



30 July 2021

INFORMATION REQUEST REFERENCE 21-021

Dear 

Thank you for your information request, received on 6 July 2021. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Freedom of Information Act 2000 (FOIA):

“Under the Freedom of Information Act 2000 I would like to request information and know what is planned in terms of development with the plot of land that is in front of The London Marathon community track and right of London Concrete. Please see the screenshot I have taken and have circled in red. Please see attached.

It is quite a lot of land and quite big so I would like to know what is currently planned for this area, the time frames are in terms of development and any information about this.

I have already connected with Tower Hamlets Council which they have referred me to you as this information is held by you as the planning authority - London Legacy Development Corporation.”

I can confirm that the Legacy Corporation holds information which falls within the scope of your request. The Legacy Corporation refers to this land as Bow Goods Yard.

Information relevant to your request regarding “what is currently planned for the area” is in the Local Plan and in particular site Allocation SA4.5 which relates to Bow Goods Yard. The Local Plan is on our website, however a link to the specific section of the Local Plan has been provided here: [Local Plan Section 13](#).

The planning register held on our website holds information on previous recent applications for this area. A link to the search function of the Planning Register is here: [Planning Register Search](#).

A list of previous applications within this area has been provided below:

- 15/00368/FUL; (refused)
- 15/00400/FUL; (refused)
- 15/00414/FUL; (refused)
- 16/00701/FUL. (withdrawn)

The Legacy Corporation are currently in discussion with the freeholders (Network Rail) and Leaseholders (DB Cargo) of the site about future plans for development.

Please note that any information in relation to these ongoing discussions is being withheld under exemption 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.

The Legacy Corporation has assessed the impact of releasing the information withheld under the section 43 exemption in order to decide whether disclosure would, or would be likely to, prejudice their commercial interests or those of any third party(ies). They have concluded that prejudice to commercial interests would be caused by disclosure so that the exemption is engaged.

The withheld information relates to the status of the Legacy Corporation's discussions with third parties, including details of our discussions and the impact of potential issues. Releasing this information, at this time, would be likely to put the Legacy Corporation at a disadvantage during these sensitive discussions by making public information in relation to their strategy and position.

There is, of course, the Legacy Corporation's commitment to openness and transparency, as well as the inherent presumption in favour of disclosure of information requested, however, the disclosure of the information currently withheld under section 43(2) and identified as commercially sensitive would be likely to prejudice commercial interests of the Legacy Corporation because it will reveal details which would be likely impact on current and future discussions and this would in turn would be likely to impact on the Legacy Corporation's ability to get best value for the public purse.

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

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 forty working days 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