



19 December 2016

**INFORMATION REQUEST REFERENCE 16117**

Dear 

Thank you for your information request, received on 3 November 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 seek information which will clarify the income and expenditure position of E20 LLP over the first five years of its existence. I presume that a specific document exists which contains such information since it would be essential reference for the management of the entity.*

*I would wish to see the actual/projected net profit or loss for each year, and expect that the total would be made up of the following revenue and cost lines*

*Revenue*

*net income from Vinci/LS185  
income from naming rights  
any other operating income (if this totals more than £200,000 over the 5 years  
please specify the source of this revenue)*

*Costs*

*Overhead costs not paid by Vinci/LS185 (please specify the nature of any overheads which total more than £200,000 over five years)*

*Please ensure that these figures reflect the recent news that*

*no naming right deal has been concluded  
the cost of retractable seating has risen enormously*

*I am not sure of the financial calendar of E20 but believe it is not Jan-Dec. To be clear I am therefore looking for actual/projections for the first five full years of operation.*

*I believe that this information is readily available and is of overwhelming public interest, especially given the events of the last few weeks. If you seek to refuse my request, particularly on vague grounds of “commercial confidentiality”, I respectfully ask you to consider the Information Tribunal judgement against you in April this year, regarding release of the Concession Agreement; any refusal should clearly state why that judgement might not be considered relevant to potential refusal of this request.”*

E20 was incorporated on 6 July 2012. The first five years of E20 existence are:

2012/13 – dormant

2013/14 – Annual accounts are publically available

2014/15 – Annual accounts are publically available

2015/16 – Annual accounts are publically available

2016/17 – Current financial year. The Annual Accounts will be with Companies House by 1 January 2018. Annual accounts are publically available at Companies House.

E20 did not trade during its first financial year ended on 31 March 2013. The financial year ended on 31 March 2014 is the first year of trading. The actual profit and loss for each of the following years is in the E20 annual accounts. The E20 annual accounts for 2013/14, 2014/15 and 2015/16 are publically available on our website:

<http://www.queenelizabetholympicpark.co.uk/our-story/the-legacy-corporation/e20-stadium-llp>. They are also available at Companies House:

<https://beta.companieshouse.gov.uk/company/OC376732/filing-history>. As the requested information is reasonably accessible from another publicly available source, E20 and the Legacy Corporation consider this information to fall within the exemption in FOIA section 21.

s.21 - Information accessible to applicant by other means.

(1) Information which is reasonably accessible to the applicant otherwise than under section 1 is exempt information.

(2) For the purposes of subsection (1)—

(a) information may be reasonably accessible to the applicant even though it is accessible only on payment, and

(b) information is to be taken to be reasonably accessible to the applicant if it is information which the public authority or any other person is obliged by or under any enactment to communicate (otherwise than by making the information available for inspection) to members of the public on request, whether free of charge or on payment.

The income / expenditure position of E20 for 2016/17 is being withheld under the exemption provided for by section 22 FOIA – information intended for future publication.

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

S.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).

E20 can confirm that the requested information will be published as in previous years as part of the annual accounts. We can confirm that E20 had the intention to publish this information at the date your request was received. We consider that in all the circumstances, it is reasonable for the information to be withheld from disclosure until its publication as part of the annual accounts, in accordance with accepted practice.

The public interest test considers and balances the public interest in disclosing this information now against the public interest in disclosing this information in accordance with the usual timescale for publication and uses this assessment to decide whether there is sufficient justification in withholding this information under this exemption at the present time.

E20 and the Legacy Corporation have assessed the impact of releasing the information withheld under this exemption now. There is, of course, a public interest in promoting transparency of decisions and accountability. It is relevant in this context that the Mayor of London has ordered an independent inquiry into the London Stadium. It is the view of E20 and the Legacy Corporation that it is not in the public interest to release the requested information ahead of the usual timescale for publication of the annual accounts. Releasing projected figures at this stage may give a misleading picture. We consider that the public interest is best served by allowing the annual accounts to be published to their normal timetable

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

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

Yours sincerely

[REDACTED]

FOI / EIR Co-ordinator  
London Legacy Development Corporation