

[REDACTED]

27 April 2021

INFORMATION REQUEST REFERENCE 21-010

Dear [REDACTED]

Thank you for your information request, received on 25 March 2021. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA) on behalf of E20 Stadium (E20) and London Stadium 185 (LS185):

"I'm requesting the following data for litter, waste and recycling statistics relating to the London Stadium over the past three calendar years (2018, 2019, 2020).

- 1 - How much is spent on litter collection, enforcement and prevention?*
- 2 - What percentage of waste was recycled?*
- 3 - How many single use plastic drinks containers are used?"*

LS185 has provided information you requested. Our response follows your order:

Q1. How much is spent on litter collection, enforcement and prevention?

The information is being withheld under section 43(2) – commercial interests.

Section 43(2) - Commercial interests.

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

Section 43(2) 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 our commercial interests or the commercial interests of a third party.

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.

In accordance with the statutory Code of Practice issued by the Information Commissioner's Office, as part of the public interest assessment, the Legacy Corporation contacts third parties referenced in the information, to give them the opportunity to provide examples of any harm from their perspective that there may be from releasing the information. Under FOIA, the Legacy Corporation cannot assume what information might be exempt, and therefore any third party that may be affected by disclosure is asked to provide details of the harm that releasing the information would have on its commercial interests. The Legacy Corporation take the views of affected third parties into consideration when undertaking the public interest assessment. In line with this process LS185 were contacted in order for them to provide information and their views on what should be released.

Prejudice to commercial interests

The Legacy Corporation have assessed the impact of releasing the information withheld under the exemption s.43 – commercial interests in order to decide whether disclosure would, or would be likely to, prejudice their commercial interests or those of any third party(ies). LS185 are in the process of re-tendering for the litter service and the Legacy Corporation agrees that disclosing this information at this time would prejudice commercial interests so the exemption is engaged.

Public Interest Test

There is, of course, a public interest in promoting transparency of public authorities' decisions and accountability, however, LS185 are currently in the process of re-tendering for the litter services. Releasing this information at this time will harm the commercial interests of LS185 because it will reveal details which would be likely to impact on current procurement and LS185's ability to get best value for the public purse.

It is the view of the Legacy Corporation, E20 and LS185 that, at this time, the public interest in withholding the information outweighs the public interest in disclosing it.

Q2. What percentage of waste was recycled?

Percentages

| Year | 2018 | 2019 | 2020 |
|-------------|-------------|-------------|-------------|
| Recycled | 37.42 | 52.36 | 55.81 |
| Recovered | 62.58 | 47.64 | 44.19 |

Please note: Recovered waste is everything LS185 are unable to recycle, LS185's facilities provider uses a supplier that provides this service and as such LS185 do not send any waste to landfill. These recycling and recovery percentages are by total weight of the waste generated.

Q3 - How many single use plastic drinks containers are used?

| Year | 2018 | 2019 | 2020 |
|------------------|-------------|-------------|-------------|
| Single Use Units | 2,909,635 | 1,784,988 | 382,324 |

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 on behalf of LS185 and E20 Stadium LLP