



OFFICE OF THE ADVISORY COMMITTEE ON BUSINESS APPOINTMENTS

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BUSINESS APPOINTMENT APPLICATION: TONY MEGGS

The Committee has been asked to consider an application from Mr Meggs, the CEO of the Infrastructure and Projects Authority at the Cabinet Office.

I am writing as Chair of the Committee to express my concern about the handling of this application, as I will explain below.

Application details

Mr Meggs is to join Crossrail Ltd (Crossrail) in January in a part time, paid, role as Chair of the Board. Crossrail was established to build the new Elizabeth line railway. It is a wholly owned subsidiary of Transport for London (TfL) and is jointly sponsored by TfL and the Department for Transport (DfT), to deliver this large scale public project. DfT and TfL recommended Mr Meggs' appointment to the Crossrail Board earlier this month. He will be employed by Crossrail; rather than any of its sponsors.

In his application, Mr Meggs says neither he, nor anyone he had responsibility for, had any contractual dealings with Crossrail. However his team provided independent assurance of the project via the Government Major Projects Portfolio. Mr Meggs said his team have conducted *'...periodic independent assurance reviews of this project - the last being in November 2017. Over the past month, members of my Finance Team have been involved in assisting Treasury officials in resolving Crossrail financing issues.'*

Consideration

I would like to register the Committee's concern that this appointment was announced before completing the Government's Business Appointments process. The application was submitted to the Committee on 17 December, after the new role was publicly announced by the UK Government in its statement to Parliament (on 10 December).

The Government's Business Appointment Rules for Civil Servants (the Rules) specify that individuals should not accept or announce a new appointment/ offer of employment before advice has been received; and that retrospective applications will not normally be accepted.

From the Chair

In such cases the Committee is constrained from considering applications fully and freely; and in a manner that will command public confidence if an appointment has already been announced and/ or taken up.

The Committee recognises that the Government has recommended Mr Meggs for this appointment because it considers he has the appropriate skills and experience for the job. However, the Committee is mindful that a former Civil Servant who has been involved in the assurance of the Crossrail project, moving to take up the post as Chair at Crossrail could give rise to potential areas of conflict of interest. The purpose of the Rules is to ensure that such issues are appropriately considered, and appropriately mitigated where necessary, before an appointment is taken up.

To announce this appointment without first seeking advice was a failure to follow the Rules. Not only was an application made retrospectively to this announcement, the announcement made no mention of the Business Appointments process. In the circumstances, the Committee refuses to provide advice.

I trust you will now ensure that steps are taken to consider and manage any potential conflicts of interest in this case; before Mr Meggs takes up this role as planned in January. I hope that in doing so, the Cabinet Office will be transparent about its approach so as not to undermine the Business Appointments process further.

We will publish this letter on the Committee's website, and refer to it in the relevant annual report.

The Baroness Browning

Mr John Manzoni