



BY EMAIL

Ref: FOI 14-011

Dear 

Thank you for your requests for information, received on 26 March 2014. You asked us the following questions:

“Could you please consider this request under the Freedom of Information Act 2000.

At the Mayor's Scrutiny Committee in January, the Mayor/Chair of the LLDC claimed that that there were problems with the 'Right to Buy' that could stop any CLT homes on the Olympic Park, being permanently affordable.

Could you please provide copies of the legal advice that describes this problem and inform me what actions you have taken, e.g. contacting existing CLTs, their advisers or the National CLT Network to see how this problem could be tackled.

The Mayor also claimed the LLDC would receive less money if the Legacy Neighbourhood homes and land were sold to a Community Land Trust. Could you please provide the following information that I presume you must have prepared to enable the Mayor to make that statement:

- 1. Your viability calculations and assumptions about what the CLT homes cost and how they would be financed*
- 2. The actual shortfall in land price you have estimated, (compared to what?)*
- 3. The difference you have estimated between the sale of homes and land to a CLT compared with selling to a housing association for Affordable Rent or Shared Ownership*

I believe that there are no grounds for considering any of the above information to be commercially confidential, and that they are material to whether the Mayor is being effectively advised on his ability to achieve one of his manifesto promises.”

I have set out below our response to each one of your questions following your order:

Request 1 - *Could you please provide copies of the legal advice that describes this problem and inform me what actions you have taken, e.g. contacting existing CLTs, their advisers or the National CLT Network to see how this problem could be tackled.*

Response 1 - In relation to this request, please could you narrow the scope or possibly make the question more specific. We have been undertaking searches in relation to this request and we have determined that the cost will exceed the 'appropriate limit'; in as much as identifying whether we hold the information requested, finding the requested information, or records containing the information, retrieving the information or records and extracting the requested information from the records will cost the London Legacy Development Corporation (the Legacy Corporation) more than £450 to comply with your request. This figure is specified by regulation, representing the cost of one person spending 18 hours determining whether we hold the information, and locating, retrieving and / or extracting it.

Although, under section 12 (1) of the Freedom of Information Act 2000 we cannot comply with your request or process it further in its current form, if you narrow the scope of your request, or possibly make the question more specific we may be able to provide the information because it would cost less than the appropriate limit to do so. Any reformulated request will be treated as a new request.

Please contact us if you need any assistance with this, using the request reference number and we will do what we can to help you.

Request 2 – *Could you please provide...your viability calculations and assumptions about what the CLT homes cost and how they would be financed?*

Request 3 - *Could you please provide...the actual shortfall in land price you have estimated, (compared to what?).*

Response 2 & 3 – The Legacy Corporation is continuing to examine the possibility of a Community Land Trust on Queen Elizabeth Olympic Park (the Park). The Legacy Corporation Investment Committee (Committee) considered a report for a Community Land Trust (CLT) on Queen Elizabeth Olympic Park at its meeting on 28 April 2014. The agenda can be seen on the website:

<http://queenelizabetholympicpark.co.uk/~media/LLDC/Committee%20minutes/Committees/Investment/140428ICPackPublicversion0001.pdf>.

At this meeting the Committee agreed that no further work should be undertaken to examine the options for a CLT at Chobham manor; endorsed the proposal that the creation of a CLT at East Wick be discussed with the shortlisted bidders as part of the competitive dialogue process for Phase 2 of the Legal Communities Scheme; and noted the report and agreed the recommendations in the supplemental report on Part 2 of the Agenda.

The Committee recommendations were considered by the Legacy Corporation Board at its meeting on 30 April 2014 and were approved.

Following Board approval, the proposal to create a CLT at East Wick will be discussed with the shortlisted bidders as part of the competitive dialogue process for Phase 2 of the Legal Communities Scheme. The Legacy Corporation has considered the public interest test in deciding whether to release the information you have requested.

The public interest in releasing the information requested has been considered and balanced against the impact that releasing this information now would have on current and ongoing work relating to CLTs on the park. With this in mind and at this stage in the process, the public interest would not benefit from the information being released and therefore the

information requested is being withheld under section 43 (2) Commercial Interests of the Freedom of Information Act 2000 (FOIA).

Section 43 (2) Commercial Interests (FOIA)

“(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).”

Request 4 - *Could you please provide...the difference you have estimated between the sale of homes and land to a CLT compared with selling to a housing association for Affordable Rent or Shared Ownership.*

Response 4 - The Legacy Corporation would work with the winning bidder who would investigate this information. At this stage in the process, the Legacy Corporation do not hold this information.

If you are unhappy with our response to your requests and wish to make a complaint or request a review of our decision, you should write to:

Executive Director of Finance and Corporate Services
London Legacy Development Corporation
Level 10
1 Stratford Place
Montfichet Road
London
E20 1EJ

Please note: complaints and requests for internal review received more than two months after the initial decision will not be handled.

If you are not content with the outcome of the internal review, you may appeal directly to the Information Commissioner at the address given below. You should do this within two months of our final decision. There is no charge for making an appeal.



Further information on the Freedom of Information Act 2000 is available from the Information Commissioner’s Office:

Wycliffe House
Water Lane
Wilmslow
SK9 5AF

Telephone 08456 30 60 60 or 01625 54 57 45

Website www.ico.gov.uk

Yours sincerely


on behalf of 
FOI/EIR Co-ordinator
London Legacy Development Corporation

