



7 March 2017

INFORMATION REQUEST REFERENCE 17-017

Dear 

Thank you for your information request, received on 27 February 2017. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Environmental Information Regulations 2004 (EIR):

“The CCTV footage of the three cameras that cover the area surrounding the premises 119 Wallis Road, between the dates 29 January 2017 and 15 February 2017 inclusive, and also the period of 20 February 2017 as a single day.”

I can confirm that the Legacy Corporation holds information relevant to your request however I am refusing your request under EIR regulation 12(4)(b) - manifestly unreasonable and regulation 13 – personal data.

Regulation 12(4)(b)

For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—

(b) the request for information is manifestly unreasonable;

Regulation 13

(1) To the extent that the information requested includes personal data of which the applicant is not the data subject and as respects which either the first or second condition below is satisfied, a public authority shall not disclose the personal data.

(2) The first condition is—

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under these Regulations would contravene—

(i) any of the data protection principles;

(3) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1) of that Act and, in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.

In order to provide you with the information you have requested we would have to review all of the CCTV footage for the dates you have specified, from the three individual cameras and disguise all of identifiable individuals from the footage as their images on the CCTV are considered personal data and we do not have consent to release that information to a third party.

While there are no appropriate costs limit under the EIR, the exception at regulation 12(4)(b) of the EIR can apply if the cost or burden of dealing with a request is too great.

Information Commissioner's Office guidance suggests that, as with the Freedom of Information Act (FOIA), public authorities use a rate of £25 per hour for any staff time involved as this is an indication of what Parliament considers to be a reasonable charge for staff time. In assessing whether the cost or burden of dealing with a request, public authorities need to consider the proportionality of the costs involved and decide whether they are clearly or obviously unreasonable.

The request covers 19 days, inclusive. This is the equivalent of 456 hours of footage for each camera (19 x 24 hours) and a total of 1,368 hours of footage (456 hours x 3). This information would need to be reviewed and the images of identifiable individuals made unrecognisable. It is also likely that additional resources would need to be acquired in order to complete the concealment of each image. Estimating the review to take 30 minutes per hour of footage, the review will take 684 hours. At the FOIA rate of £25 per hour, this would represent a cost of £17,100. This figure does not include the time and cost associated with blurring the image of each person within the footage.

The resources required to locate and conceal all of the information associated with this request would place a disproportionate burden on the Legacy Corporation's limited resources and would greatly distract from the Corporation's ability to deliver its other responsibilities.

The Legacy Corporation have considered the public interest in respect to this decision and appreciate that they also have to balance public interest with the effective, efficient and economic use of the resources that they have responsibility for as a public authority and in this instance cannot justify the costs that would result from responding to this request. While there is a presumption in favour of disclosure under EIR, the request would place unreasonable demands on our resources. We are therefore refusing your request as we believe it to be manifestly unreasonable under regulation 12(4)(b) of the EIR.

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