

MDA No.: 1696

Title: Use of Assembly Reserves

1. Executive Summary

1.1 At the GLA Oversight Committee meeting on 19 July 2018 the Committee resolved that:

“That authority be delegated to the Chair of the GLA Oversight Committee to approve, following consultation with the Deputy Chair of the GLA Oversight Committee and, where appropriate, the relevant Assembly Committee Chair (and any other member as deemed necessary), any non-routine expenditure in relation to the Assembly’s scrutiny functions, with the exception of expenditure for polling, which is subject to separate procedures, as outlined in the Assembly’s Decision-Making Framework.

1.2 Accordingly, the Chair of the GLA Oversight Committee is now asked, following consultation with other Assembly Members as detailed below, to approve expenditure relating to secretariat staffing support on devolution and events. The Chair is also asked, following consultation with other Assembly Members as detailed below, to approve expenditure relating to legal support (and to provide the relevant authorisation to the Executive Director to enter into a contract for the provision of those services).

1.3 This is considered to be non-routine spend because it is proposed that the costs of the expenditure are met from the Assembly’s reserve.

2. Decision

2.1 **That the Chair of the GLA Oversight Committee:**

- **Authorises the Executive Director of Assembly Secretariat to enter into a contract for the provision of legal services to the London Assembly and Secretariat, following the completion of a procurement exercise in line with GLA procurement policy;**
- **Approves expenditure from the Assembly Reserve of up to £40,000 per annum on legal advice for 3 years;**
- **Approves expenditure from the Assembly Reserve of £48,000 to support the creation of a 1 year fixed term G6 post to support events delivery and public engagement in the Assembly’s 25th Anniversary year (inclusive of on-costs);**
- **Approves expenditure from the Assembly Reserve of £62,000 to support the creation of a 1 year fixed term G8 post to support the Assembly’s engagement with the Government’s work on devolution (inclusive of on-costs).**

Assembly Member

I confirm that I do not have any disclosable pecuniary interests in the proposed decision and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:



Printed Name: Emma Best, Chairman of the GLA Oversight Committee

Date: 14/02/25

3. Decision by an Assembly Member under Delegated Authority

Background and proposed next steps:

Legal Support

- 3.1 The Assembly Secretariat does not currently have access to routine legal support. The GLA receives its legal support through a shared service with TfL Legal Services. It is not possible for the Secretariat, on behalf of the Assembly, to seek legal advice through this route. This is because it is considered that there is likely to be a conflict of interest for TfL Legal if they were to seek to provide advice to both the Mayor and Assembly and the Assembly is therefore excluded from the formal shared services arrangements.
- 3.2 Officers currently seek advice on an ad hoc basis from Counsel as and when required. This typically relates to 'new' issues or concerns, or live questions regarding the handling of committee activity, where the Assembly does not have existing advice to rely on or where the legislative landscape has changed. This support has been hugely valuable, but is very formal in its nature, generating an Opinion, rather than providing a route through which officers can test issues or ideas. There are a growing range of areas where we consider that it would be appropriate to test practice and procedure, and to ensure we are able to provide Members with appropriate assurance that the Assembly is operating to the highest standards, and in line with statutory requirements.
- 3.3 The Assembly's Group Leaders have agreed informally that the Secretariat should move forward with a procurement process to appoint an external legal provider for the duration of this term. It is anticipated that this will involve entering into a 3-year contract with a law firm who will be able to provide advice across a range of public law matters. The contract will stipulate a maximum value of up to £40,000 per annum, though in reality it is considered that spend will be much below that. This higher total provides some leeway should an issue or event arise that necessitates a sustained level of support. In the first year of the contract, costs will likely be higher as officers will test a number of outstanding issues. Thereafter advice will be sought on an ad hoc basis (with costs agreed on a case-by-case basis and in line with agreed hourly rates). It is anticipated that a longer-term arrangement of this nature will allow officers to work with named lawyers to build an understanding of the Assembly's specific context, role and powers. Approval is sought to allow the Executive Director to enter into a contract for this service following the completion of a procurement process which will be run in line with GLA and TfL Procurement requirements. This will include a full external tender process to secure best value for money.

- 3.4 As now, officers will engage with relevant Members before advice is sought on matters pertaining to proposed action/activity by a committee. As now, all requests for advice will be approved by the Executive Director.

Fixed Term Roles

- 3.5 It is proposed that two additional fixed term roles are created within the Secretariat, drawing on the Assembly's reserve:
- **G8 Devolution Role:** this role will be based within the Assembly's Research Unit, and will provide additional capacity to ensure the Assembly is able to prepare for and respond to a wide range of Government-led work on devolution. This includes support to the Assembly in developing its position on proposals put forward in the English Devolution White Paper, and taking forward work to ensure proposals put forward either by Government or the GLA are fully reflective of the Assembly's scrutiny function. This will include analysis of the implications of an Integrated Settlement (and the development of recommendations of how the Assembly can play an effective role in scrutinising any such Settlement). This role will be key in ensuring the Assembly can inform and support the development of any future devolution legislation. It is recommended that **this is a one year fixed term role**, reflecting the anticipated sequence of the White Paper and Bill activity (and any implementation activity that will follow).
 - **G6 Events role:** this role will be based within Assembly Communications team. This role will support the current G8 Stakeholder and Events lead, and will provide additional capacity for the Assembly's 25th Anniversary year. Group Leaders have informally agreed that it will be important to ensure that the Assembly is able to mark this important milestone and work is underway to develop a programme of activity. Officers want to ensure that this work can be delivered alongside committees' on-going appetite for external engagement and site visits, and without any reduction in resourcing provided to the London Youth Assembly and existing events like the annual Chair's event. It is recommended that **this is a one year fixed term role**, reflecting the specific additional requirements of the 25th Anniversary year.

Confirmation that appropriate delegated authority exists for this decision:

Signature (Committee Services): Nikoleta Kemp

Printed Name: Nikoleta Kemp

Date: 18/02/25

Financial Implications:

The costs will be met from the Assembly Reserve.

Signature (Finance): n/a

Printed Name: n/a

Date: n/a

Legal Implications:

The GLA Oversight Committee has the power to make the decision set out in this report.

In accordance with the provisions of Section 34 of the Greater London Authority Act 1999, the function of securing appropriate legal advice is calculated to be conducive to and facilitate the exercise of the London Assembly's statutory purposes under Section 59 of that Act.

Signature (Legal): 

Printed Name: Rory McKenna, Monitoring Officer

Date: 18/02/25

Email: rory.mckenna@london.gov.uk

Supporting Detail / List of Consultees:

All Group Leaders have been consulted.

4. Public Access to Information

- 4.1 Information in this form (Part 1) is subject to the FoIA, or the EIR and will be made available on the GLA Website, usually within one working day of approval.
- 4.2 If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.
- 4.3 **Note:** this form (Part 1) will either be published within one working day after it has been approved or on the defer date.

Part 1 - Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

Part 2 – Sensitive Information:

Only the facts or advice that would be exempt from disclosure under FoIA or EIR should be included in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form? NO

Lead Officer / Author

Signature: 

Printed Name: Helen Ewen

Job Title: Executive Director of Assembly Secretariat

Date: 14/02/25