



4 February 2015

INTERNAL REVIEW REFERENCE 14-044

Dear 

We refer to your email of 5 December 2014 where you requested an internal review under the Freedom of Information (FoI) Act 2000 with regard to the response you have received from the London Legacy Development Corporation (Legacy Corporation) in relation to your information requests reference 14-034 and 14-044.

The internal review request was addressed jointly to the Legacy Corporation and the Greater London Authority (GLA) as the Legacy Corporation response for 14-034 identified that information from the London Development Agency (LDA) was transferred to GLA on the closure of the LDA and the GLA had been sent similar requests.

This response has been conducted on behalf of the Legacy Corporation and is based on the information available to the Legacy Corporation. The Legacy Corporation cannot report on what information may be held by another organisation and does not review the responses provided by the GLA.

The internal review has been conducted and the findings and recommendations of the Internal Review panel are provided below.

In addition, the internal review request contained multiple questions and additional information, in particular in the form of an undated LDA response to a Freedom of Information request.

1. Report findings.

- 1.1. At the time of the requests, the Legacy Corporation disclosed the payment information they held in relation to the requests. The Internal review has confirmed that no further payment information is held by the Legacy Corporation.
- 1.2. Under the FOIA, we have a duty to provide advice and assistance, which includes conforming to the section 45 code of practice. In this case, in relation to the transfer of requests, the usual Legacy Corporation practice was followed.

- 1.3. The request was initially for payment information only and the response provided the payment information we held and advised the requestor on who would hold the information requested. Following good practice, the Legacy Corporation FoI Co-ordinator confirmed with GLA Finance that the LDA financial information was transferred to them on the closure of LDA. The FoI Co-ordinator also confirmed this transfer through external public sources, including the LDA Closing Financial Statements 2011/12, which were completed by the GLA, as its functions, assets and liabilities were transferred to the GLA or its subsidiary companies. The Legacy Corporation's predecessor body, the Olympic Park Legacy Corporation (OPLC) was still in existence at this time, and the Legacy Corporation Mayoral Development Corporation (MDC) had not yet been created so the Legacy Corporation was not considered a subsidiary company at the time of the statement.
- 1.4. With the second request, we were asked to liaise with the GLA in order to fully answer the request. The Legacy Corporation provided a map to clarify the area and, once completed and returned, shared the marked up maps with GLA, however there was no collaboration in the individual organisation responses and we do not think it would have been appropriate to issue a combined response. Each organisation has final responsibility for their own responses and to respond on the information they hold. It is important that the need to cooperate and co-ordinate where appropriate is balanced by the need to maintain independence in the responses provided.
- 1.5. In order to provide further clarification for the requestor, the internal review request has been broken down in sections and members of the Legacy Corporation Real Estate directorate reviewed the information in the response table and also outlined the boundary of the Chobham Manor site on the maps previously provided to clearly outline the area covered by the site. The responses provided for each individual section are in **Annex A**. The revised maps are in **Annex E**.
- 1.6. In addition to the above, the Legacy Corporation Finance Director confirmed that, to the best of his knowledge, all of the site assembly land purchases of the Olympic Park were done by the LDA. Only the land relevant to the OPLC transferred from the LDA on their closure, with no payment. On the creation of the Legacy Corporation, the assets of the OPLC were transferred to the Legacy Corporation under the Localism Act 2011.

2. Recommendations:

- 2.1. The request for 14-044 was jointly submitted to both the Legacy Corporation and the GLA, and requested collaboration in the response. The FOIA and s45 code of practice identifies good practice for transferring requests where the information is not held or is only partially held by the original organisation, and this includes consultation with the other authority to confirm that it does hold the information requested, however while GLA were consulted with regards to the information, it would not have been appropriate to issue a combined response as each organisation has responsibility for their own responses.
- 2.2. The Internal Review Panel **recommend** that the guidance on the Legacy Corporation website is revised so that it clarifies the responsibilities of the organisation with respect to the information requests it receives and the Legacy Corporation processes for transferring requests to other authorities. This recommendation should be implemented by the end of February 2015.
- 2.3. Although the LDA information provided in the Internal Review request may have made the focus of the requests clearer, the information held by the Legacy

Corporation would not have changed, however, it might have made it possible to provide better guidance on where the information could be held. Also, the response could have more clearly stated the checks that had been undertaken before the response.

2.4. The Internal Review Panel **recommend** that the Legacy Corporation responses to information requests should provide as clear a response as possible to an information request, clearly stating where information is not held, what checks have been undertaken to confirm this and advising on which organisation holds the information, where this is known. The recommendation can be implemented immediately and will also be added to the internal guidance by the end of February 2015.

Additional documents:

Annex A – Response table

Annex B – 14-034 response

Annex C – 14-044 response

Annex D – 14-044 internal review request email

Annex E – Original annotated maps with Chobham Manor Site boundary outlined.

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


Executive Director of Finance & Corporate Services
London Legacy Development Corporation