

GLA Oversight Committee, 17 December 2015**Transcript of Item 7: Garden Bridge Design Procurement**

Len Duvall AM (Chair): Can I thank the Mayor/Chairman of Transport for London (TfL) for coming here today --

Boris Johnson MP (Chairman, TfL): Thank you.

Len Duvall AM (Chair): -- along with the Commissioner. You are going to be supported by Richard de Cani [Director of Planning, TfL]. I wanted to get the name right because I got it wrong the last time we were at this meeting and apologies for that.

I think you understand the purpose of this meeting. We have got a number of questions we seek clarification on. The very first questions are more about scene setting how the project came about. How did you first hear about the Garden Bridge project?

Boris Johnson MP (Chairman, TfL): As you know, Len, there have been many projects mooted over the years to build bridges over the Thames which do not primarily have a transport purpose or a purpose where transport is only part of the equation. A long time ago London Bridge had houses on it. There was an idea for a living bridge which I was very interested in. There were various architectural competitions for such a bridge. There was a separate competition in 1996 for a type of garden bridge. This is an idea that has been knocking around for a long time. I have always been interested in it. In May or June of 2012 - I think it was after the mayoral election but I could not swear to it - I had a letter from Joanna Lumley [actor and campaigner] about a proposal for a garden bridge. I replied to suggest she meet with [Sir] Edward Lister [Deputy Mayor for Policy and Planning] and Isabel Deding [Deputy Mayor for Transport] to discuss it. That was the first occasion. I can then go on to give you roughly what happened next.

The blow-by-blow is that Sir Edward and Isabel met with Joanna Lumley in July 2012 - this is what we have excavated from the diary - to discuss the idea. There was then a meeting in September of 2012 in which I met Joanna Lumley. Sir Edward and Isabel were also present. From memory she made a presentation of the idea. There may or may not have been a model - it was not a very big model - of her proposal. The one thing I do remember about it was that Isabel was slightly taken aback by what she thought was my lack of enthusiasm for it. She thought it was unlike me to be so negative at first blush.

I will just try to explain my initial thoughts. This was a very big project that was likely to consume a great deal of political energy. It was something I would need to understand the benefits of fully before we pursued it. I have say that in the succeeding period - talking to TfL and [Sir] Peter Hendy [former Commissioner, TfL] and others - I really did start to see the benefits of the project. It does have substantial cultural benefits, substantial transport benefits and regeneration benefits. When you look at the number of people coming out of the Waterloo Station area and walking over Waterloo Bridge in pretty miserable circumstances, you imagine what you could do with the connectivity across from the South Bank up in to the Aldwych area - to Somerset House where there are big plans to reconfigure the roads and change things around - I could see the real attraction of the scheme. I became much, much more positive about it. I decided at some stage in that process that it was something we should definitely put our weight behind. I could also see the massive cultural plus for the city in having effectively quite a big new park created out of nothing as it were, out of space that

nobody thought you could exploit over the river itself. I got progressively more enthusiastic from a position of initial 'lukewarmness'.

Len Duvall AM (Chair): Can I just have clarification around some of those meetings and the role of Joanna Lumley when she came to you. There have been some questions in the press around her role. In a book she wrote -- is this the glass model you saw that was done by Thomas Heatherwick [CBE, founder of Heatherwick Studio]?

Boris Johnson MP (Chairman, TfL): I remember at some stage being shown a very big model, a model that took up most of the desk in the Mayor's Office. I do not think they had done it at that scale when she first came in.

Len Duvall AM (Chair): In the book it is quite clear there is a model. She describes the model in detail in the book. Let us clarify her role.

Boris Johnson MP (Chairman, TfL): Yes. I do not think the big model was glass. The big model was a wooden model from memory. It was one of those model studio jobs.

Len Duvall AM (Chair): To set the scene, when she comes to you is she coming as a trustee - presumably not because the Garden Bridge trustees were not set up at that stage - or is she coming as an associate of Thomas Heatherwick?

Boris Johnson MP (Chairman, TfL): No. She was coming as the proponent of an idea. Indeed, as somebody who had been proposing the same idea for some time. As I understand it, she had tried to get the thing going when Gordon Brown [former Prime Minister] was in charge. She had been at it for quite some time. My impression was that she had tried to persuade the former Labour Government to go for it. I am not sure how far she got. I think it is one of those things that they showed some interest and enthusiasm for but then it did not get anywhere. My impression then was that she was an enthusiast. She was passionate about it. She believed in the project. I did not sense any commercial relationship or anything between her and any constructor.

Len Duvall AM (Chair): I suppose the question to ask you and Mike [Brown MVO] - even though you were not in the role that you are in presently - do you think there could be occasions where meetings took place either with officials, or even with yourself as Mayor of London or Chairman of TfL, where Joanna Lumley could have been receiving expenses from the architects that subsequently we have come to approve?

Mike Brown MVO (Commissioner, TfL): I certainly was not aware of any and have not been made aware of anything since then, Chair. That was not my understanding of her role.

Len Duvall AM (Chair): In my own mind I have worked this question out and I have seen issues in the press where it is quite clear she has not received any monies as a trustee, which is right it seems to me. In terms of openness and transparency, in terms of doing business, is that not something you would have liked to have been aware of if that was the case?

Boris Johnson MP (Chairman, TfL): Maybe we are putting the cart before the horse a bit here. I think she thought [Thomas] Heatherwick would be a great guy to do it. I am not certain there was any formal relationship between her and --

Len Duvall AM (Chair): Heatherwick [Studio] had put it in some of their business plans and some --

Caroline Pidgeon MBE AM: She is an associate of Thomas Heatherwick Studio. It was in the submission for the Garden Bridge that she and Fred Manson, former Director of Regeneration at Southwark, were associates. Therefore she is part of the studio who are bidding for this work.

Boris Johnson MP (Chairman, TfL): Are you saying she has received remuneration for that work?

Caroline Pidgeon MBE AM: Len was asking whether she had.

Len Duvall AM (Chair): I am saying she is an associate. I presume she may have received expenses but she may not.

Boris Johnson MP (Chairman, TfL): We have checked this.

Len Duvall AM (Chair): I am just asking about when we meet with people --

Boris Johnson MP (Chairman, TfL): Perhaps you are slightly exaggerating her role.

Richard de Cani (Managing Director of Planning, TfL): If I may answer that. As part of my appearance a couple of months ago before this Committee we had a conversation about the brief where she was placed as an associate. At the time - through the clarification of rates - we confirmed that she was not receiving any fee income from Heatherwick [Studio] as part of that contract. The reason why she was included in the bid is something for her and Thomas Heatherwick. She did not receive any fee income through that contract.

Boris Johnson MP (Chairman, TfL): For the advantage of the Committee, according to what we have ascertained Joanna Lumley has not been paid by the Greater London Authority (GLA) or TfL for any work on the Garden Bridge. She was listed as an associate on Heatherwick's first tender submission because she had the original idea for the Garden Bridge. This is what we have ascertained. Heatherwick Studio has never paid Ms Lumley and there has never been any legal or commercial connection between her and the studio.

Len Duvall AM (Chair): I am sorry, there must be, Mr Mayor. Forgive me Mr Mayor, being an associate makes it, on one side of the table, a different proposition than talking to someone who is promoting an idea. The connection - we can argue the toss, whether it is legal or not - does give her some standing within a company. The core issue and the reason why I am asking the questions - and one of the arguments put forward by many outside this room - is that Thomas Heatherwick had an advantage in the procurement process.

Boris Johnson MP (Chairman, TfL): Why?

Len Duvall AM (Chair): It is all within the audit report, or could be in the audit report. That is why I am asking the questions about the association. I am grateful to you for clarifying the issues. The dates of those meetings would be crucial. The most important thing would be about releasing some of the meeting notes. There have been exchanges around FOIs [requests for information made under the Freedom of Information Act]. I suppose a question to you, Mr Mayor and Mike Brown, is to release the meeting notes of contacts between representatives of TfL and Heatherwick Studio in the period before the tender was released. That is the crucial period in terms of transparency, to answer some of those questions and to put the public right.

Joanne McCartney AM: Also the Mayor's Office.

Len Duvall AM (Chair): Also the Mayor's Office.

Boris Johnson MP (Chairman, TfL): I will be very happy to release any relevant information, minutes or whatever.

Mike Brown MVO (Commissioner, TfL): Indeed from a TfL perspective we have done so.

Len Duvall AM (Chair): Thank you for that.

Boris Johnson MP (Chairman, TfL): We have done our best to make available everything that we have.

Len Duvall AM (Chair): Mr Mayor, if you can clear up one of the other issues which is a very simple one. I would normally give you advance notice. In February 2013 - you will remember this one - you undertook a 24-hour trip to San Francisco. That is some endeavour but you managed to do it. There was some secrecy at the time as to why that trip took place. I wanted to clarify that the trip took place because - according to material produced around that time - you were trying to seek out a sponsor for the Garden Bridge. Is that correct?

Boris Johnson MP (Chairman, TfL): That is entirely correct.

Len Duvall AM (Chair): Presumably you were unsuccessful, or were you successful?

Boris Johnson MP (Chairman, TfL): You can take it that we have not been successful yet.

Len Duvall AM (Chair): This is an ongoing issue. That trip related to that time. Respecting confidentiality about the sponsor of the issues, would you be prepared for members of this Committee - maybe myself - to see some of the background notes of that meeting? I would like to know who attended those meetings with you. I understand that Isabel Dedring was in attendance with you and one other member of the GLA staff.

Boris Johnson MP (Chairman, TfL): There certainly was one other member of the GLA staff. I hope you will appreciate that there still are discussions going on with that body about potential sponsorship. I do not particularly want to prejudice those conversations.

Len Duvall AM (Chair): Mr Mayor, let us be very clear, we would not wish to do that either.

Boris Johnson MP (Chairman, TfL): There are still some quite promising lines of conversation.

Len Duvall AM (Chair): We would not wish to prejudice any of those ongoing issues. We would like to know who was present at those meetings.

Boris Johnson MP (Chairman, TfL): If you will forgive me, what I would like to do is take a bit of advice and then get back to you. I see no reason in principle, Len, why I should not be able to fill you in.

Len Duvall AM (Chair): We will be interested to see whether Joanna Lumley or Thomas Heatherwick were present at any of those discussions during that 24 hours.

Boris Johnson MP (Chairman, TfL): Very happy to do so.

Len Duvall AM (Chair): That would be quite important for us to understand if they were present during any parts of those discussions.

Caroline Pidgeon MBE AM: You are going to supply us with a more comprehensive list of dates when this was discussed. It has recently been uncovered, through an FOI, that you had a meeting about the Garden Bridge on 23 May 2013; this was at Swire House, 59 Buckingham Gate. Why was this not included in your report to the Assembly? I have put some Mayor's Questions (MQs) in on this from October [2015] which still have not been answered. What is significant to me about this is that this project was so important. This was the day after Lee Rigby [British Army murder victim] was killed. You had an awful lot on your plate. You had a Cabinet Office Briefing Room A (COBRA) meeting in Whitehall and all that. Why was this so important? Who was at this meeting? What was it about with regard to the bridge?

Boris Johnson MP (Chairman, TfL): I am afraid I do not have the details of who was at the meeting before me now, Caroline, because I have not had notice about that. I see no reason why we should not be able to supply any information we have got on that at a later time. You can take it that, yes, we were, I think, seeking sponsorship for the Garden Bridge. That is absolutely true. I cannot now tell you who was there.

Caroline Pidgeon MBE AM: It seems strange when you suddenly have such an emergency in London and really important, high profile meetings that this would still have gone ahead and been in your diary, but then you did not bother to include in your list of engagements to the Assembly.

Boris Johnson MP (Chairman, TfL): I cannot comment on that as it is a long time since I looked at that diary.

Len Duvall AM (Chair): Now just before we go into our next set of questions, when we asked you to appear before us we did, respectfully, tell each of your offices that we were looking back over what we heard at our first meeting and subsequent meeting with the Chief Internal Auditor of TfL. Our questions are going to screw around some of those bits and ask you for your views and opinions on those.

Caroline Pidgeon MBE AM: I want to look at the role of TfL now in the procurement process. It is quite clear from the internal review that took place that there has been a huge amount of confusion about TfL's role in this process. Perhaps I could start off with a question to the Mayor on this. We have seen the advice from TfL Legal. It said that care would be needed to ensure that your support for Heatherwick's Garden Bridge would not compromise the procurement process. Do you think in some ways your outward public support for this project meant there was not really a level playing field?

Boris Johnson MP (Chairman, TfL): In terms of the procurement process I do not think so at all. This is something on which you have interrogated TfL for some time now. Richard [de Cani] appeared before you some while ago. Obviously I was not directly involved myself in the procurement process but it seems to have been completely above Board as far as I can tell.

Caroline Pidgeon MBE AM: The fact that you had publicly come out in favour of Heatherwick's Garden Bridge in this whole process, surely that therefore clouded the whole process going forward?

Boris Johnson MP (Chairman, TfL): Again, that is a point you have repeatedly sought to make. TfL have been very convincing in their rebuttals. That is simply not the case. There were three designs: Wilkinson Eyre, Marks Barfield and Heatherwick. There was a normal procurement process.

Caroline Pidgeon MBE AM: Why did you feel this particular project needed so much speed behind it? In some ways it feels very rushed.

Boris Johnson MP (Chairman, TfL): There is a reason for that which I am sure you know. In order to get this done at that particular site you have to get there in advance of the construction of the Thames Tideway Tunnel.

Caroline Pidgeon MBE AM: That was the reason you were putting pressure on TfL to move on this project quickly?

Boris Johnson MP (Chairman, TfL): That is the reason why you need to get it done quickly. You are slightly - if I may so - being tendentious about what I may or may not have done with TfL. If you want to deliver a big project in London TfL is the most effective way of getting things done. They are now doing colossal construction work across the city. They did the cable car [Emirates Air Line] in very short order. As you know, the cable car last year has racked up a surplus already of £1 million, the only piece of transport infrastructure that is going to repay both its revenue and its capital costs. That is a mark of the efficiency of TfL. They are certainly good people to have on your side if you want to get stuff done in London quickly.

Caroline Pidgeon MBE AM: It is quite clear from statements and notes of the internal review team's investigation that TfL felt under pressure from you, as Mayor, to deliver this project at speed and when the parameters were clearly shifting. There was not a clear strategy from the start. Do you accept some responsibility that perhaps you put them unduly under pressure to deliver this project?

Boris Johnson MP (Chairman, TfL): No. I have tried to explain to you the timetabling pressures. Going back to my earlier remarks to Len [Duvall AM], when you look at something like this you realise to get it done within a four-year mayoralty - which I is what I had to go - is a very challenging thing. You have people who are going to seek to make political capital out of it, and people who are going to pretend to object to it even though were it to be done by another party they would be the first to support it. You are going to have all sorts of opportunistic 'claptrap' from one group or another. You know you are going to be sailing through some pretty difficult waters. Particularly if you have got something like the Thames Tideway Tunnel you have to make sure you have a pretty brisk timetable. TfL were never in any doubt about that. As ever, they have done a fantastic job.

Caroline Pidgeon MBE AM: When you were looking at this project did you consider the public cost implications of TfL taking on a huge amount of - clearly increasing - responsibility rather than allowing the [Garden Bridge] Trust to develop its capacity and develop the project?

Boris Johnson MP (Chairman, TfL): There is always a debate to be had there. In my experience TfL is the most efficient driving force for this sort of project in London. It was not immediately obvious the Trust was going to have the capacity to do that. Things then changed and it became clear that the Trust could do it so we changed around. In the initial stages it was perfectly right to put TfL in the driving seat. It has a business case of 5.8 to 1. I have mentioned the transport benefits, the regeneration benefits, the amenity benefits and the cultural benefits. It is a great project and I am very glad that TfL have led the way.

Caroline Pidgeon MBE AM: I would like to ask Mike some questions now. I realise this all happened before your watch but obviously you will have reviewed the paperwork. Are you aware whether TfL has ever undertaken such a project, where its role was so unclear from the start?

Mike Brown MVO (Commissioner, TfL): It is not uncommon actually for there to be an evolving process along the way. Clearly - as the Mayor has just said - the reality was that at the initial stage of this project it was not clear what role the Garden Bridge Trust was going to be able to fulfil, and whether we would have to have a more active role as we got into the construction period. That actually was not, as it turned out, the case. Therefore - as the Mayor has just said - that allowed it to be transferred across. It is not totally unusual. TfL is an existing machine, if you like, with the talent, processes and resource - for example, within Richard de Cani's team here - to enable some of the early thinking, including this initial procurement for design services.

Caroline Pidgeon MBE AM: Can you name some other projects where you have had to almost manage them far more than you perhaps would have done whilst another organisation, Trust or whatever, is just trying to catch up?

Mike Brown MVO (Commissioner, TfL): I cannot name some off the top of my head. I can certainly give you some detail of that after the meeting as there are other projects where that has happened. It is certainly not unique.

Caroline Pidgeon MBE AM: In your opinion do you think the Garden Bridge Trust have demonstrated they are capable of managing a project on this scale?

Mike Brown MVO (Commissioner, TfL): I believe they are now demonstrating that. I believe we are at a very different financial situation. £20 million of TfL's contribution will be repaid through a loan over time: that means the public sector contribution overall between ourselves and the Department for Transport of £40 million. The repayment of our loan over 50 years at a rate of interest equal to the Retail Prices Index (RPI) capped at 2% is a very significant change to the initial arrangements for the bridge. That is very welcome and that is good value.

I should just emphasise, as the Mayor has said - and I will add a little bit more detail if you will allow me one sentence - the transport benefits of this bridge. By the end of this year there are going to be 100 million people using Waterloo main line station across the year. It is the busiest station in London by far with huge growth over the last ten years. Some 85,500 of those use the station in the morning peak. Even with the new signalling on the Jubilee and Northern line, the ability for everyone to get quickly on to further transport modes - whether it is the Tube, a bus or whatever it is - is constrained. As the Mayor said the walking experience over Waterloo Bridge is not an entirely pleasant one at that time of morning. I have done it myself on several occasions. I do believe opening up this new avenue of opportunity for people to walk across the river to connect to the Temple, Aldwych, Holborn area is quite a significant transport benefit. Of course it is a health benefit as well because, as you know, TfL more broadly is encouraging people to walk that last mile and walk that last stop. I am convinced - being very new to this but being very honest in my assessment of it - that there is a very legitimate and valid transport imperative around this project.

Caroline Pidgeon MBE AM: I will leave that on record. We can debate that.

Len Duvall AM (Chair): You mentioned about good value for money. I am only responding to that point and I do not want to lose that. Is the Government still going to get their Value Added Tax (VAT) money back for their contribution? Is that really good value for money in the sense of who is putting in what into this project? Can you confirm that is still the case that the Government is going to take VAT on this project? That is still the case?

Mike Brown MVO (Commissioner, TfL): Part of the cost estimate includes about £20 million of VAT.

Len Duvall AM (Chair): It sounds like the Mayor has been had over in the deal that he had with the Chancellor then, does it not? You cannot claim good value for money without justification of what that is about.

Boris Johnson MP (Chairman, TfL): You cannot endlessly have it all ways.

Len Duvall AM (Chair): Can you just remind us, Mr Mayor, of what the money is? Is it still £60 million of public money?

Boris Johnson MP (Chairman, TfL): I must say the longer I listen to this conversation the more pathetic I think this whole thing this. I have to say I think this is absolutely pathetic.

Len Duvall AM (Chair): Please, Mr Mayor, I will let you come in. Please, Mr Mayor, the issue of good value for money has come up and it is right to be questioned. The public sector contribution is £60 million, £20 million is part of a loan. You have just confirmed that the Government is going to get back its VAT. What would that be? Just tell us what that VAT would be in terms of that project?

Boris Johnson MP (Chairman, TfL): Mike just told you it is about £20 million.

Richard de Cani (Managing Director of Planning, TfL): It is about £20 million.

Len Duvall AM (Chair): They are putting £10 million into this project with the Mayor putting £30 million into the project, is that correct?

Richard de Cani (Managing Director of Planning, TfL): £20 million is paid back over a loan.

Boris Johnson MP (Chairman, TfL): The [Garden Bridge] Trust has agreed to pay back £20 million.

Len Duvall AM (Chair): OK. Can you remind us now, if it goes wrong, what the underwriting cost for this project would be in terms of what TfL would have to pick up the bill for?

Richard de Cani (Managing Director of Planning, TfL): The value of the construction contract is just over £100 million thereabouts. We have a funding agreement with the Trust which has been in the public domain. You have scrutinised that with many of the other documents. That sets out the triggers and conditions for the payments to be made. The Trust has to raise sufficient private sector funding to enter into the construction contract for us to release our payment. We have a series of checks and balances along the way which make sure that we are satisfied that the funding they are raising will cover the costs that they are committing to, particularly in relation to construction.

Len Duvall AM (Chair): The revenue costs?

Richard de Cani (Managing Director of Planning, TfL): The ongoing running costs of the bridge are around £2 million. You will have seen the Mayoral Directions that deal with the guarantees. A requirement of Lambeth and Westminster's planning consent was to have a guarantee to cover the obligations on keeping the bridge open. That is what the GLA has agreed to do. We have done that on the basis that there is a very clear business plan that demonstrates how those operating costs will be covered through a number of sources. We are satisfied through the mechanisms we have got, including a review of the business plan and final approval, that there is an opportunity for the Trust to raise sufficient income to cover those operating costs.

Len Duvall AM (Chair): I have some sympathy with what the Mayor is saying. He wanted to get on with the project, move on with that and those issues. When did you receive the business case for this? It is something like 2014 by my reckoning, rather than 2012 or 2013.

Richard de Cani (Managing Director of Planning, TfL): The full business case was completed in 2014. That was part of the process of approval for the funding from ourselves and the Department for Transport. That went through the Department for Transport BIC process, which is their normal assurance process for investment in transport projects.

Len Duvall AM (Chair): I now want to go back over to the question that Caroline was asking. What project has ever gone through TfL without having a business case before it in terms of the way this project has developed?

Mike Brown MVO (Commissioner, TfL): We need to be clear --

Len Duvall AM (Chair): No, give me another project that TfL has undertaken. If you cannot do that maybe you could write to me.

Boris Johnson MP (Chairman, TfL): How about the Olympics?

Len Duvall AM (Chair): The Olympics, no. You had a business case for that. It might have been a bit out of kilter but you had a business case. Tell me what transport project - which you are claiming this is - TfL has had where you have gone forward on procurement issues without a proper business plan or an assessment of one.

Mike Brown MVO (Commissioner, TfL): Can I just check what we mean by procurement process? Let us be clear, there were two procurements here in terms of the Garden Bridge. There was the original design services procurement exercise which was £60,000 which, by the way, did not need to go to a competitive process at all in terms of our standards and the value of that contract. We can get you some detail of other projects of this type. However, a spend of that order is not unusual as part of the contribution to ensure there is the right information to create the business case and construct the business case from. That is a different procurement to the one that then followed for the work that eventually went to Arup in terms of the major contract, the business case having been developed. It is clear that we distinguish between the two phases of the £60,000 originally and then the wider procurement.

Len Duvall AM (Chair): Your critics inside TfL, in the internal audit programme, are actually criticising you for not having the plan for that very issue. The nature of the project - I think we have worked out - is straightforward. What we did not understand about this project was the capacity of the people we are doing business with; what they could do themselves and what they need to rely on someone like TfL to take on. That was the evolving bit that was happening. We worked out the people we are doing business with were not quite up to it and we had to fill the gap.

Boris Johnson MP (Chairman, TfL): It is the other way around.

Len Duvall AM (Chair): Let me finish. We filled, or did not fill, the gap; or we did and we changed our processes. We did not catalogue those changes in some ways. That is what your internal audit report was critical about.

Let me just remind you - because Caroline Pidgeon [MBE AM] has got some further questions - what we are dealing with here today is a report. The executive summary of which was changed, which was the only bit that would have become public --

Boris Johnson MP (Chairman, TfL): Rubbish.

Len Duvall AM (Chair): -- if we had not asked these questions. Your conclusions were changed but the core bit of the report still remained in play. The only bit the public would have seen would have been an executive summary. There were, along the way, some critical issues that crucial paperwork - scoring of the individuals who bid for some of this work - has somehow been lost. On top of that there are the unanswered questions and, on top of that, the late business plan in 2014. That is what we are talking about here. I said to Caroline I wanted to restate that because we have moved on. The last two meetings have clarified that (1) there were problems, (2) there were changes made to the process, and (3) some of the background paperwork does not reflect the nature of what took place over this procurement process.

Mike Brown MVO (Commissioner, TfL): Chair, if I may on the audit report process and the final submission of an audit report, you will have noted - and your colleagues, I am sure, will have seen - the letter from the Chair of TfL's Audit Committee. Keith Williams is a respected businessman. He is the Chief Executive of British Airways, who has worked previously as the Finance Director of British Airways. He chairs our Audit Committee, so far as I can determine, in a very effective and rigorous fashion. As he said in his letter to you, very clearly it is quite normal practice in any audit process for an audit report to go through various iterations. Early drafts, of course by definition, require management to be able to respond to those audits, for points of accuracy, points of misunderstanding or whatever. That is perfectly normal practice. Frankly, throughout my career that has been normal practice, whether it is in this place or in other places I have worked. Keith Williams was exactly implying that very point. I do want to make clear that it is perfectly normal.

Len Duvall AM (Chair): We have had this debate in previous meetings --

Mike Brown MVO (Commissioner, TfL): I understand.

Len Duvall AM (Chair): -- as you will have seen from the minutes. Around this table are people who have been involved in audit, both in the private sector as well as the public sector. In that sense we understand the practice. We understand the issue about accuracy. What was rewritten in both the executive summary and the conclusion was something different. We will be following up the letter and exchange with the audit. Fundamentally, the letter that we drafted is actually reflective of all the parties who were given to comment on that. It does not answer the fundamental questions that we raised.

Mike Brown MVO (Commissioner, TfL): I do not doubt that it reflects everybody's view. I am actually giving my interpretation of the letter sent back by the Chair of the Audit Committee. I did raise one specific issue that shows I have made a commitment to follow up those areas that do need following up. I will work with and, indeed, report back to the Audit Committee on that work going forward. I have absolutely been open and transparent about committing so to do. There is no issue with me following up issues that are properly and appropriately raised, as you would expect, by the Chair of the Audit Committee.

Boris Johnson MP (Chairman, TfL): Can I just say I really think the whole tenor of this conversation is completely out of whack. There have been all sorts of implications from the foregoing conversation. Joanna Lumley - who has done this entirely for free as she is a public spirited person, who campaigned for this bridge simply because she thought it would be a wonderful idea and has never taken a penny of money from

Heatherwick Studio - is having her name dragged through the mud by people who are trying to imply some sort of improper relationship or something. It is completely untrue. The gist of that you are trying to say --

Len Duvall AM (Chair): Please do not do that. You are letting yourself down, Mr Mayor. No one has done that.

Boris Johnson MP (Chairman, TfL): -- is that there is some sort of 'sweetheart deal'. That is not true.

Len Duvall AM (Chair): No one is doing that, Mr Mayor.

Boris Johnson MP (Chairman, TfL): Well then take it back.

Len Duvall AM (Chair): What we are trying to do is understand the procurement process you have entered into and get some sensible responses. You are Chairman of TfL. You sit at the top of the tree.

Boris Johnson MP (Chairman, TfL): Yes, I am very proud of that organisation.

Len Duvall AM (Chair): That is why you are here today.

Boris Johnson MP (Chairman, TfL): I am.

Len Duvall AM (Chair): Partly about that and also to get an understanding that something did not go quite right. For what did not go quite right we need to understand why. You gave one answer about that. There are all sorts of things I can quote you from your legal advice and what your internal audit has said about this process. It does not reflect well on TfL. What we are trying to do is get to the bottom of that. I was hoping we would try to sort that out today, we will be in further questions.

Boris Johnson MP (Chairman, TfL): No you are not. You are trying to cast a cloud.

Len Duvall AM (Chair): I am grateful for Mike Brown's response in regards to ensuring transparency and openness. A little bit more of that may have helped in terms of these circumstances.

Andrew Boff AM: Mr Brown, you said, quite rightly, there are areas of the audit letter which we got two days ago that you will be following up. Do those areas include the scoring system that resulted in the contract being awarded to Thomas Heatherwick?

Mike Brown MVO (Commissioner, TfL): The letter quite clearly says, that:

"... there were some issues with the evaluation process and analysis of the tenders in the contract which did not follow procurement policy".

Clearly, yes, I will be following that up. I have to say though that it is clear to me those differences were not material and would not have actually affected where the contract was awarded to.

Andrew Boff AM: The question was does it include the scoring system that resulted in Thomas Heatherwick being awarded the contract? If it does then it is quite material, if it does not then it is not.

Mike Brown MVO (Commissioner, TfL): It is material insofar as it is an issue that I will be looking at. It is not material in that it would have made a difference to where the procurement would have gone.

Andrew Boff AM: The scoring did not make a difference?

Mike Brown MVO (Commissioner, TfL): The nature of the issues that were raised and have been looked at - in my judgement and bear in mind I am looking at this absolutely fresh - it would not have made a material difference. Remember - if I may just say once again - it was not a procurement that required us to do a competitive tender at all because of its value of £60,000. We did it because we wanted to ensure we had as broad a reach as possible to ensure that those interested parties could get involved.

Richard de Cani (Managing Director of Planning, TfL): If could just comment, the audit report has a number of quite specific management actions in it for things we need to follow up. If your question is about whether we are following up all of those management actions, the answer is "yes", quite clearly.

Mike Brown MVO (Commissioner, TfL): Absolutely.

Andrew Boff AM: I am a simple guy. I asked you about the scoring and whether or not that was one of the concerns raised in the audit. I think you said yes, that was one of the concerns.

Mike Brown MVO (Commissioner, TfL): Yes.

Andrew Boff AM: You then said to me that it would not have affected the outcome, which infers that the scoring would not have affected the outcome.

Mike Brown MVO (Commissioner, TfL): No, it does not infer that.

Andrew Boff AM: That is what I heard, I am sorry.

Mike Brown MVO (Commissioner, TfL): No, with respect, it does not infer that. It is that the differences were not - in my judgement - at the early oversight of this material enough to have affected the outcome.

Andrew Boff AM: This is prior to you actually looking at it, it is your initial take on it?

Mike Brown MVO (Commissioner, TfL): As Richard [de Cani] just said, there are two pieces of work which have happened. One is the internal audit process itself. Which, of course, has recently been assessed under the auspices of the Audit Committee as being fair, independent and transparent in its processes amongst good practice audit organisations, amongst the best of those in terms of best in category. Those are a series of management actions that we are following up in detail. Those are in the public domain. There is no issue with us following up any of those. The comments made by the Chair of the Audit Committee - I am just alluding to - refer to one issue that I have committed to following up and which the Chair of the Audit Committee has asked me to follow up regarding some issues with the process and the analysis. That does not, in my judgement, mean there are material issues with regard to the awarding of the contract at the time.

I have to say, for the avoidance of doubt, I see absolutely no evidence in anything I have done - either looking at this either in preparation for today or anywhere else - that there was ever an undue influence in terms of where this tender was awarded from.

Andrew Boff AM: I am trying to focus here, Mr Brown, on a very, very small thing. I am not trying to broaden this at all. The trouble is we then bring our opinions of the whole project into play. That is not what we are here about. I have opinions.

Richard de Cani (Managing Director of Planning, TfL): There were very specific recommendations in the audit report that we have to follow up. There is a list of them in the audit report that you have got. All of those have been followed up. They talk about process enforcement, a range of issues. They are all written down and they are all being acted on.

Mike Brown MVO (Commissioner, TfL): In my inheritance of this whole piece of work I have absolutely redoubled my commitment, and have asked for those follow up actions to come personally to me to ensure that we are diligently following them up. There is no issue with that.

Andrew Boff AM: Scoring is or is not a part of that process then? Either the auditor has said there was concern about the scoring or the auditor has said that did not really matter. As far as I can understand, the auditor has actually said, yes, there is a problem with the scoring. Is that wrong?

Richard de Cani (Managing Director of Planning, TfL): If your question is are we going to review the scoring of that original procurement from two and a half years ago, the answer is “no”. That is not what the audit report says we need to do. I stand by what I said when you asked me the question two months ago as to whether I stand by the scoring that we gave for that procurement. I do. We would give the same scores again. What this recommends are some process points about how we make sure we follow the established process within TfL for documenting information, enforcement, correspondence and communication. They are the actions we are following up.

Andrew Boff AM: We know what those scores are?

Richard de Cani (Managing Director of Planning, TfL): Yes, you have got those already. They have been in the public domain for about six months.

Boris Johnson MP (Chairman, TfL): Andrew, I do not know if you have seen this letter. He says:

“I start by noting that some of the summary of findings are that (a) the procurement approach was appropriate, (b) there were no issues with regard to the selection of bidders, and (c) there were no issues with the development of the tender.”

He then goes on to say there were no issues with the process, but there were some issues with the evaluation process and analysis of the tenders in the contract.

Andrew Boff AM: This is what I am trying to get to. As I say, I sometimes get lost in the words. I was trying to find out whether or not that evaluation process was about the scoring of the different tenders. Now you have confirmed that was the case. Therefore there were concerns the auditor had about the scoring and the process.

Boris Johnson MP (Chairman, TfL): There were no issues with regard to the selection of the bidders.

Andrew Boff AM: I get that.

Richard de Cani (Managing Director of Planning, TfL): The recommendations are more about the process.

Andrew Boff AM: I trust auditors. One of the arguments I had in this Committee earlier is that you question an auditor and either keep them employed or sack them. You cannot go through and say, "I do not like this audit report but I do like this one". Those are your choices with an auditor, absolutely. It is vital that we do that. However, there is a question raised by the auditor here. That is what I am trying to get to the bottom of, whether or not that evaluation process could feasibly have affected the outcome.

Mike Brown MVO (Commissioner, TfL): No, I do not believe it did affect the outcome. I do not believe it adversely impacted the process, or disadvantaged any of the bidders or advantaged any of the bidders.

Joanne McCartney AM: Did it affect the scoring though? Would the scores have been different?

Andrew Boff AM: That is what I just asked. I do not understand how, if it does affect the scoring, it would not have affected the outcome if the scoring is material. That is where I have an issue.

Mike Brown MVO (Commissioner, TfL): These were minor process points that did not adversely affect any of the other bidders or advantageously affect the winning bidder.

Richard de Cani (Managing Director of Planning, TfL): If we acted on the recommendations in the audit report - which we are doing - and reran the evaluation of that tender from two and a half years ago, we would get the same scores and we would come to the same decision.

Andrew Boff AM: You would get the same scores?

Richard de Cani (Managing Director of Planning, TfL): It would not make a material difference on the decision that we made at the time, in my opinion.

Len Duvall AM (Chair): We will be coming back to this about some of the legal advice. As to some of the questions you answered, Mike, I understand where you are, but there are some issues before that about why you did it. You do not need to do it now because we have some questions for you on it. There are issues that the scoring might have changed if you had not broken up the contract. You could only do what you did because you split the contract between two. We will follow that up on the legal bits and the advice offered, that was rejected by your internal teams, telling you how to go about the process.

Boris Johnson MP (Chairman, TfL): Can I just say something that may be helpful? Had TfL come to me and said that, for one reason or another, Wilkinson Eyre or Marks Barfield had won this contract I would have been totally content. The Dartford Crossing was proposed by Monam and then delivered by somebody else. That is what happens. You go into public procurement with an idea. You do not necessarily come out with the contract.

Mike Brown MVO (Commissioner, TfL): Indeed, with the design for a London Underground station Thomas Heatherwick Studio bid for the work and did not get it.

Boris Johnson MP (Chairman, TfL): Does that help you?

Tony Arbour AM (Deputy Chairman): Yes, it does.

Roger Evans AM: I am quite interested in the practice of audit simply because for one or two unforeseen reasons I ended up as Chairman of the Audit Panel here and I spent quite a lot of time doing it in one place or

another. It is a pretty thankless and low profile task, apart from the occasion when we got occupied by protestors a few years ago.

One of things we find with our audit at City Hall - I will be interested, Mike, because I am not really familiar with how the process works at TfL and what sort of results you get - is that usually in our reports we identify quite a lot of procedural issues which can be improved here at City Hall. Our auditors - the Mayor's Office for Policing and Crime (MOPAC) auditors - would not be doing their job if they did not find those things. On very few occasions do those procedural changes actually make any material difference to what happened in the end or expose us to major threats. Is that the case here? Is this the case with TfL audit that most of this stuff is procedural? You want to get it right but most of it did not have a huge effect in the long run.

Mike Brown MVO (Commissioner, TfL): That is a very fair summary. Clearly the audit team do pick up procedural issues from time to time in the procurement processes and other processes they carry their audit programme out on. We are a large organisation. As the Mayor has so correctly said earlier on, we do get involved in major procurements and major delivery of schemes all the time as well as, of course, our standard processes in operating the place. There are a number of procedural points that emerge. Clearly if there were to be anything more material than that that would require some significant management intervention and change, which may even require some pretty direct conversations with managers who had been involved with the process. As in this case, most of them are on the procedural end of things. Absolutely.

Roger Evans AM: You have undertaken to review all of the auditor's recommendations. You accepted the auditor's recommendations?

Mike Brown MVO (Commissioner, TfL): Absolutely. My judgement is that audit fulfils a very important role. It is part of holding the management to account for applying the procedures that exist within an organisation. That is true in TfL. It is true in any organisation in my assessment. It is a very useful tool and source of information for someone who is trying to run the place, in this context now me. I will absolutely be diligently following up this audit as I actually do, for the avoidance of doubt, with every audit that comes across my desk. I do look at all audits in terms of those that require some additional controls to be put in place.

Roger Evans AM: Yes. It would be incorrect to imply that things would have turned out differently if those procedures had been carried out differently?

Mike Brown MVO (Commissioner, TfL): That is correct. The material issue here is that the same bidder would have been awarded this contract for £60,000 for design at the early stage regardless of the procedural issues that were picked up.

Caroline Pidgeon MBE AM: Back to the procurement. Is it normal procedure, Mike, for one bidder to be given the full details, the brief, the exact invitation to tender one week before the other organisations that were bidding? Mike, is it normal practice?

Mike Brown MVO (Commissioner, TfL): It would not be normal to do that. Richard [de Cani] is telling me that was not the case on this occasion. You could ask me whether I know it was the case on this occasion, I was not doing this job at the time.

Caroline Pidgeon MBE AM: I want to ask you Mike. We asked you to come along. We have, in all the information we have, got a copy of --

Mike Brown MVO (Commissioner, TfL): I cannot remember a time I was not here, Caroline, to be fair.

Caroline Pidgeon MBE AM: No. In your professional practice it would be highly unusual to send details to one bidder ahead of other bidders, a week before?

Mike Brown MVO (Commissioner, TfL): It would be unusual.

Boris Johnson MP (Chairman, TfL): This is a slightly mad conversation. It is, it is bonkers.

Caroline Pidgeon MBE AM: It is not, it is about proper process, Mr Mayor. You may have no respect for it but the rest of us do.

Boris Johnson MP (Chairman, TfL): I do not have much respect for your line of questioning.

Caroline Pidgeon MBE AM: I am asking the Commissioner, you think it would be very unusual for an officer of TfL to email Heatherwick to say:

“TfL is planning to commission a design study into the potential for a new footbridge in central London, the brief attached. I am sending this tender out to a small number of consultants. This will be issued formally to you next week but I wanted to send it informally in advance so you were aware it was coming. I would be grateful if you could pass this to Thomas.”

Do you think that is acceptable practice?

Mike Brown MVO (Commissioner, TfL): It would be unacceptable if it had not also gone to the other two bidders, which it did.

Caroline Pidgeon MBE AM: You believe it went to the other two bidders?

Mike Brown MVO (Commissioner, TfL): It did.

Caroline Pidgeon MBE AM: At the same time?

Mike Brown MVO (Commissioner, TfL): It did.

Caroline Pidgeon MBE AM: That seems very bizarre. If you are saying that is the case maybe we could have copies of that.

Richard de Cani (Managing Director of Planning, TfL): If I can answer that question because I might be able to help. As we had a relatively short period of time for the bidders to respond we wanted to let them know in advance that a formal procurement was coming out shortly so they could mobilise their resource. That is something we would do if we got a procurement that is about to commence and there is quite a short period of time to respond. It is just letting the market know that something is coming so they can mobilise accordingly.

Caroline Pidgeon MBE AM: You can provide us with the emails that went to the other two companies?

Richard de Cani (Managing Director of Planning, TfL): The email went to the three firms advising them in advance that the procurement was about to start, yes.

Mike Brown MVO (Commissioner, TfL): If I may, that is very normal practice for something like a major procurement like train procurement, or other things where you need to alert these big businesses as to the fact a procurement is coming. It is quite normal practice.

Caroline Pidgeon MBE AM: Is it normal practice to accept a bid after the deadline?

Mike Brown MVO (Commissioner, TfL): It can happen, yes.

Caroline Pidgeon MBE AM: It can happen. You have a deadline and one of the bidders does not get it in on time. They obviously say they have had technical issues because they are doing it at the eleventh hour. You are quite happy to receive it an hour or so late?

Mike Brown MVO (Commissioner, TfL): On the basis of ensuring that we get the best value from the public purse perspective it would not be appropriate for me not to consider such bids. Clearly there is a time imperative in this project as there are actually, for other reasons, in many other projects. That would not be an open-ended extension process. We have had instances, again from very big procurements I have been involved in before, where people have said, "Actually, we have had some technical issues. We have had a particular reason that means we might get this in at lunchtime tomorrow instead of 6 o'clock today." That is something we have always considered for any procurement.

Caroline Pidgeon MBE AM: You are quite happy with that?

Mike Brown MVO (Commissioner, TfL): Yes, it is perfectly normal procurement process.

Len Duvall AM (Chair): Can you give us some examples where that has happened and occurred during a TfL procurement process?

Mike Brown MVO (Commissioner, TfL): Yes, we can. I am sure there is one with rolling stock actually but I will check that.

Boris Johnson MP (Chairman, TfL): I want to make a general point about time because Caroline was pressing me about what is the urgency with all this. You have got to understand that once you get the ball rolling on something like this and people start racking up fees for consultancies and things, time is money when you are doing an infrastructure project on this scale. Look at High Speed 2 (HS2): they have managed to spend well over £1 billion without doing anything at all. Unless you have a relatively compact timeframe in which you are trying to get something done you will spend shedloads without achieving anything. That is part of the imperative. It is not just the Thames Tideway Tunnel. There are reasons for being aggressive in your timekeeping.

Caroline Pidgeon MBE AM: That does not mean you cut corners in your process along the way.

Boris Johnson MP (Chairman, TfL): As I said, I do not think corners have been cut.

Caroline Pidgeon MBE AM: You do not feel you have?

Boris Johnson MP (Chairman, TfL): I do not.

Caroline Pidgeon MBE AM: That is your view.

Mike Brown MVO (Commissioner, TfL): Sorry, Chair, if I may. Caroline, to be clear I have seen copies of the emails we did send to the two other companies involved. It was part of the submission we gave to you following your FOI request. That is certainly there and in the public domain.

Richard de Cani (Managing Director of Planning, TfL): They were released under the response to the Will Hurst [Deputy Editor, *The Architects' Journal*] FOI from late October.

Caroline Pidgeon MBE AM: Right, OK. Thank you very much for that. Mike, what safeguards have you now put in place to ensure this kind of imperfect way of doing procurements does not happen again? So it is much clearer and much more transparent, and officers are not put possibly at risk where maybe a Mayoral Direction would have been a better route. What are you putting in place to make sure we do not see this again?

Mike Brown MVO (Commissioner, TfL): I do not agree with the statement that officers were put at risk from any process from the Mayor or the Chairman of TfL. As I have commented earlier, I am absolutely committed - and Richard said it as well - that we are following up the actions from the audit report. There will be a signed action plan to those actions in the audit report and dates by which they will be delivered. I am also obviously following up - as the members of the Committee have seen earlier on this week - the letter from the Chair of the Audit Committee. I will be having a subsequent meeting with him to follow up in detail how we can address the one issue that he has raised of concern as well. As I said earlier on, in answer to Roger's [Evans AM] question, I am absolutely determined and committed to respond to any audit report, this one included, to ensure we can improve our practices in procurement or anything else. Absolutely committed to that.

Len Duvall AM (Chair): In terms of clarification, I was only aware that Richard was going to be sitting beside you today. I am not looking for a response now but I do want to put this on record and give you an opportunity to come back to me and this Committee in writing. Richard, in response to a question from Caroline Pidgeon when asked about the technical and commercial evaluations of the three bids that were undertaken by the same person, you indicated it was you that did that.

Richard de Cani (Managing Director of Planning, TfL): Yes, that is right.

Len Duvall AM (Chair): That is right. I am grateful to TfL for producing some of the material around the auditing process. I am looking at the notes produced of a meeting with you. The reason for the meeting,

"Review the invoices and commercials relating to the two contracts Garden Bridge audit 15638."

You are down in these notes as being "RDC". These are your internal auditors asking the question. On checking who did the commercial day rate analysis, who did the scoring should always be commercial, it has got down against your initials,

"RDC did not do the commercial scoring. Can't comment on scores."

Richard de Cani (Managing Director of Planning, TfL): That is not right.

Len Duvall AM (Chair): That is not right? That is fine.

Richard de Cani (Managing Director of Planning, TfL): No.

Len Duvall AM (Chair): Could you confirm that in writing to us?

Richard de Cani (Managing Director of Planning, TfL): Yes. You asked me that question two months ago and I said it was me. I explained the process we went through.

Len Duvall AM (Chair): It is just there was something different.

Richard de Cani (Managing Director of Planning, TfL): They are somebody else's notes of the conversation.

Len Duvall AM (Chair): That is why we are asking the question. That is not right?

Richard de Cani (Managing Director of Planning, TfL): No, that is not correct. No.

Len Duvall AM (Chair): OK. Can you confirm that in writing to us as well?

Richard de Cani (Managing Director of Planning, TfL): Yes.

Darren Johnson AM: Looking at the timeline in the TfL audit report, on 8 January TfL Legal sent it to you on the best process for procurement. This advice was rejected by senior management at TfL. Mike, can I ask how often is TfL's legal advice not followed in procurement issues?

Mike Brown MVO (Commissioner, TfL): It is not followed when the circumstances have changed, which was the case here. Actually the original advice was provided relating to how the project was envisaged to be delivered at the time the advice was proffered. Actually, as we heard earlier on, the original view was that TfL might have to end up with a much more active role in the delivery of the end project. The fact it then emerged that that was not going to be required going forward meant that that legal advice, as it was originally offered, was not relevant to that process.

Darren Johnson AM: I can understand objectives change, projects change and so on. Presumably that is fairly common across TfL on projects, if the nature of a particular project changes.

Mike Brown MVO (Commissioner, TfL): I have no doubt that it can happen from time to time, yes. Certainly it is fairly obvious to me as to why, given the timeline, it did apply here.

Darren Johnson AM: It has happened on other projects on other occasions?

Mike Brown MVO (Commissioner, TfL): I cannot comment directly on that but certainly for something like this, where there is a clear material change in the delivery mechanism, you would expect it to occur.

Darren Johnson AM: Would it be normal in those circumstances to again get fresh legal advice from legal officers at TfL on the new objectives, the new change project or whatever? Would that be normal?

Mike Brown MVO (Commissioner, TfL): It depends what it is to be honest, Darren. That is not necessarily the case. Sometimes advice would be sought. Sometimes advice would be offered on these situations in a normal dialogue process in the process of tendering for work.

Richard de Cani (Managing Director of Planning, TfL): If I could just help, the way these things work in practice is that through an early stage of a project like that this is not the only point you have interaction with

legal advice. They are constantly working with you to understand what the scope is, what the brief is and what you need to do to make it work. This was not a piece of advice that was received in isolation, then things changed and we never spoke to lawyers again. They were constantly working with us to respond to a different set of circumstances.

Darren Johnson AM: Did you get new legal advice on the changed scope to take account of what you wanted to achieve once the scope of the project had changed?

Richard de Cani (Managing Director of Planning, TfL): We had legal endorsement to the change in approach that we adopted. The advice was given on the basis - as Mike [Brown MVO] said - that TfL might do the whole project from start to finish. That was not the approach we adopted because there was the opportunity to get the private sector to pay for most of the project. That is where the Trust came forward. As part of that change in direction we had lawyers working with us to make sure the approach that we adopted for procurement was sound and robust. They were involved throughout that whole process.

Darren Johnson AM: Mike, whose decision would it have been to reject TfL's legal advice and split the procurement process into design and engineering services?

Mike Brown MVO (Commissioner, TfL): I would expect one of my senior managing director team to be involved in that process, and you have heard that Richard [de Cani] has been involved in the process. However, it was not rejecting the advice, it was taking different advice because of the different nature of the model going forward.

Richard de Cani (Managing Director of Planning, TfL): It was not rejected at all.

Darren Johnson AM: Was that ultimately your decision then, Richard, to take this new advice on this new --

Richard de Cani (Managing Director of Planning, TfL): No. Again, we spoke about this when I spoke before the Committee before. At the time, I was not in my current role. I was doing this for the Managing Director of Planning, Michèle Dix [CBE]. She was involved in the decisions that we took around what procurement approach we adopted based on the advice that we were getting. Yes, it was my recommendation with the input from my legal colleagues. However, Michèle was the person who would have endorsed that at the time because the circumstances had changed. The advice was clearly not relevant because we were doing things differently.

Darren Johnson AM: Going back to Mike, given the chance to redo the procurement process now in the light of the audit report and the concerns that have been raised, would you consider that following TfL's legal advice and holding a design competition would have been the best option for the Garden Bridge project even if it was to be split into two discrete projects in terms of design and engineering? Do you think that holding a design competition would have been preferable?

Mike Brown MVO (Commissioner, TfL): No. I think we did the right thing.

Len Duvall AM (Chair): This is not a flippant question. In terms of some of the answers you have given this afternoon, Mike, TfL does not routinely flout its own rules and procedures in tendering processes, does it?

Mike Brown MVO (Commissioner, TfL): I do not think, Chair, with respect, I would use the term "flouting our own rules". I referred to the audit report, which is a very solid, worked-through document. I have to say,

having worked with our Head of Audit for many years, I have never known him or his team to be influenced by management whatsoever in the final construct of their report.

Len Duvall AM (Chair): No, he was not influenced. It is a very honest report.

Mike Brown MVO (Commissioner, TfL): We absolutely take on Board what is in the report in terms of the management actions and the other things. This is not about flouting processes. We are a very complex, large organisation with many activities going on all the time. I never, ever take any audit report lightly. I see them all. They come across my desk, every single one of time. I am not sure how that happened before but I can absolutely assure the Committee that is what happens. I have no doubt Sir Peter Hendy would have done the same thing. It is a very important part of running an organisation. I do not want the Committee, Chair, or you, to get any sense that I do not diligently take these issues seriously.

What I would say is that no one goes into any procurement or any other management process to flout anything. Our intention is to ensure that we are a continually improving organisation. As I said, I do not believe that the outcome of the £60,000 design contract in the initial stages of this piece of work would have been any different. No doubt we could have got those minor technical issues better. In many management activities - and in many of our everyday activities - I am sure that there are things that all of us can do better. I certainly will commit to the Chair of the Audit Committee, and indeed our own internal audit team, to follow those through.

Len Duvall AM (Chair): In terms of checks and balances in the process, that is why we have these rules and procedures. They are there to protect the public money. I am not suggesting that Mr de Cani has done anything, in that sense, wrong. However, if dodgy Len Duvall happened to be in that position, took a different view about that outcome and had control of that process, it could, without the checks and balances, lead to someone gaining an advantage.

Mike Brown MVO (Commissioner, TfL): It could.

Len Duvall AM (Chair): You agree with that, do you not?

Mike Brown MVO (Commissioner, TfL): It could but --

Len Duvall AM (Chair): Are you going to review the checks and balances about the change? One of the things about the change when we talk about it across this table of, "We decided to split the contract, we decided to do this, we did this ordering or not" is that it could give someone an advantage. It may not have happened in this case. It may not if you had the checks and balances. Your internal audit has flagged up the issues. The summary, as I said, was changed. The conclusions were changed. They were not factual corrections. They could lead someone to taking a different view if you just read the summary and conclusions. Sometimes politicians do that. This time we read the middle part of the document and that has led us to ask some of the questions and raise some of the points that we have now. I want to be very clear about why we are raising this.

Mike Brown MVO (Commissioner, TfL): I understand that. I understand that and it is my responsibility in running the organisation - being responsible to the TfL Board and ultimately the Chairman of the TfL Board - to satisfy them that we apply just such scrutiny and just such oversight of our own internal processes, never mind what then eventually happens at Board level and with the Audit Committee being part of that process. It is why we have an audit team. It is why we have an independent audit team that has been validated as doing just that. It is exactly why, as Richard de Cani described when he made a recommendation to one of my

Managing Directors - he was not an Managing Director himself at the time, as he rightly points out - that that then required an additional process of sign-off and scrutiny. There are several checks and balances along the way within the organisation that do satisfy me that we have got this right.

Now, as I have said - and I do not want the Committee to not hear what I am saying very clearly - there are some issues within the audit report that we are following up. There is a timeline and actions needed to do just that. I will be scrutinising that in great detail to ensure that those lessons are learned and those actions are taken going forward, as will the one point that is raised by the chair of the Audit Committee. That is my job. That is exactly what I am responsible for doing.

Len Duvall AM (Chair): Can we just go back to one of Darren's [Johnson AM] questions? Let us de-personalise it. Len Duvall is sitting in a position where he can split contracts and ignore legal advice. I am in a senior position with TfL. Where does that get reported to or do I just get on with it because I have that authority to get onto it? Who questions me about that decision that I have taken which could advantage someone or disadvantage others? Where are the checks and balances? Where would they be above the Michèle Dix level? Who would say, "Let us double-check that decision"? Who checks that on these cases?

Mike Brown MVO (Commissioner, TfL): I am satisfied there are a number of checks and balances, as you describe them, Chair, along the way of this process. Frankly if an organisation at all - and I include TfL in this - is going to function ever, doing anything, ultimately you have to make some decisions. The area manager at London Bridge Station has to make some decisions on an hourly basis to run the place. We have to make some decisions at senior management level as well.

Len Duvall AM (Chair): This is about procurement, protection of public money, value for public money and getting the best outcome.

Mike Brown MVO (Commissioner, TfL): Absolutely.

Len Duvall AM (Chair): In that sense, we know there is a speed issue but there is also a procedural issue. Maybe you best write to us and explain where that would be on the checks and balances.

Mike Brown MVO (Commissioner, TfL): The very fact we have an audit team - which is an independent internal audit team and has been validated independently as being just that - and the very fact that we have a totally independent Audit Committee with an independent chair who is not an employee of TfL to oversee and scrutinise that activity --

Len Duvall AM (Chair): The point is that audit team would not have gone in and looked at this issue unless we had requested it. Caroline Pidgeon [MBE AM] requested it and your predecessor agreed it. That is after actions have been taken. I am asking what happens about real-time issues at that level. The understanding that if someone is naughty - and I am not suggesting in this case that someone is - that is why we have the rules. What are the checks and balances at that time?

Mike Brown MVO (Commissioner, TfL): I understand, Chair, and I am happy to write to you. I would just say that if an organisation is going to function at all, senior management is responsible to me for making decisions in this organisation. Frankly, they are appointed with a competency level - through a huge amount of scrutiny of Board members and others in the appointment process - to do just that.

Could I ever account for every single individual in my organisation getting everything entirely right on every occasion? Probably not. No more than, with the greatest respect, the Assembly could or anywhere else could. From my perspective, absolutely I am satisfied we have the right checks and balances in place.

Len Duvall AM (Chair): No doubt you can write to us and tell us what they are at that level in different parts of your organisation, in terms of taking those decisions.

Mike Brown MVO (Commissioner, TfL): Yes.

Len Duvall AM (Chair): Thank you.

Boris Johnson MP (Chairman, TfL): I just want to clarify something here, Len. When you say “someone is being naughty”, you are not in any way suggesting that somebody at TfL, in the course of trying to settle this matter, has been in any way dishonest, are you?

Len Duvall AM (Chair): No.

Boris Johnson MP (Chairman, TfL): I really think that this whole conversation --

Len Duvall AM (Chair): Sorry, no, Mr Mayor. Calm down.

Boris Johnson MP (Chairman, TfL): -- is utterly mad.

Len Duvall AM (Chair): Calm down, Mr Mayor. I made it clear when I spoke that I was not suggesting that. You were not listening, obviously not, because you would not be raising it. We are getting to the bottom of why rules and procedures are important and why you need to get on and do your job.

Boris Johnson MP (Chairman, TfL): We need to get on and build this bridge.

Len Duvall AM (Chair): Your imperative is to get on with the job. You have rules --

Boris Johnson MP (Chairman, TfL): This whole thing is a load of cobblers.

Len Duvall AM (Chair): No.

Boris Johnson MP (Chairman, TfL): It is all political. Yes, it is political. You just cannot bear the idea that a great project --

Len Duvall AM (Chair): Mr Mayor, stop being disrespectful.

Boris Johnson MP (Chairman, TfL): -- is going ahead. That is what this is all about.

Len Duvall AM (Chair): No. You cannot bear the idea, Mr Mayor, that you have to work within --

Boris Johnson MP (Chairman, TfL): It is a load of cobblers.

Len Duvall AM (Chair): -- the rules and procedures in terms of public money. That is what we are asking for. You, as Chairman of TfL, are ultimately responsible for it and you need to listen to what is done in your name. You need to listen.

Boris Johnson MP (Chairman, TfL): I have listened very carefully.

Len Duvall AM (Chair): You need to listen and hopefully you will learn, because you would intervene much more and make sure this project was done properly and appropriately.

Boris Johnson MP (Chairman, TfL): I am content that it is being done properly and appropriately and I think you should be listening to what Mike [Brown MVO] and Richard de Cani are saying.

Len Duvall AM (Chair): I am listening, Mr Mayor.

Darren Johnson AM: Mayor, going back eight years this Assembly was asking almost identical questions of the previous mayor [Ken Livingstone] about the weakness in procurement procedures at the London Development Agency (LDA). Again, this Assembly got a barrage of abuse from the mayor at the time. Do you not believe that this Assembly, rather than being motivated by some form of political malice --

Boris Johnson MP (Chairman, TfL): On the contrary --

Darren Johnson AM: -- actually has a duty to ask serious questions about procurement procedures and ensure that they are robust and fit for purpose? Do you believe that that is a legitimate role?

Boris Johnson MP (Chairman, TfL): I seem to remember that certainly the Labour Members of the Assembly were absolutely supine.

Darren Johnson AM: You should go back and read the transcript.

Boris Johnson MP (Chairman, TfL): Some of them I seem to remember were on the Board of the LDA. Maybe they were not. Was there not a chap called [Mayor John] Biggs [AM]? Was he not on the Board of the London Development Agency?

Jennette Arnold OBE AM: You do not know what you are talking about, as usual.

Boris Johnson MP (Chairman, TfL): Was there a chap called Biggs? Was Biggs on the Board? Was he or was he not?

Len Duvall AM (Chair): It is irrelevant, Mr Mayor.

Jennette Arnold OBE AM: You are just so out of order sometimes.

Len Duvall AM (Chair): We ask questions of whoever sits in that job. It does not matter which political party. There are questions that are cross-political party that we are asking. This is about an organisation that you are overseeing that actually has made some mistakes. With a bit of humility on your part, those mistakes --

Boris Johnson MP (Chairman, TfL): I am more than happy to be humble.

Len Duvall AM (Chair): -- could have been corrected and dealt with at the time.

Boris Johnson MP (Chairman, TfL): I think your motives are basically political.

Len Duvall AM (Chair): You have made it worse.

Boris Johnson MP (Chairman, TfL): I think your motives are basically political. That is my disagreement.

Andrew Boff AM: Mr Mayor, you have said how important a project this is, an important regeneration project. Could you let us know what the importance of the regeneration is to that particular area?

Boris Johnson MP (Chairman, TfL): I tried to give a picture of that as well as I could. It will be a spectacularly beautiful addition to the cityscape of London. It will add a new way of crossing the river from the Waterloo area, from the South Bank, to an area that is at the moment slightly languishing. Parts of it are slightly languishing around Aldwych. If you do a reconfiguration of the traffic at Somerset House you could see a fantastic improvement in the way it looks and feels, and the Garden Bridge would certainly be part of that. As an amenity, it is very attractive. It would be wonderful to have, as I say, a park in the centre of London; a new wooded area created in the middle of the city, in the middle of the river. It is a novel and beautiful idea.

I am very impressed by the sums of private donations that the Garden Bridge Trust has been able to generate. That is a testimony to the attractiveness of the scheme. I am not surprised they have been able to raise that type of money from enthusiasts for what will be a real adornment to London. That is why I support it. One of the difficulties is that people do identify it too closely with me, alas, and with the mayoralty. Therefore it gets sucked into a political dialogue, which is a shame.

Andrew Boff AM: We can see by your enthusiasm and passion for the scheme that you are concerned that you, perhaps, do not understand why other people are not as enthusiastic as yourself about the scheme. Is that fair to say?

Boris Johnson MP (Chairman, TfL): No, listen, I can see that people might say that £30 million is a lot for TfL to spend on a project whose purpose is as a footbridge and park. I do think it has other benefits. It has other regeneration benefits in the Aldwych area. I understand the anxiety that perhaps you have, Andrew, about the £30 million. I would just remind colleagues that £34 million was spent by TfL on plans for the West London Tram, which is not yet in existence nor likely ever to be in existence. The Garden Bridge will be a considerably greater addition to the city than that project.

Andrew Boff AM: Do you feel that a scheme that so obviously is of such advantage as the Garden Bridge justifies shortcutting the procurement process?

Boris Johnson MP (Chairman, TfL): As I say, if there have been shortcuts in the procurement process then what Mike [Brown MVO] and Richard [de Cani] have had to say is very important. They have taken it totally on the chin in the sense that there are things we could have done better. Those are lessons that we clearly have to learn.

I am sorry if I take a slightly defensive tone on all this. It is basically because I feel that this project has not had a fair wind from some people who are inclined to be more hostile to it because it is being associated with me than they might otherwise be. As far as I read what Keith Williams [Chair, Audit Committee, TfL] has had to say - and if I understand what Richard and Mike say correctly - whatever way you did it the outcome of the procurement would have been the same.

I want to repeat my point, which is that many people come up with brilliant and beautiful ideas. Many designers come up with ideas and they do not necessarily end up as the people who deliver the project. I gave the example of the Dartford Crossing, which was a Monam idea. Monam brought it to the table. Monam did the models. Monam showed what could happen. Then I cannot remember which company - Balfour Beatty or Costain - in the end did it. That is the way it is. If TfL had come back to me and said, "Marks Barfield, who did the London Eye, are going to do this thing", I would have said, "Terrific". That is the way it is.

To answer your question, it is a great project for London. It needs to go ahead in quite short order because of the Thames Tideway Tunnel. It has attracted a quite disproportionate amount of hostile commentary from people whose motives I am not altogether certain of.

Andrew Boff AM: Some of that comment, Mr Mayor, has been from people like Walter Menteth - an architect and former chair of the Royal Institute of British Architects (RIBA) Procurement Reform Group - who criticised the process. In his comments he said:

"In the normal case one would be seeking to achieve best value by going to the widest possible competition for the broadest range of creative and inventive ideas that could fully explore all the parameters of the requirements being sought by both the authorities and the public. One would do it as transparently and openly as possible. We do not see that in this."

Also there were comments from Christopher Bovis, who is a professor of business law at the University of Hull. This is his quote:

"As an overall remark, the procurement process for the Garden Bridge has not been planned and executed with the diligence, compliance and regard for due process that a project of such value and importance deserves."

We also have a quote from Peter Smith, who is a procurement adviser, who said:

"Without an audit trail to explain how Heatherwick scored so well given their lack of experience, the decision to award them the first contract cannot be explained."

Do you still stand by your support for the procurement process, Mr Mayor?

Boris Johnson MP (Chairman, TfL): I do, particularly in view of what I have seen in my briefing on the procurement process which obviously I was not personally involved in because that would be totally wrong. The impression I have is that the procedures were followed. There were three entrants and there was a scoring process.

Perhaps to help elucidate the mystery of why there is so much architectural backchat about this, one point that has been put to me is that it is often suggested that Thomas Heatherwick has no particular reputation as an architect or a constructor of bridges. I am willing to be educated on that point. Arup are going to be the engineers. They have a great reputation. Nobody seems to be questioning the structural viability of the project. It seems to work. It not only looks good but will, I am assured, be structurally sound and a success as a piece of infrastructure. There is a certain amount of resentment that somehow this guy who has more of a reputation as a designer has a contract to build a bridge. I ask myself whether that is a factor in some of the commentary that I have read about this.

Richard de Cani (Managing Director of Planning, TfL): Andrew, those names that you gave, one of them at least was with me at the session on 17 September. My responses to the points you made are dealt with in the 30 page transcript that is available. We had quite a full discussion over the points made by those people. I will not come back on all those points now but it is in the transcript. I did not agree with everything that they were saying and had not seen everything that they were putting forward. That is dealt with in the transcript from that previous session.

Andrew Boff AM: OK. I appreciate the answers you have given. I hope you understand that we all have our jobs to do, Mr Mayor, and this is our job. I asked you about regeneration because I am still uncertain how it is that we need regeneration funds in areas of London that I cannot afford to live in. I do not understand that.

Boris Johnson MP (Chairman, TfL): Well, perhaps I can help you out there.

Roger Evans AM: That would be pretty much the whole of town, would it not?

Andrew Boff AM: Pretty much everything.

Roger Evans AM: Pretty much everywhere.

Boris Johnson MP (Chairman, TfL): The answer to that is obviously we need to regenerate the whole of the city. However, one of the reasons why the Garden Bridge has so powerful a business case is because a great city like London has to continually refresh its offer. It is very important that we do not rest on our laurels but we continue to adorn a great city with things that will bring visitors to London. This year and last year we led the world in international visitors. That has not always been the case in the past. It will not necessarily be the case in the future.

One of the reasons we are going ahead with projects like the Olympicopolis in Stratford and one of the reasons we are going ahead with the Garden Bridge is because you need, as a great city, to be constantly ambitious for your city and constantly showing the world that you are doing new and beautiful things. That is what the Garden Bridge is all about.

Len Duvall AM (Chair): We have the last couple of questions, Mr Mayor, if you can just bear with us. I will bring in Caroline and then I am going to bring in Tony [Arbour AM].

Caroline Pidgeon MBE AM: Mike, I am wondering whether you think - reflecting on all of this - that it would have been far better to have had a very clear, tight strategy from the start as to exactly what you were trying to achieve here. Being very clear that it was a garden bridge, not just a footbridge - I think there were some issues in the initial brief - and putting a lot more effort and thought into that before proceeding along a process. Whoever is mayor after May will have lots of ideas. They will have lots of creative ideas. You are going to have to deal with those, filter them and find a way to help make those happen. Is there a way that you can put in place a proper process to have that thinking at the start and to think through a proper strategy, rather than ending up in this rather murky place that we are today?

Mike Brown MVO (Commissioner, TfL): I agree with almost all of that apart from the sense that we are in a murky place today. We are in a good place today. We are on the path to delivering this bridge.

Caroline Pidgeon MBE AM: OK, yes.

Mike Brown MVO (Commissioner, TfL): With the benefit of perfect hindsight, had we known that the model of delivery was going to be different from the outset then, of course, there are some things we would have done differently. I hope that has come across to you, Chair, and to the rest of the Committee.

This did start out with a very clear view, as I have said a couple of times. I do not wish to repeat myself totally but we were envisaged originally to be playing a much more active role in the delivery of this bridge. As it became clear that the Garden Bridge Trust was going to be in a position to be able to execute that delivery then clearly our ultimate role underwent some changes at the early stage of this project. As often is the case, with the benefit of perfect hindsight, had we known that to start with then we might have looked at it in a slightly different way. It would be mad of me not to say that.

Having said all of that, we are now in a really important moment in the delivery of this project. My job is to deliver effective transport in this city. I genuinely do believe - having looked at this freshly - that this is a very exciting and useful link for two parts of the city, in a part of the city where two of the existing bridges are further apart than anywhere else.

Caroline Pidgeon MBE AM: That is fine but I just want to focus on process. I know it is not very exciting but let us focus on process. After May [2016], a new mayor will be there with ideas. Are you looking at what you have learnt from this so that you can sit back and say, "We will put some more time in here. We will put some in some other thinking. We will look and learn. This project we thought was going to do A and it ended up doing B"? Are you putting that in place so that you are properly prepared?

Mike Brown MVO (Commissioner, TfL): We have been on a continuing learning process since 2000 when there was first a mayor in this city. I have no doubt we will continue to learn going forward. Definitely.

Richard de Cani (Managing Director of Planning, TfL): If I may, on the question that was raised about design competitions as you know, Caroline, we have been doing some work with Sustrans on another bridge at Rotherham.

Caroline Pidgeon MBE AM: Yes, absolutely.

Richard de Cani (Managing Director of Planning, TfL): That has reached the stage now where we have sufficient understanding about what that bridge does in terms of costs and benefits and we need to go to the next stage. That again has a very different model to the Garden Bridge, and different to anything else that we are doing at the moment because bridges are quite unique. In that particular instance, what we might do next is do a full design competition with Sustrans. That would happen after May. It does depend on each proposal in each location but the lessons from this will clearly be applied to that project in whatever our involvement is in helping to take that forward.

Tony Arbour AM (Deputy Chairman): When I first saw the image of this bridge, do you know my spirits lifted? I thought how absolutely wonderful it would be. I did not think it was possible. I did not think such a beautiful thing could actually be built. I thought it was just a wonderful concept, really rather like the Victorians wanting to build stuff for a long time ahead. I have no doubt that when your grandchildren, Boris, say, "What did you do when you were Mayor?" you will be able to point at that and say, "This is something that I did". However, notwithstanding all of that, I think this is absolutely wonderful. I shall point out to my grandchildren as well that I backed you on this.

Boris Johnson MP (Chairman, TfL): Thank you, Tony. Thank you very much.

Tony Arbour AM (Deputy Chairman): It is an absolutely marvellous scheme.

Boris Johnson MP (Chairman, TfL): I congratulate you on your foresight.

Tony Arbour AM (Deputy Chairman): But --

Darren Johnson AM: Tony is always very good at "but".

Tony Arbour AM (Deputy Chairman): -- I am really rather disappointed at the tone this particular meeting has taken. We do have a function. You may think the Assembly is something that can be brushed away.

Boris Johnson MP (Chairman, TfL): OK, I am very sorry if I have seemed in any way to deprecate, or to minimise, or nickel and dime the importance of this scrutiny. To get back to what Mike [Brown MVO] and Richard [de Cani] are saying, I have no doubt that on the procurement and audit side there may be lessons we can learn from this. I totally appreciate that.

The reason I get a sense of bottled-up indignation sometimes is that I do think that there are some people - I do not think you are among them, Tony, there may be nobody here who falls into that category, but believe me, there are people outside this room who fall into that category - who are against this thing --

Jennette Arnold OBE AM: That is not what he said earlier.

Boris Johnson MP (Chairman, TfL): -- not because they do not want to see anything proceeding like that from City Hall. Had it been done by a previous mayor they would have been all for it. That is my feeling about it.

Tony Arbour AM (Deputy Chairman): I am sorry you should think like that. I have been here from the beginning and what was said --

Boris Johnson MP (Chairman, TfL): I am exempting you from this charge.

Tony Arbour AM (Deputy Chairman): Well, indeed, but the people sitting on either side of me have been there nearly from the very beginning and honestly, we do act without fear or favour. I am afraid I am being a bit philosophical here but one of the benefits of us being separately elected, not simply on whoever is on the mayor's coat-tails, means that we should have some sort of independence and we should be able to hold you to account. It may well be trivial, you may well think that the matters we have raised here --

Boris Johnson MP (Chairman, TfL): No, I did not say that. I was not in any way suggesting that. I was not suggesting that for a second. I was trying to explain my feelings of indignation about this subject. I am sorry if, in the course of doing so, I have seemed to cast aspersions on the motives of people here.

Tony Arbour AM (Deputy Chairman): We are not saying that. It is a simple matter of principle. This is one of the rare occasions that we have been here where there has been a specific thing that appears to have gone wrong and where we need to hold you to account. It does not mean that we think that the whole thing is wrong. It merely demonstrates that we are part of a proper democratic process.

Boris Johnson MP (Chairman, TfL): I am grateful to you.

Tony Arbour AM (Deputy Chairman): I think this is wonderful, as I say. I shall be in my bath chair and I will look at this thing and I will say how wonderful it was.

Boris Johnson MP (Chairman, TfL): Yes. I am grateful to you. All right. Humbly and sincerely, if all members of the Committee are approaching it in that spirit, which I am sure they are, then I retract my intemperate remarks. I apologise to you, Len, for sounding so wrathful about it. It just pains me to see a great project being attacked the whole time. That accounts for my loudness.

Roger Evans AM: I am sorry to come in at the last moment but my interest was sparked by something that Tony was saying. He said that there has never been anything like this before and I remember, back in the dim and distant past, there was. There is a garden bridge, is there not, over the road at Mile End? I remember going to the opening many years ago.

Boris Johnson MP (Chairman, TfL): Yes. That is over a road though, not a river.

Roger Evans AM: It is over a road, yes, but the principle of having the garden on the bridge has been done before.

Boris Johnson MP (Chairman, TfL): Yes.

Roger Evans AM: I wondered if you had taken a retrospective of that to see if there were any lessons that could be learned from that project.

Mike Brown MVO (Commissioner, TfL): That was a Tower Hamlets project, from memory.

Richard de Cani (Managing Director of Planning, TfL): In terms of the principles about having gardens designed on platforms above things, there are clearly lessons from that. They have different geographical contexts. This is above water and you have different climatic conditions to deal with. That has informed the overall approach to planting on the bridge, given it is raised, given it is above water and given it is in a different environment. Lessons like Mile End have been quite helpful, and other places as well.

Andrew Boff AM: We were going to show that off to the world but we changed the route of the marathon.

Roger Evans AM: Not that you hold grudges or anything.

Andrew Boff AM: I hold grudges eternally.

Jennette Arnold OBE AM: Just going back to what Tony [Arbour AM] has said, there are so many of us who have been here since 2000 in terms of the commitment that we bring to the work that we do. I am not going to be sitting in my bath chair but I am looking forward to walking over this bridge.

I just wanted the Mayor to understand that what he has now done is he has added beauty and attraction to the list and the requirement of any regeneration programme, especially those that have any relationship with TfL. I look forward to the TfL buildings and future stations and all that it is involved with. I look forward to a garden bridge over the Stoke Newington gyratory because that is an ambition that is held there.

Boris Johnson MP (Chairman, TfL): Would it have to be privately funded?

Jennette Arnold OBE AM: We celebrate, like you, bringing beauty and attractiveness to our great city.

Boris Johnson MP (Chairman, TfL): Well, I am very grateful for everything after that.

Len Duvall AM (Chair): On a final point, as you go in to look over this affair afresh and look at what lessons can be learned, one of the issues is around the governance of TfL, which I suspect has started from 2000 in some of the culture. TfL are very good and have provided us with a timeline of when the Garden Bridge entered the committee and governance structure of TfL. It is quite interesting, from the conversations and the FOIs of the discussions, moving into the formal issue of the governance of TfL and who does what.

I would like to say this because I think this exercise says more about TfL's culture, are you a public service or are you a private sector service? I have worked in both on governance issues and I can understand some issues about how you go about your business. The first time - according to what TfL have provided us - that the concept of the Garden Bridge went publically to the Board, whether it was informal or not, is a Commissioner's report to the TfL Board. The first time it gets to a Finance and Policy Committee is on 17 July 2013, where it says, "The purpose of this paper is to introduce the committee to the Garden Bridge project".

In hindsight, we have raised issues around how some of those things come into the wider arena of the Board, the role of the Board and the association with those projects. Mike [Brown MVO], you said that sometimes, yes, they do come off-field. Where do they come into it? I just think you work a little bit harder about explaining where they come from. It does not mean that you take shortcuts, wrong word I know. There was something not quite right about this part of the business. Your audit has said that. There was a discussion internally about that. I know you have a different view. There is something about that says that maybe there is an issue around looking at some of those issues as well.

We are not clear, just mapping through again, on the checks and balances or - getting into the executive role and then getting into your formal structures - about some of the information and the processes that you are following about that oversight of your TfL Board and those issues. Please come back to us. Write back to us and say that. It is something we think might be worth looking at as well. In the future, as resources get tighter, priorities become more important. There will be a new mayor taking decisions about the transparency of some of those issues and actions.

Mike Brown MVO (Commissioner, TfL): Yes. Thanks for that, Chair. It did, as you say, come to the Finance and Policy Committee in July 2013. That was when the first substantive financial approvals were required of that level of approvals, which is very clear - delegated authority or not delegated authority - within the governance structures of the organisation.

It is perhaps worth pointing out that we have just had an independent Board effectiveness review carried out within TfL. It was presented to the Board as recently as this morning in terms of actions and activities following up from that. That is in line with good practice - both public and private sector good practice - as to the effectiveness of this, and delegated authorities and how the committee structures and panels of the Board operate. Again, it would be absolutely inappropriate for me to say that there is never an opportunity to continue to review. I am sure the Chairman would agree with that because you review good practice in this area.

Boris Johnson MP (Chairman, TfL): The TfL Board, as you know and as Mike has just said, has just been examined for its effectiveness, but this went through the Finance and Policy Committee. The Board was fully informed of the project. I do not think there is anything unusual about this.

Len Duvall AM (Chair): Look, I am all for fast action, Mr Mayor. Fast action does not mean you have to in terms of transparency or in terms of procedures and practice. Delegated authority does not mean that you have to. It is where it is presented and shown and about those issues, the concept and the nature of this, and the activity that took place when it comes into TfL Board's remit. That does not mean work was not done before, and that is not right or wrong. It is an interesting practice about how it is done, but you need to look at it. We welcome your comments on it.

No doubt the Transport Committee - it will not be our remit to look at it - when you share your effectiveness governance report will have a comment on those issues. That is the right place for it. I am just saying there are some issues around it as it moved forward. Also being clearer. I accept the project changed. I am taken by some of those arguments that you have said. I am taken. I just think you can handle those differently. That is the bit that I think this Committee will take from the evidence we have received from you and others that have been before us. Thank you very much.

Boris Johnson MP (Chairman, TfL): Thank you very much.

Mike Brown MVO (Commissioner, TfL): Thank you.

Len Duvall AM (Chair): Obviously we will write to you about the further information that we have requested and a further exchange.

Mike Brown MVO (Commissioner, TfL): Yes.

Len Duvall AM (Chair): Thank you.