



24 February 2016

INFORMATION REQUEST REFERENCE 15-089

Dear 

Thank you for your information request, received on 27 January 2016. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

“Under the Freedom of Information Act could you please advise in the following:

In the matter of the agreement between LLDC/E20 and UK Athletics please advise

- 1. How much UK Athletics will pay each year to use the Olympic Stadium*
- 2. How much they paid towards the refurbishment of the stadium.*
- 3. How long can they use the stadium each year*
- 4. How long is their rental agreement.”*

The Legacy Corporation confirms that they hold the information that you have requested. Please see our response below following your order:

- 1. How much UK Athletics will pay each year to use the Olympic Stadium*

The amount that UKA will pay each year is being withheld under the FOIA exemption within section 43(2) in relation to commercial interests

S.43(2) - Commercial interests.

(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).

The section 43(2) is a qualified exemption and subject to the prejudice test and the public interest test. Under the prejudice test we have to consider if disclosure of this information would, or would be likely to, prejudice our commercial interests or the commercial interests of a third party. Consideration is also given to the harm disclosing this information would be likely to cause, combined with other information already in the public domain (mosaic effect)

or possibly released at a future date (precedent effect). The public interest test considers and balances the public interest in disclosing this information against the public interest in not disclosing this information and uses this assessment to decide whether there is sufficient justification in withholding this information under this exemption.

Information disclosed under the FOIA is considered to be public information, and while there is a presumption towards disclosure, consideration needs to be given as to who will have access to this information beyond the requestor and the purposes for which they could use the information.

The Legacy Corporation have assessed the impact of releasing the amount that UKA will pay. There is, of course, a public interest in promoting transparency in accountability in regards to the agreements that are entered into by public sector bodies as well as their decisions. However, the disclosure of this information would be likely to prejudice commercial interests of the Stadium because it will reveal financial information which would be likely impact on current and future negotiations for use of the Stadium, which in turn would harm the Stadium's ability to achieve best value for the public purse.

The Stadium needs to be able to successfully operate in a small but very strong and very competitive market. The payment information, if disclosed, would be likely to put the Stadium at a competitive disadvantage within this market by allowing competitors of the Stadium, who are not subject to the same legislation, at gain access to commercially valuable information. Bidders during current and future negotiations for use of the Stadium could also use this information to their advantage.

It is the view of the Legacy Corporation that, at this time, the public interest in withholding the information outweighs the public interest in disclosing it.

2. How much they paid towards the refurbishment of the stadium.

This information is in the public domain. Please see our press release of 19 June 2015: <http://queenelizabetholympicpark.co.uk/media/press-releases/stadium-transformation-cost-announced-ahead-of-hosting-raft-of-world-class-sporting-events>

3. How long can they use the stadium each year

This information is in the public domain. Please see our press release of 23 June 2013: <http://queenelizabetholympicpark.co.uk/media/press-releases/new-deal-secures-athletics-legacy-on-queen-elizabeth-olympic-park>

4. How long is their rental agreement?

This information is in the public domain. Please see our press release of 23 June 2013: <http://queenelizabetholympicpark.co.uk/media/press-releases/new-deal-secures-athletics-legacy-on-queen-elizabeth-olympic-park>

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