



Level 10  
1 Stratford Place  
Montfichet Road  
London  
E20 1EJ



10 June 2016

**INFORMATION REQUEST REFERENCE 16052**

Dear 

Thank you for your information request, received on 25 May 2016. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

*"I'd like to submit a formal FOI request for the percentage contribution of West Ham United to the cost of the wrap to be placed around the Olympic Stadium.*

*I understand the actual cost of the wrap has yet to be determined so I am only seeking the percentage split at this stage."*

The Legacy Corporation can confirm that they hold the information you have requested, however the wrap is currently being procured and all information in relation to this procurement, if released into the public domain at this time, would prejudice the procurement exercise and the associated negotiations. The Legacy Corporation intend to release the details of the contract amount and the contributions of those involved in due course. Therefore we are withholding the information requested under the FOIA exemptions section 43(2) – commercial interests and section 22 – intended for future publication.

**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 information withheld in this request under this exemption. There is, of course, a public interest in promoting transparency of the decisions and accountability in regards to the agreements that are entered into by public sector bodies. However, the disclosure of the information on the wrap, which is currently being procured and is under negotiation, would prejudice commercial interests of the Stadium operator London Stadium 185 and E20 because it will reveal information which would impact on current negotiations.

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.

***FOIA section 22 - Information intended for future publication.***

*(1) Information is exempt information if—*

*(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),*

*(b) the information was already held with a view to such publication at the time when the request for information was made, and*

*(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).*

The section 22 exemption is a qualified exemption and subject to the public interest test. 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.

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](http://www.ico.gov.uk)

Yours sincerely

  
FOI / EIR Co-ordinator  
London Legacy Development Corporation