



18 December 2014

INFORMATION REQUEST REFERENCE 14-056

Dear 

Thank you for your communication, received on 16 December 2014. You asked us to provide the following information under the Freedom of Information Act 2000 (FOIA):

“Bearing in mind that London Legacy Development Corporation acknowledges intervention in the construction, deconstruction, reconstruction and on-going development of the London Olympic Stadium through state resources; and that:

1. LLDC has had the intention of acting as a private market operator in respect of negotiations to do with the future use of the Stadium.
2. Alterations to capacity can be fully justified.
3. There were no practical alternatives to altering capacity.
4. Public co-financing has been strictly restricted to what is essential.
5. The facilities are multifunctional.
6. The facilities are open to any user on non-discriminatory terms.
7. The facilities are appropriate in scale.
8. The measures mitigate cross-border distortion.
9. Private undertakings pay market prices.

and that:

10. The aid is notifiable.
11. The aid does not fall within ‘de minimis’ limits.
12. The measures do not fall within the General Block Exemption Regulation.

Please provide details of precisely which state authority, or state authorities, took the decision that state aid in respect of the London Olympic Stadium is non-existent?”

To be clear, the London Legacy Development Corporation’s (Legacy Corporation’s) position is, and always has been, that the arrangements for the Stadium at the Queen Elizabeth Olympic Park do not constitute State aid. The Legacy Corporation formed this view having taken specialist advice and shared its views with E20 LLP, the joint venture entity responsible for the Stadium, before it entered into the contract with West Ham for its use of the Stadium. The Legacy Corporation’s views were shared with the Department for

Business, Innovation and Skills and the Department for Culture, Media and Sport before completion of the competition under which West Ham was appointed.

Given the conclusion that no aid was present in that transaction, no process of notification for the European Commission is triggered and point 10 in your letter of 16 December 2014 is not, therefore, correct.

Thank you for your earlier offer to speak to LLDC's Board; we do not think that will be necessary.

Having taken detailed advice throughout the competition from which West Ham was appointed and satisfied itself that no aid was present in the appointment of West Ham, the Legacy Corporation does not intend to undertake any further review of the matter.

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



London Legacy Development Corporation