



13 March 2023

**INFORMATION REQUEST REFERENCE 23-007**

Thank you for your information request, received on 15 February 2023. You asked the London Legacy Development Corporation (Legacy Corporation) to provide the following information under the Environmental Information Regulations 2004 (EIR):

*“Please provide a list (in Excel format) of all planning applications submitted on or after 2nd October 2013 where no decision was made within 26 weeks (unless a longer period has/had been agreed in writing between the applicant and the Local Authority) and no refund of fees has been made to date. The information should be provided in the following columns:*

- *Planning application reference*
- *Applicant name*
- *Planning application date*
- *Planning application fee paid (£)*
- *Decision due date*
- *Actual decision date*
- *Extension of time/Planning performance agreed - yes or no?*

*I would appreciate if the information could be broken down into each respective year and I would also ask that you do not refuse my request under section 21, as some of the information I have requested is not in the public domain i.e. fees paid, Extension of Time/Planning Performance Agreements etc.*

*If it is not possible to provide the information requested due to the information exceeding the cost of compliance limits identified in Section 12, please advise, as per Section 16 obligations of the Act, as to how I can refine my request.”*

I can confirm that the Legacy Corporation holds information which falls within the scope of your request, however, please be advised that the Legacy Corporation are refusing your request as it has been defined as manifestly unreasonable under the EIR regulation: 12(4)(b).

Further explanation for the refusal is provided below.

**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.

Your request asks for a list (in Excel format) of all planning applications submitted on or after 2nd October 2013 where no decision was made within 26 weeks (unless a longer period has/had been agreed in writing between the applicant and the Local Authority) and no refund of fees has been made to date. Information in relation to your request is held on different systems. All information in relation to the planning applications received by the Local Planning Authority, over close to 9 and a half years, would need to be individually reviewed, information gathered, reconciled and amalgamated in order to provide the information in the format you have requested. The process will take a considerable amount of time to complete.

The Legacy Corporation is not a large organisation and the time and resources taken to provide the requested information 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, 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 for the information you are requesting, or otherwise refining the information requested. This would be dealt with as a new request.

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If you are unhappy with our response to your request and wish to make a request for an internal review of our response, you should write to:

Deputy Chief Executive  
London Legacy Development Corporation  
Level 9  
5 Endeavour Square  
Stratford  
E20 1JN

Email: [FOI@londonlegacy.co.uk](mailto:FOI@londonlegacy.co.uk)

Please note: requests for internal reviews 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](http://www.ico.gov.uk)

Yours sincerely

FOI / EIR Co-ordinator  
London Legacy Development Corporation