

# GREATER LONDON AUTHORITY

██████████  
(By email)

Our Ref: MGLA131118-7838

17 December 2018

Dear ██████████

Thank you for your further request for information which the GLA received on 12 November 2018. Your request has been dealt with under the Freedom of Information Act 2000.

Our response to your request is as follows:

*Please can I have all email correspondence between 9 July 2018 and 31 July 2018 relating to the delay of the central section of the Elizabeth Line between the Mayor's office and the below members of Crossrail Ltd and Transport for London:  
Crossrail: Executive Committee members and Crossrail Board members only.  
TfL: Mike Brown and his direct reports.*

Please find attached the information within scope of your request. The attachment to the email is a Transport for London assessment of the risks around the Crossrail schedule, focusing on the opening of the full east-west line from Reading to Shenfield. This attachment has now been published at: <http://content.tfl.gov.uk/elizabeth-line-20-july-slides-redacted.pdf>. TfL is a joint project sponsor of Crossrail Ltd, alongside the Department for Transport; Crossrail Ltd has a high degree of independence from the joint project sponsors.

Some of the information within the slides is exempt from disclosure under the exemption for Commercial Interests at section 43(2) of the FOIA. Section 43(2) provides that information can be withheld from release if its release would, or would be likely to, prejudice the commercial interests of any person.

A commercial interest relates to a person's ability to participate competitively in a commercial activity and in this instance, the information withheld from disclosure refers to Network Rails budget for live procurement and a description of a TfL financing deal that is not yet completed.

The GLA is satisfied that in this instance disclosure of the information would be likely to, prejudice or harm the commercial interests of TfL and Network Rail. Disclosure would actively hinder the ability of Network Rail to get the best value from their procurement exercise and release of the value and timing of the TfL financing deal would be likely to compromise their ability to raise the sum required.

Section 43(2) constitutes a qualified exemption from our duty to disclose information under the FOIA and consideration has to be given as to whether the public interest favouring disclosure of

the information covered by this exemption outweighs the public interest considerations favouring maintaining the exemption and withholding the information. In this instance the GLA recognises the legitimate public interest in the transparency of information relating to Crossrail project.

In balancing the public interest in disclosure, we consider the greater good or benefit to the community as a whole if the information is released or not. The 'right to know' must be balanced against the need to enable effective government and serve the best interests of the public. In this case, it is felt that the public interest would not be met by revealing commercially sensitive information which would be detrimental to the way in which Network rail negotiates on procurement and the ability of TfL to raise the sums required to deliver on aspects of the Crossrail project.

At a meeting on 26 July, Crossrail Ltd highlighted to the Mayor that the Elizabeth line's stage three December 2018 opening date was at high risk due to increasing programme pressures. Three scenarios for completing dynamic testing and opening the railway were presented by Crossrail Ltd to the Mayor. Crossrail Ltd had not decided to adopt any of those scenarios as further work was ongoing.

The Mayor has been clear that he discussed rising cost and schedule pressures with Crossrail Ltd over the summer, including looking at the implications if these issues weren't resolved. In July, it was clear that the opening date was at high risk of being missed but it was not until the end of August that the Mayor, TfL and the DfT were told that the opening of the central section would definitely be delayed until Autumn 2019 – something the Mayor has not hidden his anger and disappointment about.

The Mayor has asked TfL to commission an independent review of Crossrail's governance to report in the coming weeks. This includes looking at whether the joint sponsors should have been made aware that the schedule was definitely not achievable at an earlier date, and whether the right scrutiny and oversight is in place as the project moves to its final phase.

You may be interested to know that TfL has now released over 100 documents relating to Crossrail including Board minutes dating back to 2013 following the agreement of a funding and financing deal with the Government and the GLA: <https://tfl.gov.uk/corporate/publications-and-reports/crossrail-project-updates#on-this-page-3>

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

**Paul Robinson**  
**Information Governance Officer**

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:

<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

## Paul Robinson

---

**From:** Wild Mark (CEO Crossrail) <[REDACTED]>  
**Sent:** 20 July 2018 16:56  
**To:** David Bellamy; Heidi Alexander  
**Cc:** Mike Brown  
**Subject:** Elizabeth line slides.pptx  
**Attachments:** Elizabeth line slides.pptx <http://content.tfl.gov.uk/elizabeth-line-20-july-slides-redacted.pdf>

David and Heidi,

Good to see you both earlier. Attached are the slides reflecting our earlier discussion on launch dates with some more information on the cost position. If you have any questions, just give me a shout.

Have a great weekend.

Best,

M