



**Mike Brown MVO**  
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Dear David

## Transport Committee Meeting 21 December 2018 – Summons

I write in reply to Caroline Pidgeon's letter to me of 21 December 2018 in which she asked me to reply to you. The Mayor received a letter in similar terms and this letter and enclosures are also sent on his behalf.

Taking each of the requests in turn, you may find the following information useful:

- Adverse Event Notices issued in relation to the Crossrail project between 1 January 2013 and 21 December 2018:

There have been three such notices; these are enclosed, together with some associated correspondence.

- Copies of any letters sent between Juergen Maier, UK Chief Executive of Siemens and Mike Brown MVO in relation to Crossrail in 2018:

There is one such letter, which is enclosed. Following this letter I met with Juergen Maier and his senior colleagues on both 12 April and 30 April. The second of these meetings included Roland Busch, Chief Operating Officer and Chief Technology Officer for Siemens; for completeness I have also enclosed the agenda from that meeting. There was no agenda for the 12 April meeting as this meeting was based on Professor Maier's letter of 16 February.

As I explained at the meeting of the Transport Committee on 21 December 2018, while Crossrail Limited has responsibility to deliver an integrated railway system, including the integration of the signalling and the rolling stock supplied by TfL with the infrastructure, we have wider strategic relationships with both Siemens and Bombardier and I have met with both of them throughout the project. For completeness, I also include letters from December 2017 referred to in the letter of 16 February 2018.

- Copies of the minutes of the Crossrail Sponsor Board between 1 January 2013 and 21 December 2018:

These are enclosed. These minutes include some material that is not appropriate for publication. Examples include consideration of an interim timetable from December 2019 of Elizabeth line services out of Paddington (often referred to as “stage 5A”); consideration of the Intercity Express Programmes (“IEP”); and the Department for Transport’s funding of the On-Network Works (“ONW”) being undertaken by Network Rail. In some cases, this material has been provided by the Department for Transport so is confidential and its further disclosure may have an adverse impact on the Department’s or Network Rail’s procurement processes. Also included is material provided by Network Rail or referring to the delivery of works and services by Network Rail; minutes containing such references are confidential and not supplied for publication.

These minutes include material that is the subject of legal privilege (which is not waived) such as statements relating to legal advice given to Crossrail Limited’s Board. It is important that the confidentiality of such matters is maintained and therefore, minutes containing such matters are again not supplied for publication.

Certain references to matters that are, or may become, the subject of proceedings have been redacted.

These minutes also include references to the commercial position of certain third party funders of the Crossrail project; that information is disclosable to you only on the basis that it is kept confidential, that being a requirement of the relevant funding agreements to which the Department for Transport is party.

If the Committee feels any of this material needs to be debated, then it would be appropriate to do so in a Part II session in accordance with the Local Government Act 1972.

For completeness, please note that there was a meeting of the Sponsor Board on 10 December 2018, the minutes of which have not yet been prepared. It is also the case that not all meetings were divided into a Part A (without Crossrail Limited attendees) and a Part B (with Crossrail Limited attendees); for meeting number 88, there are only Part B minutes and for meetings 85, 84, and 50, only Part A minutes. The meeting dates minuted for both meetings 90a and 91a are 22 March 2018; please note that meeting 90a was, in fact, held on 22 February 2018.

- Agendas and minutes of the Elizabeth Line Readiness Board between its first meeting to date:

I set up the Elizabeth Line Readiness Board and convened its first meeting on 25 September 2017. It then met approximately every four weeks, with representatives attending from both TfL and Crossrail Limited. I have enclosed copies of every agenda for those meetings, as well as the minutes (which take the form of an action log) that were presented to each meeting. Please note that:

- The actions from the 17 November 2017 meeting (page 11 of the enclosure) have been incorrectly labelled as from 17 November 2018. This is an error in the minutes.
  - There are no actions on file for the 29 June 2018 meeting. No actions were circulated following the June meeting or in advance of the July meeting.
  - While papers were circulated for the meetings as usual, no actual meetings were held on 21 September 2018, 19 October 2018 and 16 November 2018. At this point Crossrail Limited had taken the decision to delay the opening date for the central section of the Elizabeth line, so there were separate TfL/Crossrail meetings taking place and it was not useful to discuss readiness until the project schedule could be revised to reflect the latest position.
- Crossrail's risk register:

The strategic risk register most recently issued to the Board of Crossrail Limited is enclosed; this is a dynamic document which has changed with the development of the project and the enclosed version is the most up to date.

- Agenda and minutes of the 26 July 2018 Mayoral/TfL briefing:

These are enclosed. Please note that the Crossrail discussion was held separately from the rest of our regular meeting with the Mayor, and was therefore minuted separately. I have enclosed both sets of minutes for completeness.

- Correspondence between Jacobs and Crossrail in 2018:

In response to a request for clarification, it was clarified yesterday that the Chair is requesting any formal letters, reports and briefings prepared by Jacobs for either Crossrail Limited, TfL or Department for Transport. As explained in the request for clarification, we will need to engage with Jacobs, Crossrail Limited and the Department for Transport to review a sizeable volume of material to consider whether disclosure of any of it relates to actual or contemplated proceedings, would constitute an actionable breach of confidence or otherwise be exempt from disclosure or require consideration in closed session. I will respond to this part of the request as soon as practicable but, given the issues outlined above, it is not possible to respond within the time period set by the Committee.

In the meantime, please note that a summary of each of the periodic reports made by Jacobs on the Crossrail project is included in the minutes of the relevant Board meeting of Crossrail Limited and those minutes are already published.

- Correspondence between the Financial Conduct Authority and Transport for London since the announcement of the delay to the December 2018 opening of Crossrail:

There has been no such correspondence.

We will shortly be publishing the material enclosed with this letter on the TfL website, with appropriate redactions and will send you a link to that material as soon as it is available online. I have described above a number of areas where the material provided is not appropriate for publication or public debate and the material we will publish will reflect the extent to which we consider publication is appropriate.

The redactions we will make in our published versions will include the names of Department for Transport staff below the Senior Civil Service, included in the Sponsor Board minutes and elsewhere; the Department for Transport has requested that they are not published in any public release of information. This is a general policy that applies across the Civil Service to all similar data releases.

I am conscious of the legal obligation to supply information requested by the Assembly through the mechanism of a summons. We are of course happy to supply all the information covered by the summons (subject to the exemptions in the Greater London Authority (Protected Information) Order 2000) but consider it reasonable in the circumstances that further time is needed to provide the information requested in relation to Jacobs given the relatively short period specified by the Committee, the volume of the information requested, the need to seek clarification (received yesterday) and the need to liaise with Crossrail Limited, Jacobs and the Department for Transport before a response on that aspect can be provided.

Yours sincerely



**Mike Brown MVO**

Cc: Sadiq Khan, Mayor of London and Chair of Transport for London  
Caroline Pidgeon MBE, Chair of the Transport Committee