



Level 10
1 Stratford Place
Montfichet Road
London
E20 1EJ



16 November 2015

INFORMATION REQUEST REFERENCE 15-069

Dear 

Thank you for your information request received on 13 October 2015 and confirmed on 21 October 2015. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

“copies of all correspondence, approvals, etc. including emails ref contamination remediation measures in relation to the Olympic Stadium and a radius of 300mts circumference of the Olympic Stadium (300mts x 360 degrees from the Centre Spot of the Pitch).”

An earlier request under reference 15-060 for “copies of all correspondence, approvals etc. including emails ref Contamination Remediation measures” was refused by the Legacy Corporation under section 12 of the FOIA on the basis that over 166,000 records were identified in the initial search and retrieving and reviewing all of this information would exceed the appropriate limit. This request is currently subject to an internal review. The above request focused the information request to the Olympic Stadium and a radius of 300 meters circumference.

Throughout its construction and then the post-Olympic transformation the stadium site has multiple terms that are used to reference it, including Zone 2 and 3, rarely was it referred to just as the Stadium or Stadium site. Using the Treesize Professional software, a search was run across the fileserver using the search terms “contamination remediation stadium” and only 2 results were found and these 2 results related to early drafts of this response letter.

A separate search was run on all of the terms individually within the filepath, however the software does not operate on Boolean logic and the results were for every mention of each of the individual terms, broadening the search results as opposed to narrowing the focus. Searching using the Boolean logic is where the words “and”, “or” and “not”, known as operators, are used to refine the results of a search by combining or limiting the relationship between the search terms. As there were no specific search terms or operators that could be used to focus the parameters of the search to realistic result levels within the systems, software and applications used by the Legacy Corporation, the original search results for 15-060 would need to be reviewed under this new request and the relevant documents identified and retrieved.

In the request 15-060, 166,000 records were identified, over 67,000 records within the fileserver, and over 99,000 records within the email system.

606 records from the earlier file server search results were reviewed for the Internal Review and for this request. This took a total time of 6 hour, 29 minutes; this time includes calculating the radius of the Stadium area to identify which areas were relevant to the FOI request and obtaining a Zonal plan from the LLDC Planning department to identify the Stadium zones.

Extrapolating roughly from the figure from this exercise; if the time taken to review 606 records is 6 ½ hours, then the time taken to review all of the records identified within the fileserver search would take 718 hours ($67000/606 = 110.57$, $6.5 \times 110.57 = 718.71$). Even without reviewing the 99,000 emails the cost in providing an answer to this request would far exceed the acceptable cost, calculated at £450, based on 18 hours at £25 per hour.

Using the above £25 per hour amount, it would cost over £17,950 to identify relevant documents within the fileserver search results alone. This amount does not take into consideration the similar review that would be required for the records on the email server and the actual staff resource that would be required to undertake these searches.

The review of the fileserver search results is estimated to take 718 hours approximately. Based on a 7 1/2 hour working day, this review alone would take over 95 days. This does not include the review of the 99,000 records within the email server and also only considers the identification, location, retrieval and extraction of the information relevant to the request.

Section 12 of the Freedom of Information Act 2000 makes provision for public authorities to refuse requests for information where the cost of dealing with them would exceed the appropriate limit.

FOIA Section 12 Exemption where cost of compliance exceeds appropriate limit.

- (1) *Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.*
- (2) *Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.*
- (3) *In subsections (1) and (2) "the appropriate limit" means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.*
- (4) *The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—*
 - (a) *by one person, or*
 - (b) *by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,*
the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) *The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.*

The appropriate limit for the Legacy Corporation is £450, calculated as 18 hours at the rate of £25 per hour, however, only the time taken to:

- a. establishing if the information is held;
- b. locating the information;
- c. retrieving the information; and
- d. extracting the information,

can be taken into consideration when calculating the estimated costs of answering the request.

While the Legacy Corporation takes their responsibilities to both FOIA and public safety seriously, we have estimated that the cost of complying with the request as it stands and to identify and extract all of the possible information would far exceed the appropriate limit as provided by section 12 of the Freedom of Information Act 2000 and in association with that, we cannot justify the use of personnel resources in relation to this request.

Consequently the Legacy Corporation is not obliged under Section 12 of the FOIA to respond to your request and we will not be processing your request further.

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 response 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