

[REDACTED]

16 October 2019

INFORMATION REQUEST REFERENCE 19-031

Dear [REDACTED]

Thank you for your information request, received on 8 July 2019. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA). Please note that this request has been on hold pending clarification in relation to question 5.

I would like to request the following:-

- 1- *CCTV footage from the Forge lounge on Fri 22nd Feb (23.00-23-45)*
- 2- *Copy of Control log from the same evening*
- 3- *correspondence between LS185/Wise Security/LLDC/WHU regarding the assault upon myself on Friday 22nd February (emails and correspondence from Feb 22- July 6th 2019).*
- 4- *Customer list from The Forge lounge 22nd February 2019*
- 5- *Copy of complaints received from WHU, Customers, DNC staff*

I can confirm that the Legacy Corporation holds information which falls within the scope of your request.

The information relevant to your request is below and our response follows your order:

- 1- *CCTV footage from the Forge lounge on Fri 22nd Feb (23.00-23-45)*

Due to the content of this part of your request, this will not be answered under Freedom of Information legislation.

Following receipt of your request, you were advised on 19 July 2019 that part of your request falls within the Data Protection Act 2018 and the General Data Protection Regulation.

However, please note there is no CCTV within the Forge Lounge.

- 2- *Copy of Control log from the same evening*

I can confirm the Legacy Corporation holds information which falls within the scope of your request therefore please see **Annex A** attached

Please note some information in relation to the control log dated Friday 22nd February 2019 has been withheld under s.31 law enforcement.

Section 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 has assessed the impact of releasing this information and consider that the public interest in this particular information would not benefit from being released into the public domain. The security of the Stadium would be jeopardised, and the prevention of crime would be likely to be prejudiced. It is the view of the Legacy Corporation that the public interest in withholding the information outweighs the public interest in disclosing it.

3- correspondence between LS185/Wise Security/LLDC/WHU regarding the assault upon myself on Friday 22nd February (emails and correspondence from Feb 22- July 6th 2019).

Due to the content of this part of your request, this will not be answered under Freedom of Information legislation.

Following receipt of your request, you were advised on 19 July 2019 that part of your request falls within the Data Protection Act 2018 and the General Data Protection Regulation.

The Legacy Corporation's Data Protection Officer will respond separately to this part of your request.

4- Customer list from The Forge lounge 22nd February 2019

I can confirm the Legacy Corporation does not hold this information. Please re-direct this part of your request to West Ham United via the following link:

<https://www.whufc.com/footer/pages/contact-us>

5- Copy of complaints received from WHU, Customers, DNC staff

I can confirm London Legacy holds information which falls within the scope of your request, however, given the broad scope of your request clarification was required in order for the Legacy Corporation to respond. You were contacted by email on 30 August 2019 and asked to clarify this request. In addition, advice was provided on how the request could be clarified.

This email also notified you that the request would be on hold until your clarification was received. Section 1(3) of the FOIA stipulates that, where an authority has informed the requester that it requires clarification, it will not be under any further obligation to comply until the requester supplies the information it requires.

As of 7 October, we have received no clarification from you and therefore are not responding further to this request.

As advised in the email dated 30 August 2019, you may wish to refine your request by narrowing its scope by being more specific about what information you particularly wish to obtain, including any dates or period of time relevant to the information required. Any reformulated request will be treated as a new information request.

Please note that complaints directly and solely sent to West Ham United are not held.

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