



26 September 2014

INFORMATION REQUEST REFERENCE 14-030

Dear 

Thank you for your request for information, received on 31 July 2014. With clarification you asked us to provide the following information under the Environmental Information Regulations 2004 (EIR):

“All correspondence, including reports, with Hackney Council since October 2013, relating to the restoration of the East Marsh car park?”

We also sought an extension of time to deal with this request for information.

The London Legacy Development Corporation (the Legacy Corporation) can confirm that we hold the information on the subject requested. The relevant information, as defined below, is contained in **Appendix A**.

However, we have had to consider the following factors:

The Legacy Corporation has conducted a search of the email archive system using the search term “East Marsh”, sent or received from an email address containing “@Hackney” and sent or received between 1 October 2013 to 31 July 2014.

There were 384 items / 92.81MB found as a result of this search. The results of this search were reviewed against these factors:

1. The correspondence was relevant to the request and referred to the East Marsh car park and its restoration.
2. Any automatic notifications were removed. These included any automated correspondence such as read receipts, out of office notifications and meeting acknowledgements, etc that were within the search results.
3. Communication was between the Legacy Corporation and the London Borough of Hackney. Third parties could be included however the main dialogue should be between these two parties. The email addresses were used to identify these.

Financial information has been redacted on page 11 of 39, within the draft deed of variation. This has been redacted under exception 12(5)(e) of the EIR which relates to the confidentiality of commercial or industrial information. The purpose of this exception is to protect any legitimate economic interests underlying commercial confidentiality. The information in question triggers the exception: it is commercial in nature; it is subject to a common law duty of confidence; and disclosure would adversely affect the confidentiality required to protect legitimate economic interests held by a third party.

The Legacy Corporation would only be required to disclose this information if the public interest in disclosure outweighed the public interest in maintaining the exception. The Legacy Corporation has taken into account that disclosure would serve the public interest by enabling the public to participate in the public authority's decision-making processes and ensuring that public authorities act scrupulously in decisions in which they have a vested interest. However, we consider that the public interest in maintaining the exception would outweigh the public interest in disclosure at this time.

As a point of clarification, within the relevant search results, on pages 21 and 22 of 39, the references to LBN are typing errors and should read LBH.

It is the standard practice of the Legacy Corporation to redact personal information unless consent to release has been received. As such, names and other contact details have been redacted from **Appendix A**, in line with Regulation 13(1) of the Environmental Information Regulations 2004 regarding personal data. This Regulation states that a public authority shall not disclose personal data, to the extent that the requested information includes personal data of which the applicant is not the data subject and as respects which the conditions in either Regulation 13(2) or Regulation 13(3) apply. In this instance, the relevant condition that applies is Regulation 13(2)(a)(i), whereby the information is defined as personal data within Section 1(1)(a) of the Data Protection Act 1998. As we have not received consent of the data subjects, release of the requested information at this time would contravene the first data principle under Schedule 2(1).

Please note: You are not permitted to re-use the information provided for publishing, or issuing copies to the public, without the permission of the copyright owner.

If you are unhappy with our response to your request 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



FOI / EIR Co-ordinator
London Legacy Development Corporation