these variations.

Yours sincerely



Alex Williams

For and on behalf of
Transport for London

We accept the above variations to the Agreement.

For and on behalf of
Garden Bridge Trust

Name:



Date: 30.09.16.

Position:

RELATIVE DIRECTOR



Transport for London
Group Planning

Windsor House
42 – 50 Victoria Street
London SW1H 0TL

Phone 020 7222 5600
Fax 020 7126 4275
www.TfL.gov.uk

Bee Emmott
Executive Director, Garden Bridge Trust
Somerset House
Strand
London
WC2R 1LA

6 October 2016

Dear Bee

RE: Variation of Deed of Grant and Loan Facility Agreement

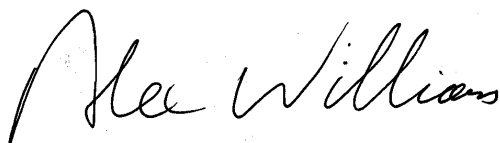
Thank you for your letter of 3 October and for returning a signed copy of the variation letter.

As you know from our discussions, we have incurred costs on the project that fall outside the original spend to date figure in the Deed of Grant that was signed in July 2015. These costs are primarily made up of staff time and external legal costs for our involvement in property and licensing negotiations. A detailed breakdown is published on our website.

We have been clear that our contribution to the project will not exceed £30 million, £20 million of which takes the form of a loan. The variation in my previous letter ensures that this expenditure is accounted for so that our contribution will not exceed £30 million, and the total public sector contribution will not exceed £60 million.

If you have any further questions about the detail of the breakdown of our expenditure please contact Andy Brown in my team, who would be happy to talk it through with you.

Yours sincerely



Alex Williams
Acting Managing Director, Planning

Paul Robinson

From: Paul Robinson
Sent: 16 August 2017 10:04
To: [REDACTED]; Andrew J. Brown
Cc: [REDACTED]
Subject: RE: GLA / GBT letters

Hi Andy

The recent ones are available on the following links:

<https://www.london.gov.uk/foi-disclosure-log/foi-garden-bridge-correspondence-between-mayor-and-mervyn-davies>

<https://www.london.gov.uk/foi-disclosure-log/foi-funding-related-communications-garden-bridge-trust>

<https://www.london.gov.uk/foi-disclosure-log/foi-tfl-garden-bridge-trust-communications>

Kind regards

Paul Robinson

Information Governance Officer

Governance & Performance

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[REDACTED]

From: [REDACTED]
Sent: 15 August 2017 15:50
To: Andrew J. Brown [REDACTED]@tube.tfl.gov.uk>
Cc: [REDACTED]@london.gov.uk>; Paul Robinson [REDACTED]@london.gov.uk>
Subject: Fw: GLA / GBT letters

Andy

I'm copying to [REDACTED] and Paul as they're far more on top of Fols than I am and I'm not up to speed on all the communication.

[REDACTED]

Sent from my BlackBerry 10 smartphone on the O2 network.

From: Brown Andy (Corporate Affairs) [REDACTED]@tube.tfl.gov.uk>
Sent: Tuesday, 15 August 2017 14:26
To: [REDACTED]
Subject: GLA / GBT letters

Hi [REDACTED]

I know that recently the GLA released a number of letters between the Mayor / David B and the Garden Bridge Trust, possibly under FOI.

I'm sure I already have copies of the letters but would you be able to tell me which ones were released please?

I am asking because I need to review what's on our website, and if they are out there in the public domain it probably makes sense to put them up on our website. I think they are pretty helpful for us - they show a measured response from the Mayor to increasingly unreasonable / aggressive letters from the Trust.

Thanks

Andy



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Paul Robinson

From: [REDACTED]
Sent: 17 August 2017 10:14
To: Andrew J. Brown
Subject: RE: Oversight Cttee - Garden Bridge

Will do, thanks

From: Brown Andy (Corporate Affairs) [mailto:[REDACTED]@tube.tfl.gov.uk]
Sent: 17 August 2017 10:13
To: [REDACTED]@london.gov.uk>
Subject: RE: Oversight Cttee - Garden Bridge

Thanks [REDACTED] - they've already written and Mike has accepted the invitation - I let David B and Fiona know so it might have come to [REDACTED] via that route

I will have to brief Mike on it all so any information you can share in due course on the revolving door issue would be super helpful

Andy

[REDACTED]

From: [REDACTED]@london.gov.uk]
Sent: 17 August 2017 10:03
To: Brown Andy (Corporate Affairs)
Subject: FW: Oversight Cttee - Garden Bridge

Andy FYI

Not sure on the context of this (i.e. where Tom's info came from) but a head's up looks like the committee will be in touch

From: Tom Middleton
Sent: 16 August 2017 16:11
To: Jeff Jacobs [REDACTED]@london.gov.uk>; Fiona Fletcher-Smith <[REDACTED]@london.gov.uk>; Martin Clarke [REDACTED]@london.gov.uk>
Cc: Tim Steer <[REDACTED]@london.gov.uk>; [REDACTED]@london.gov.uk>; [REDACTED]
[REDACTED]@london.gov.uk>
Subject: Oversight Cttee - Garden Bridge

11 October

Short session with Margaret Hodge on why she concluded what she did, the subsequent outcome etc.

Then short Q&A on lessons learned for TfL with Mike Brown.

(I'm going to draft an email now for Jeff to send to Charmaine de Souza - our new Head of HR who joins next month - on the revolving door issue)

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