

[REDACTED]

29 June 2021

INFORMATION REQUEST REFERENCE 21-016

Dear [REDACTED]

Thank you for your information request, received on 1 June 2021. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Environmental Information Regulations 2004 (EIR):

"We write with this EIR request for disclosure of all communications passing between LLDC, East Wick and Sweetwater (the 'JV') with the assigned contractor Balfour Beatty, regarding the current construction - and completion - of Bridge H14 Monier Road. We request communications that specifically relate to the pending completion of the bridge and with specific regard to all mentions of Legacy House (formerly Carpenters Wharf), situated adjacent to Monier Road.

It is the position of the CWMC and Legacy House flat occupants that the failure to ensure this project was aligned with the Legacy House building now has disastrous consequences. We now face a situation where the whole pedestrian area of the Monier Road side adjacent to Legacy House is sitting complete - Balfour Beatty workers have finished - but still occupants of Legacy House cannot access all respective points along this side, because the entire H14 Bridge itself is still not fully complete and we request all such communications regarding this fact.

We also seek any such communication between Balfour Beatty and the JV of LLDC, East Wick and Sweetwater, which pertains to all issues in completing the project to the planning specification that will conflict with the fact that Legacy House was built after the planning and design for the H14 bridge. We anticipate that this material will have arisen within the last 12-24 months.

There is a strong public interest in disclosing the aforementioned information. Citing one such example, a failure to adapt planning has resulted in a quite extraordinary situation where an electrical enclosure cupboard has been positioned immediately outside an entry/exit point for Legacy House on Monier Road, apparently because that position was in the original plans which were drawn up before Legacy House was erected. This has now also created a very worrying health and safety issue for the residents of Legacy House, as well as an access issue, especially in case of emergency.

Apparent failures between LLDC, East Wick and Sweetwater to adapt existing H14 Monier Road plans - and to therefore avoid conflict and access to Legacy House

having been built after original planning - now results in an absurd situation. A situation that will now require significant expenditure to resolve issues that could have been avoided; as such, there is a vested public interest in the disclosure of such communications; and that those responsible between the LLDC, East Wick and Sweetwater should be held accountable.”

I can confirm that the Legacy Corporation holds information which falls within the scope of your request for “all communications passing between LLDC, East Wick and Sweetwater (the 'JV') with the assigned contractor Balfour Beatty, regarding the current construction - and completion - of Bridge H14 Monier Road, and; any such communication between Balfour Beatty and the JV of LLDC, East Wick and Sweetwater, which pertains to all issues in completing the project to the planning specification that will conflict with the fact that Legacy House was built after the planning and design for the H14 bridge”.

Please be advised that given the broad nature of the request, 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.

In order to find the information requested, searches were run on the Legacy Corporation email archive between the dates of 02/06/2019 to 02/06/2021 (inclusive), using the following terms: Bridge H14, Legacy House, Carpenters Wharf and Monier. The searches identified 1765 emails, including the email attachments, this represented 2.62GB of information. All of the information resulting from these searches would need to be extracted and then individually reviewed in order to try to identify if the information is relevant to your request.

The Legacy Corporation is not a large organisation and the time and resources taken to answer the request 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 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, the Legacy Corporation recognise that 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, you may want to consider

reducing the time frame, or request a less broad, more specific term for the information you are requesting.

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