



23 July 2018

INFORMATION REQUEST REFERENCE 18-038

Dear 

Thank you for your information request, received on 25 May 2018. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

- 1) The amount of money quoted to UK Athletics to host the Athletics World Cup London 2018 at the London Stadium*
- 2) Confirmation whether the Athletics World Cup London 2018 is covered under the existing UK Athletics agreement or whether a new agreement has been created?*
- 3) If a new agreement exists for Athletics World Cup London 2018 please provide a copy of this agreement.*
- 4) The amount of money paid to either LS185/E20 or LLDC by UK Athletics as per their existing agreement with regards to Super Profit Payments and Operating Costs Payments in the last 12 months*
- 5) The amount of money paid by organisers to hire the London Stadium for the Saracens Vs Harlequins Rugby game in March 2018*
- 6) A copy of the agreement to hire the London Stadium for the Saracens Vs Harlequins Rugby game in March 2018*
- 7) The amount of money quoted to organisers to hire the London Stadium for the upcoming American baseball games between New York Yankees and Boston Red Sox in June 2019*
- 8) A copy of the agreement to hire the London Stadium for the New York Yankees and Boston Red Sox baseball games*

9) *The amount of money quoted to hire the stadium for Music concerts in 2018 including the Rolling Stones, Jay Z and Beyonce and Foo Fighters.*

10) *Copies of agreements to hire the stadium for Music concerts including the Rolling Stones, Jay Z and Beyonce and Foo Fighters.”*

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

Q1) *The amount of money quoted to UK Athletics to host the Athletics World Cup London 2018 at the London Stadium*

A final figure to be quoted to UK Athletics to host the Athletics World Cup London 2018 at the London Stadium remains under discussion between UK Athletics and LS185 the stadium operator, therefore, the Legacy Corporation are withholding this figure under FOIA s.43(2) – commercial interests.

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. There is, of course, a public interest in promoting transparency of the decisions and accountability in regards to the agreements that are entered into by public sector bodies, however, this information is still under discussion and the disclosure of the information at this time would be likely impact on current negotiations, which in turn would harm the Stadium's, and therefore, E20 and 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.

Q2) Confirmation whether the Athletics World Cup London 2018 is covered under the existing UK Athletics agreement or whether a new agreement has been created?

The Legacy Corporation can confirm that the Athletics World Cup London 2018 is covered under the existing UK Athletics agreement which is available on our website.

Q3) If a new agreement exists for Athletics World Cup London 2018 please provide a copy of this agreement.

Please see above, no new agreement has been created.

Q4) The amount of money paid to either LS185/E20 or LLDC by UK Athletics as per their existing agreement with regards to Super Profit Payments and Operating Costs Payments in the last 12 months

The UK Athletics agreement is between UK Athletics and E20 Stadium LLP (E20), accordingly no monies are payable by UK Athletics to the Legacy Corporation.

No monies have been paid by UKA to E20 in respect of super profit payments. Operating cost payments paid in the last 12 months are for the London 2017 World Athletic Championships and Muller Anniversary 2017. The total paid to LS185 was £7.9m.

Q5) The amount of money paid by organisers to hire the London Stadium for the Saracens Vs Harlequins Rugby game in March 2018

Q6) A copy of the agreement to hire the London Stadium for the Saracens Vs Harlequins Rugby game in March 2018

The Legacy Corporation can confirm that they hold information relevant to your request, however they do not hold a copy of the contract between LS185 and Saracens. E20 do have summary event information from the match supplied by LS185, which includes the money paid by the organiser, however, we consider this information to be commercially sensitive and this information is being withheld under the FOIA section s.43(2) commercial interests.

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 Legacy Corporation have assessed the impact of releasing the information they hold in relation to your request. There is, of course, a public interest in promoting transparency of the decisions and accountability, however, the disclosure of this information would prejudice the commercial interests of the Stadium because it will reveal details of current and future negotiations for use of the Stadium, which in turn would harm the Stadium's, and therefore, E20 and the Legacy Corporation's ability to achieve best value for the public purse.

The Stadium is a multi-use venue capable of hosting different events and the more events hosted, and the more profitable those events are, the greater the income will be generated on behalf of the taxpayer. Making commercial deals with rugby and other pitch sports is a key activity for LS185, and a market where they are active, with multiple competitors. By releasing the amount paid by the organisers for this event, we would provide a benchmark for other potential users of the Stadium as well as the Stadium's competing venues and create a precedent for future events. This would harm LS185's ability to maximise income from future events and this would be detrimental to the income E20 generates on behalf of the taxpayer.

The Stadium needs to be able to successfully operate in a small but strong and very competitive market. The information identified as commercially sensitive, if disclosed, would be likely to put the Stadium at a competitive disadvantage within this market by allowing competitors of the Stadium, who are not subject to the same legislation, to gain access to commercially valuable information.

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.

Q7) *The amount of money quoted to organisers to hire the London Stadium for the upcoming American baseball games between New York Yankees and Boston Red Sox in June 2019*

Q8) *A copy of the agreement to hire the London Stadium for the New York Yankees and Boston Red Sox baseball games*

E20 and the Legacy Corporation do hold copies of a draft contract with Major League Baseball, however, this document is highly commercially sensitive as the agreement is still being negotiated, and release of any of the details to the public would severely harm the commercial interests of LS185, E20 and the Legacy Corporation. The information requested is being withheld under the FOIA section s.43(2) commercial interests.

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 Legacy Corporation have assessed the impact of releasing the information they hold in relation to your request. There is, of course, a public interest in promoting transparency of the decisions and accountability, however, the disclosure of this information would prejudice the commercial interests of the Stadium because it will reveal information which would harm current and future negotiations for use of the Stadium, which in turn would harm the Stadium's, and therefore, E20 and the Legacy Corporation's ability to achieve best value for the public purse.

The Stadium is a multi-use venue capable of hosting different events and the more events hosted, and the more profitable those events are, the greater the income will be generated on behalf of the taxpayer. Making commercial deals with organisations of this kind is a key activity for LS185, and a market where they are active, with multiple competitors. By

releasing any current information on this event, especially the draft contract and the amount paid by the organisers for this event, would provide a benchmark for other potential users of the Stadium as well as the Stadium's competing venues and create a precedent for future events. This would harm LS185's ability to maximise income from future events and this would be detrimental to the income E20 generates on behalf of the taxpayer.

The Stadium needs to be able to successfully operate in a small but strong and very competitive market. The information identified as commercially sensitive, if disclosed, would be likely to put the Stadium at a competitive disadvantage within this market by allowing competitors of the Stadium, who are not subject to the same legislation, to gain access to commercially valuable information.

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.

Q9) The amount of money quoted to hire the stadium for Music concerts in 2018 including the Rolling Stones, Jay Z and Beyonce and Foo Fighters.

Q10) Copies of agreements to hire the stadium for Music concerts including the Rolling Stones, Jay Z and Beyonce and Foo Fighters."

Neither the Legacy Corporation or E20 hold a copy of the contracts between LS185 and any of the concert promoters. LS185 does supply E20 with summary event information from the concerts, however, this information is being withheld under the FOIA section s.43(2) commercial interests.

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 Legacy Corporation have assessed the impact of releasing the information they hold in relation to your request. There is, of course, a public interest in promoting transparency of the decisions and accountability, however, the disclosure of this information would prejudice the commercial interests of the Stadium because it will reveal information which would harm current and future negotiations for use of the Stadium, which in turn would harm the Stadium's, and therefore, E20 and the Legacy Corporation's ability to achieve best value for the public purse.

The Stadium is a multi-use venue capable of hosting different events and the more events hosted, and the more profitable those events are, the greater the income will be generated on behalf of the taxpayer. Making commercial deals with concert promoters is a key activity for LS185, and a market where they are active, with multiple competitors. By releasing any current information on this event, especially the draft contract and the amount paid by the organisers for this event, would provide a benchmark for other potential users of the Stadium as well as the Stadium's competing venues and create a precedent for future events. This would harm LS185's ability to maximise income from future events and this would be detrimental to the income E20 generates on behalf of the taxpayer.

The Stadium needs to be able to successfully operate in a small but strong and very competitive market. The information identified as commercially sensitive, if disclosed, would be likely to put the Stadium at a competitive disadvantage within this market by allowing competitors of the Stadium, who are not subject to the same legislation, to gain access to commercially valuable information.

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

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