

Level 10
1 Stratford Place
Montfichet Road
London
E20 1EJ



10 July 2018

INFORMATION REQUEST REFERENCE 18-030

Dear 

Thank you for your information request, received on 24 April 2018. 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):

“Under the Freedom of information act, I would like to obtain copies and information relating to:

- 1) The contract or agreement between LLDC or E20 Stadium LLP and CallFort Ltd or any other company or entity operated by Alan James Fort in his role as Chief Restructuring Officer*
- 2) A copy of all invoices and expenses issued by CallFort Ltd or any other company or entity operated by Alan James Fort to the LLDC or E20 in the last 12 months*
- 3) How many days or hours per week is Alan James Fort contracted to work for E20 or LLDC and whether this has changed since his appointment as interim CEO of Evan Cycles.*
- 4) The contract or agreement between LLDC or E20 Stadium LLP and Pragma Consulting*
- 5) A copy of all invoices and expenses issued by Pragma Consulting to the LLDC or E20 in the last 12 months*

6) *The number of consulting or man days Pragma Consulting has accumulated contracted to either E20 or LLDC in the last 12 months.”*

I can confirm that the Legacy Corporation and E20 hold information relevant to your request. Our response follows your order:

Q1. The contract or agreement between LLDC or E20 Stadium LLP and Callfort Ltd or any other company or entity operated by Alan James Fort in his role as Chief Restructuring Officer

The contract between E20 and Callfort is attached in **Annex A**. A schedule of the redactions is attached in **Annex B**.

Please note that information has been redacted under the FOIA exemptions: s.40 – personal information and s.43(2) – commercial interests.

Section 40(2) – personal information

*(2) Any information to which a request for information relates is also exempt information if—
(a) it constitutes personal data which do not fall within subsection (1), and
(b) either the first or the second condition below is satisfied.*

It is the standard practice of the Legacy Corporation to redact personal information for those members of staff under Head of Service level, and for all signatures at any level. In addition, we redact the personal information for all non-Legacy Corporation personnel unless consent to release the information has been received.

The section 40 exemption is absolute and is not subject to the public interest test. In this instance, the relevant condition that applies is section 40(2) whereby the information is defined as personal data within Part 1 Section 3 of the Data Protection Act 2018.

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, E20 and Callfort have assessed the impact of releasing the information redacted under this exemption. There is, of course, a public interest in promoting transparency of the decisions and accountability, however, the disclosure of the information currently identified as commercially sensitive would be likely to prejudice commercial interests of the Legacy Corporation, E20 and/or Callfort because it would reveal details of multiple issues that are currently commercially sensitive information.

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.

Q2. A copy of all invoices and expenses issued by Callfort Ltd or any other company or entity operated by Alan James Fort to the LLDC or E20 in the last 12 months

The Callfort Ltd invoices from the last 12 months are attached in **Annex C**.

Please note that information has been redacted under the FOIA exemptions: s.31(1)(a) prevention of crime, s.40 – personal information and s.43(2) – commercial interests. Details are below. A schedule of the redactions is attached in **Annex D**:

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 exemption 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 the prevention of crime. 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 bank details and consider that the public interest would not benefit from this information being released into the public domain. While appropriate checks are in place, releasing the bank details into the public domain would be likely to weaken the system around Callfort's financial security and therefore prejudice the prevention of crime. It is the view of the Legacy Corporation and

E20 that the public interest in withholding the information outweighs the public interest in disclosing it.

Section 40(2) – personal information

*(2) Any information to which a request for information relates is also exempt information if—
(a) it constitutes personal data which do not fall within subsection (1), and
(b) either the first or the second condition below is satisfied.*

It is the standard practice of the Legacy Corporation to redact personal information for those members of staff under Head of Service level and in addition we redact the personal information for all non-Legacy Corporation personnel unless consent to release the information has been received. Any personal information included within the invoices has been redacted.

The section 40 exemption is absolute and is not subject to the public interest test. In this instance, the relevant condition that applies is section 40(2) whereby the information is defined as personal data within Part 1 Section 3 of the Data Protection Act 2018.

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, E20 and Callfort have assessed the impact of releasing the information redacted under this exemption. There is, of course, a public interest in promoting transparency of the decisions and accountability, however, the disclosure of the information currently identified as commercially sensitive would be likely to prejudice commercial interests of the Legacy Corporation, E20, Callfort or other third parties because it would reveal details in relation to issues that are currently considered to be commercially sensitive.

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.

Q3. How many days or hours per week is Alan James Fort contracted to work for E20 or LLDC and whether this has changed since his appointment as interim CEO of Evan Cycles

Callfort is not contracted to work specific hours, they are contracted to provide specific services to E20. Information on the contracted service is contained within the contract in **Annex A**. Details on the number of hours worked is available within the invoices attached in **Annex C**.

Q4. The contract or agreement between LLDC or E20 Stadium LLP and Pragma Consulting

The contract between the Legacy Corporation and Pragma Consulting is attached in **Annex E**. A schedule of the redactions is attached in **Annex F**.

Please note that information has been redacted under the FOIA exemptions: s.40 – personal information and s.43(2) – commercial interests.

Section 40(2) – personal information

*(2) Any information to which a request for information relates is also exempt information if—
(a) it constitutes personal data which do not fall within subsection (1), and
(b) either the first or the second condition below is satisfied.*

It is the standard practice of the Legacy Corporation to redact personal information for those members of staff under Head of Service level, and for all signatures at any level. In addition, we redact the personal information for all non-Legacy Corporation personnel unless consent to release the information has been received.

The section 40 exemption is absolute and is not subject to the public interest test. In this instance, the relevant condition that applies is section 40(2) whereby the information is defined as personal data within Part 1 Section 3 of the Data Protection Act 2018.

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, E20 and Pragma have assessed the impact of releasing the information redacted under this exemption. There is, of course, a public interest in promoting transparency of the decisions and accountability, however, the disclosure of the information currently identified as commercially sensitive would be likely to prejudice commercial interests of the Legacy Corporation, E20 and/or Pragma because it would reveal details of issues that are currently considered to be commercially sensitive.

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.

Q5. A copy of all invoices and expenses issued by Pragma Consulting to the LLDC or E20 in the last 12 months

The Pragma Consulting invoices from the last 12 months are attached in **Annex G**.

Please note that the following exemption has been applied to both of these invoices in relation to the Pragma Consulting bank account details:

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 exemption 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 the prevention of crime. 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 bank details and consider that the public interest would not benefit from this information being released into the public domain. While appropriate checks are in place, releasing the bank details into the public domain would be likely to weaken the system around Pragma's financial security and

therefore prejudice the prevention of crime. It is the view of the Legacy Corporation that the public interest in withholding the information outweighs the public interest in disclosing it.

Q6. The number of consulting or man days Pragma Consulting has accumulated contracted to either E20 or LLDC in the last 12 months

Pragma Consulting is not contracted to work specific hours, they are contracted to provide specific services to the Legacy Corporation for a set fee. Information on the contracted service and the charges are contained within the contract in **Annex E**. The total contract cost is also published on our website as part of our transparency commitment.

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

Email: FOI@londonlegacy.co.uk

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