



3 November 2020

INFORMATION REQUEST REFERENCE 20-010

Dear 

Thank you for your information request, received on 3 March 2020. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

“Section 7.2 (Community Benefits) as contained within the E20 directors update from 29/05/2018 states the following:

“E20, WHU and LBN have agreed to move the obligation for WHU to provide up to 100,000 community tickets out of the Concession Agreement, and into a separate direct agreement between WHU and LBN. A simultaneous signing of an agreement and deletion from the Concession Agreement is scheduled to be agreed before the start of the new football season. Any change will be scrutinised by E20 lawyers and formally approved.”

Section 9.3 (Community Benefits Letter to Newham) as contained within the E20 directors update from 11/12/2018 states the following:

“It also records that the settlement of the excess seating capacity dispute does not change the position on community tickets, which remains as set out in the Concession Agreement. The letter is clear that E20 has met its commitment in the CBA to set out the legal process to remove community tickets from the concession agreement, and E20 can do no more until LBN and WHU progress a direct agreement. There is little evidence of this progressing.”

Please can I be provided with the letter referred to in section 9 of the E20 directors update from 11/12/2018? Also, please can you confirm if an agreement has been reached subsequently to 11/12/2018 with regards to the matter highlighted in section 9.3? If it has been then please can I be provided with a copy of this agreement?”

I can confirm that the Legacy Corporation holds information relevant to your request. Please find the letter referred to in Section 9 attached in **Annex A**. Information has been redacted under FOIA section 40(2) – personal information.

Section 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 signatures of Legacy Corporation personnel.

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 section 3(2) of the Data Protection Act 2018.

The letter outlined a commercial change proposed to West Ham in 2018 in relation to the provision of community tickets in the E20 contract between the club and E20. West Ham United have informed us that they do not agree with the position as set out in the E20 Directors Report section 7.2 of 29 May 2018.

The proposal has not been accepted to date and the Legacy Corporation can confirm that no agreement has been reached subsequent to 11 December 2018 with regards to the matter highlighted in section 9.3 of the E20 Directors Update.

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