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21 December 2016

INFORMATION REQUEST REFERENCE 16111

Dear ██████████

Thank you for your information request, received on 28 October 2016. You asked the London Legacy Development Corporation (Legacy Corporation) and E20 Stadium LLP (E20) to provide the following information under the Freedom of Information Act 2000 (FOIA):

“I would like to know the details and costs for stewarding/security and policing of West Ham United’s first nine matches at the London Stadium from July 26 2016 to October 26 2016.

If possible a cost for each individual game and numbers of stewards/safety staff for each game.

Could you also confirm that these costs are borne by the Stadium Partnership and that no part of these costs are borne by West Ham United or its owners.”

The first nine West Ham matches were:

- WHU v NK Domzale (4th August 2016)
- WHU v Juventus (7th August 2016)
- WHU v Bournemouth (21st August 2016)
- WHU v Astra Giurgiu (25th August 2016)
- WHU v Watford (10^h September 2016)
- WHU v Accrington Stanley (21st September 2016)
- WHU v Southampton (25th September 2016)
- WHU v Middlesbrough (1st October 2016)
- WHU v Sunderland (22nd October 2016)

Information on the policing arrangements can be found in the Concession Agreement dated 22 March 2013 between E20 Stadium LLP and WH Holding Limited and West Ham United Football Club Limited (Concession Agreement). The Concession Agreement is available on our website: <http://www.queenelizabetholympicpark.co.uk/>

</media/qeop/files/public/concession-agreement-2016.ashx?la=en>. Clause 28 relates to Police, found on page 82 of the Concession Agreement.

The Stadium operator LS185 (a subsidiary of VINCI) is responsible for the operational costs of the Stadium including stewards, security, and funding Police costs where applicable. Costs for each individual game vary depending on the criteria and category of the game and these costs are met by LS185, and factored into the net commercial revenues ultimately paid to E20 at the end of the season. E20 does not receive revenue from LS185 on a match by match basis, and therefore, neither E20 or the Legacy Corporation hold the costs for stewarding, security and policing of West Ham United's first nine matches as a whole or on an individual game basis.

While policing costs are borne in line with the published West Ham Concession agreement - <http://www.queenelizabetholympicpark.co.uk/-/media/qeop/files/public/concession-agreement-2016.ashx?la=en>, there were no police costs for LS185 for the first nine matches. Until 5th November officers have only deployed onto land owned, leased or controlled by the stadium in response to crime and disorder. Police can only charge where officers deploy on land owned, leased or controlled by the stadium in a preventative capacity.

The number of police present at the first eleven matches is in the public domain, published on the Greater London Authority website under The London Assembly, Questions to the Mayor, Reference: Question 2016/4403. <https://london.gov.uk/about-us/london-assembly/questions-mayor>

The number of security present at the first nine matches, either as a whole or on an individual game basis is being withheld as releasing the numbers would be considered a breach of security policy and would compromise the safety and security operations and it therefore being withheld under the FOIA exemption section 31(1) – prevention of crime.

S.31 Law enforcement.

*(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—
(a) the prevention or detection of crime,”*

The section 31(1) 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 security and ability to detect or prevent crime or that 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 and E20 have assessed the impact of releasing the information redacted under this exemption and taken into consideration the concerns of the Stadium operator, LS185. There is, of course, a public interest in promoting transparency of the decisions and accountability in regards to the operational practices of public sector bodies. However, the disclosure of the information requested has currently been identified as likely

to prejudice the prevention or detection of crime because it will reveal detail of operational security which would be likely impact on the current and future security of the Stadium. The security information, while for past events, would put similar current and future operations at risk.

It is the view of the Legacy Corporation and E20 that, at this time, the public interest in withholding the information outweighs the public interest in disclosing it.

The Legacy Corporation and E20 can confirm that these costs have been borne by the Stadium partnership and no part of these costs has been borne separately by West Ham United or its owners.

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:

Deputy Chief Executive
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