



26 July 2024

INFORMATION REQUEST REFERENCE 24-020

Thank you for your information request, received on 31 May 2024. 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 I request a breakdown of revenue and running costs for the London Stadium for the last full financial year figures that are available.

Amount of revenue received by the London Stadium whether London Stadium 185 or E20 Stadium broken down by

- *West Ham Football Club*
- *MLB Baseball*
- *Music Concerts*
- *Athletics*
- *Any other revenue not specified above*

Amount of operating costs incurred by the London Stadium excluding any borrowing, finance or depreciation whether London Stadium 185 or E20 Stadium costs broken down by

- *Staff wages*
- *Council Tax*
- *Utility costs broken down by Electricity, Gas and Water*
- *IT, Technology and network costs*
- *Cleaning*
- *Stewarding and Security*
- *Catering*
- *CCTV*
- *Seat maintenance and moving costs.*
- *Ground and pitch maintenance costs.*
- *Any other Stadium maintenance costs.*
- *Any other running costs not specified above.”*

I can confirm that the Legacy Corporation holds information which falls within the scope of your request. The information relevant to your request is attached in Annex A:

Please be advised that individual event income has been withheld under the FOIA section 43(2) – commercial interests exemption:

S.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).

The 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 Stadium needs to be able to successfully operate in a small, strong and very competitive market and the Legacy Corporation believe that, at this time, the disclosure of the information requested would prejudice commercial interests of LS185, and as a consequence also those of the Legacy Corporation, within this market, by allowing competitors of the Stadium, who are not subject to the same legislation, to gain access to commercially valuable information. This would impact on current and future negotiations which would put LS185 at a significant commercial disadvantage within this competitive market which in turn would harm the Stadium's ability to achieve best value for the public purse.

The Legacy Corporation have assessed the impact of releasing the information requested. There is, of course, a public interest in promoting transparency of the decisions and accountability in regards to the financial costs in relation to public sector bodies, however, disclosing information on the individual event income would give commercial competitors and future tenderers exact information on event at the Stadium, which would give them a huge commercial advantage and in addition would severely weaken the negotiating position of LS185 when agreeing fees with promoters and artist management.

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 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

Please note: requests for internal reviews received more than forty workings 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