

GREATER LONDON AUTHORITY

REQUEST FOR MAYORAL DECISION – MD2108

Title: Publication of Dame Margaret Hodge MP's Review of the Garden Bridge Project

Executive Summary:

In October 2016, under cover of MD2041, the Mayor formally approved the appointment of Dame Margaret Hodge MP to lead an independent review of the Garden Bridge project. This was in the context of the Mayor's commitment to ensuring Londoners have full information about how public money is being spent.

It was further decided, again under MD2041, that Dame Margaret's final report would be published.

Dame Margaret has now completed the review. She issued her final report to the Mayor on 5 April 2017. The Mayor has reviewed the report and this Decision Form is seeking his approval for the publication and dissemination of that final report by the Greater London Authority, including on the GLA's website.

To reflect the significant amount of work involved in the review, it is proposed that a payment of £9,500 be made to Dame Margaret. This is in keeping with the level of payment made to the authors of other reviews commissioned by the Mayor.

Decision:

The Mayor approves:

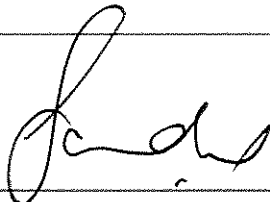
- The GLA's publication of Dame Margaret Hodge MP's independent report into the Garden Bridge project, as issued to him on 5 April 2017 and having first reviewed its contents; and
- A payment of £9,500 to Dame Margaret Hodge MP to reflect the significant input she has made to the review.

Mayor of London

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:



Date:

6/7/17

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

- 1.1. On 19 October 2016, and under cover of MD2041, the Mayor approved the appointment of Dame Margaret Hodge MP to lead an independent review of the Garden Bridge project. The review was for the purpose of considering whether taxpayers were receiving value for money; to look in detail at procurement process for work associated with the project; and to look also at whether required standards had been met for transparency and openness, going back to the beginning of the project.

Publishing the report

- 1.2. MD2041 stated that Dame Margaret would produce a final report for the Mayor on completion of the review – and that the Mayor was committed to publishing it in full. Dame Margaret has now finished her review and issued her final report to the Mayor on 5 April 2017. The Mayor has reviewed the report's content and now intends for the GLA to publish it in full – by making the report available on london.gov.uk, the GLA's website.
- 1.3. The original terms of reference for the review are included within the final report, appended to this Decision Form. Dame Margaret also explains how she conducted her review and lists, in an appendix to the report, the people and organisation with whom she talked and those who wrote to her to share their views.
- 1.4. MD2041 set out also background to the Garden Bridge project itself, which is not repeated here.

Payment to Dame Margaret Hodge MP

- 1.5. To reflect the significant amount of work involved in the review, it is proposed that a payment of £9,500 be made to Dame Margaret. This is in keeping with the level of payment made to the authors, where external to the GLA, of other reviews commissioned by the Mayor.

2. Objectives and expected outcomes

- 2.1. MD2041 explained the review would:
- consider whether taxpayers were receiving value for money
 - look in detail at the procurement process around the project, and whether required standards had been met for transparency and openness, going back to the beginning of the project
 - set out any lessons that should be learnt in order to improve the conduct of potential and approved projects in the future
 - result in a report, produced for the Mayor, following the completion of the review with the Mayor committed to publishing the report in full
- 2.2. The terms of reference set for the review are repeated at the start of Dame Margaret's report.
- 2.3. This specific decision relates to that last bullet point. Publishing the report will meet the Mayor's commitment. It will support the Mayor's wider commitment that Londoners have full information about how public money is being spent.

3. Equality comments

- 3.1. There are no direct equality implications arising from this decision. Publishing the report will be of benefit to all Londoners.

4. Other considerations

a) Risk

- 4.1. Dame Margaret makes recommendations intended to improve processes and practices connected to, and enhance transparency of, public procurement and project governance and management. Publishing the report will therefore support ongoing learning and reduce risks arising from and associated with publicly funded projects.
- 4.2. Risks flowing from the publication of the report are covered in the legal comments below.

b) Links to Mayoral strategies and priorities

- 4.3. The Mayor has pledged to be open and transparent. Publishing this report directly and indirectly supports that pledge.

c) Impact assessments and consultations

- 4.4. Dame Margaret held meetings with relevant stakeholders and others who asked to see her to inform her report. She reviewed the submissions of those who wrote to.
- 4.5. It is not considered necessary for the Mayor to consult on this specific decision.

5. Financial comments

- 5.1 MD2041 approved expenditure of up to £25,000 to procure and appoint specialist consultancy support for the review. This amount is expected to be spent in full.
- 5.2 This Decision Form requests expenditure of a further £9,500, taking total expenditure to £34,500.
- 5.3 All costs arising from the review will be met from the Development, Enterprise and Environment Directorate Central Programme Budget.

6. Legal comments

- 6.1 In view of a possible conflict in this matter for TfL Legal Services, who normally advise the GLA, the Head of Legal Services at LFEPA was asked to commission external lawyers to support the review and advise Dame Margaret and the GLA generally.
- 6.2 Mishcon de Reya were appointed to undertake this work and reviewed and commented on Dame Margaret's report in some detail. Their advice is that the GLA has a defence to any challenge or proceedings that might be initiated by an interested or named party. The Head of Legal Services is satisfied that the GLA has taken reasonable and appropriate steps to manage the risks arising from the review.

7. Planned delivery approach and next steps

Activity	Timeline
Publish the report	7 April 2017

Appendices and supporting papers:

Dame Margaret Hodge MP's Review of The Garden Bridge

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

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. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? YES

If YES, for what reason:

To coincide with the publication of the report on the GLA's website.

Until what date: 7 April (to be published at the same time as or shortly after Dame Margaret's report).

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Tim Somerville has drafted this report in accordance with GLA procedures and confirms the following:

✓

Sponsoring Director:

Jeff Jacobs has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Adviser:

David Bellamy has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance and Legal teams have commented on this proposal.

✓

Corporate Investment Board

This decision was flagged to the Corporate Investment Board at its meeting on 3 April 2017 and circulated via email to the Board on 5 April 2017

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

M. D. Bellamy

Date

6.4.17

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature

Approved by David Bellamy by email

Date

6.4.2017