

[REDACTED]

05 September 2019

INFORMATION REQUEST REFERENCE 19-040

Dear [REDACTED],

Thank you for your information request, received on 7 August 2019. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Environmental Information Regulations 2004 (EIR):

"We act for [REDACTED] the owner of [REDACTED] Legacy House, 4A Roach Road. We write with this EIR request for disclosure of all communications passing between LLDC and Constable Homes Ltd / Anderson Group regarding the provision of a) access arrangement and lift access at the site and b) the provision of a designated children's play area. We anticipate that this material will have arisen within the last 12 months.

We understand that enforcement action was taken or threatened against Constable Homes for its failure to provide a lift to the first floor flat residents.

Our client seeks this information under the Environmental Information Regulations 2004.

There is a strong public interest in disclosing information. It is the position of our client and many of the other flat owners that the reconfiguration of the lift arrangements is a significant departure from the design of the premises that they were assured of when purchasing their flats. Similarly the flat owners have not been consulted over the proposed creation of a play area, which they do not invite.

If the council declines to disclose any of the above documentation requested, please confirm that the council has considered disclosing redacted versions of the documents."

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

Please find attached in **Annex A** emails received from, or sent to, Anderson Group / Constable Homes Ltd relating to the provision of access arrangements and lift access at the site, and provision of a designated children's play area. Please note that the attachments to the emails have not been included as we are awaiting confirmation from the third party (Constable Homes Ltd / Anderson Group) as to whether these contain commercial information under EIR Regulation 12(5)(e).

Some of the information in Annex A has been redacted under EIR Regulation 13 – personal data.

Regulation 13 – personal data

(1) To the extent that the information requested includes personal data of which the applicant is not the data subject, a public authority must not disclose the personal data if—

(a) the first condition is satisfied, or

(b) the second or third condition is satisfied and, in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.

(2A) The first condition is that the disclosure of the information to a member of the public otherwise than under these Regulations—

(a) would contravene any of the data protection principles, or

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 and the information is not already in the public domain. Phone numbers have also been redacted.

In this instance, the relevant condition that applies is Regulation 13(1)(a), whereby the information is defined as personal data within Section 3(2) of the Data Protection Act 2018.

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