

[REDACTED]

18 October 2018

INFORMATION REQUEST REFERENCE 18-065

Dear [REDACTED]

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

“Following on from the information provided in the response to 18-043, please provide information on where exactly these sums of money were spent. Please provide a breakdown year by year. I understand the change to the Eton Manor application included work at an entrance and path at the Temple Mills Lane junction. Was this money spent on that project? If so was any money spent on the original site of the Manor Gardens allotments at Eton Manor or on the Manor Gardens allotments site at Jubilee Park?”

As referenced in the responses to 18-043:

18-043 v1.0 – “The planning permission mentioned above is in relation to planning application reference: 13/00444/FUL - *Creation of informal new meadow open space as well as the creation of a gateway pedestrian entrance to Eton Manor (development to replace previously approved allotments at Eton Manor).*”

The role of the Legacy Corporation was as Local Planning Authority only. The applicant was LB Waltham Forest (LBWF) and to that end the applicant LBWF is responsible for the carrying out of the works in relation to the planning permission and all the associated expenditure.”

18-043 v2.0 – “It was agreed between the Legacy Corporation and Lee Valley Regional Park Authority (LVRPA) in May 2014 that, as part of the handover of Eton Manor from the Legacy Corporation to LVRPA, the allotment site would not be transformed by the Legacy Corporation as an alternative solution was being proposed by LVRPA working with the London Borough of Waltham Forest (LBWF) and that the Legacy Corporation would fund 1/3 of the actual cost of the new LVRPA/LBWF scheme, up to a maximum of £160k of costs incurred.

Actual payments made by the Legacy Corporation to LVRPA for the new allotment scheme total just under £139k, in the financial years 2015/16 and early 2016/17.”

Financial Year	Period	Invoice Description	Amount [£]
2015/16	6	Eton Manor landscaping project	3,881.06
2015/16	11	Eton manor landscaping project	18,114.31
2015/16	11	Eton manor landscaping project	27,689.66
2015/16	11	Eton Manor Landscaping Project	2,455.75
2015/16	12	Eton Manor Landscaping Project	4,253.16
2016/17	1	Eton manor landscaping project	907.63
2016/17	1	Eton manor landscaping project	5,000.00
2016/17	1	Eton manor landscaping project	1,166.66
2016/17	1	Eton manor landscaping project	1,392.00
2016/17	1	Eton manor landscaping project	3,402.53
2016/17	1	Eton manor landscaping project	533.33
2016/17	2	Eton Manor landscaping project	850.63
2016/17	2	Eton Manor landscaping project	69,185.91
			138,832.63

In addition to the payment information provided in our response as above, and publicly available on our website, the Legacy Corporation holds copies of invoices submitted by Lee Valley Regional Park Authority (LVRPA) in relation to the Legacy Corporation funding a 1/3 of actual costs for the new scheme, as referenced above, however they do not contain the level of detail you have requested, however, please find the invoices attached in Annex A for your information.

Please note that the banking information within the invoices has been withheld under section 31 – law enforcement and some personal information has been withheld under section 40 – personal information. Details on the exemptions is provided below:

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 financial security of the companies involved 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.

S.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 does not fall within subsection (1), and
(b) the first, second or third 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 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 s.3(2) of the Data Protection Act 2018.

Information to the level of detail you have requested may be held by either the LBWF or by the LVRPA.

Information on how to submit a Freedom of Information / Environmental Information Regulations request to LBWF is available on their website, here:

<https://walthamforest.gov.uk/content/make-freedom-information-request-foi>

While LVRPA is not covered by the FOIA legislation, LVRPA have adopted the FOIA process. Information on how to submit a Freedom of Information or Environmental Information Regulations request to LVRPA is available on their website:

<https://www.leevalleypark.org.uk/en/content/cms/corporate/about-us/access-to-information/foi-request/>

If you are unhappy with our response to your request and wish to make a complaint or request an internal 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