

[REDACTED]

7 January 2020

INFORMATION REQUEST REFERENCE 19-077

Dear [REDACTED]

Thank you for your information request, received on 11 December 2019. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Environmental Information Regulations 2004 (EIR):

"We are currently carrying out a Phase 1 Ground Condition Assessment (desk study) for the District Heating Network Extension at Pudding Mill Lane. A red line boundary for the site is attached for your information.

We would be grateful if you could carry out a search of your records for any environmental information relating to the site, or within 50m of the site. We are particularly interested in any issues concerning:

- *Land Contamination (including ground investigated or designated under Part 2A)*
- *Landfill sites (licensed or otherwise) including any monitoring records*
- *Ground gas emissions and/ or protection measures*
- *IPC or IPPC authorisations*
- *RSA authorisations*
- *Any Part B environmental permits*
- *Prosecutions relating to authorised processes*
- *Air Pollution Controls*
- *Water abstractions*
- *Explosive sites (including COMAH or other hazardous substances)*
- *Enforcement (e.g. remediation) and prohibition notices*
- *Any other information relating to the environmental susceptibility of the site*
- *Any historical ground investigation, geoenvironmental studies and remediation reports"*

I can confirm that the Legacy Corporation holds information relevant to this request. However, with reference to your request as above, please be advised that the Legacy Corporation are refusing your request on the basis of EIR regulation 12(4)(b) manifestly unreasonable.

EIR regulation 12(4)(b) – manifestly unreasonable

*12(4) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that—
(b) the request for information is manifestly unreasonable;*

While there are no appropriate costs limit under the EIR, the exception at regulation 12(4)(b) of the EIR can apply if the cost or burden of dealing with a request is too great.

In assessing the cost or burden of dealing with a request, public authorities need to consider the proportionality of the costs involved and decide whether they are clearly or obviously unreasonable.

You have requested information on the Pudding Mill Lane site with an additional 50 metre boundary. In order to ascertain whether we hold information in relation to the requested area for each of the issues listed, we would need to undertake multiple searches of the Legacy Corporation file server, the email archive, the planning system, the GIS system and the hardcopy records. All of the information resulting from these searches would then need to be extracted and / or retrieved and then reviewed in order to try to identify if the information is relevant to the request.

The Legacy Corporation is not a large organisation and the time and resources taken to answer the questions as above would have a considerable impact on those resources.

The Legacy Corporation have considered the public interest in respect to their decision and appreciate that they also must balance public interest with the effective, efficient and economic use of the resources that they have responsibility for as a public authority. In this instance, the Legacy Corporation cannot justify the disproportionate burden this request would place on the Legacy Corporation's limited resources or the impact it would have on delivery of its other responsibilities. While there is a presumption in favour of disclosure under EIR, responding to this request would place unreasonable demands on our resources and for this reason, the Legacy Corporation consider your request to be manifestly unreasonable under regulation 12(4)(b) of the EIR.

However, under EIR we also have a responsibility to provide advice or assistance where it will help the requestor with their request. While we cannot provide the information requested as explained above, there may be information relevant to your request publicly available via our Planning Register:

<http://planningregister.londonlegacy.co.uk/swift/apas/run/wchvarylogin.display>.

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