



7 March 2017

INFORMATION REQUEST REFERENCE 17-015

Dear 

Thank you for your information request, received on 23 February 2017. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

“For the car park at the London Aquatics Centre in the Queen Elizabeth Olympic Park please supply the following information:

For the year ended 31 December 2016 the number of vehicles parking at this venue that were charged at each of the different charge rates according to the length of parking time.

If the information is not available for the whole year please supply to the extent that it is available and specify the period to which this relates.”

I can confirm that the Legacy Corporation holds information relevant to your request. We hold the information you have requested for the period April 2015 to March 2016, however, this information is currently being withheld under section 43(2) – commercial interests. We will soon be going out for procurement for the car park service and this information in the public domain will allow potential bidders to see financial information which they would not normally have access to before a procurement exercise and this would be likely to prejudice the procurement and negotiation and therefore impact on the Legacy Corporation’s ability to achieve best value for the public purse.

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 requested at this time. There is, of course, a public interest in promoting transparency of the decisions and accountability in regards to public sector bodies. However, the disclosure of the information currently identified as commercially sensitive would be likely to prejudice commercial interests of the Legacy Corporation because it would be likely to impact on the planned procurement which in turn would harm the Legacy Corporation's ability to achieve best value for the public purse.

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.

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