

Jonathan Kaye / LOFT Secretary
secretary@leytonorientfanstrust.com

29 April 2013

Ref: FOI 13-007

Dear Mr Kaye

Thank you for your request for information, received on 28 March 2013. I have set out below our response to each one of your questions following your order:

- 1. Of the figures listed for 'South Park transformation' on page 41 of the LLDC's Business Plan for 2012/13 to 2014/15, how much is allocated specifically for the legacy conversion of the Olympic Stadium?**

London Legacy Development Corporation (LLDC) is withholding this information under Section 43(2) (Commercial Interests) of the Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it) as it could impact on the procurement of the transformation works contractor(s).

- 2. What is the current total projected cost of converting the Olympic Stadium with West Ham United Football Club as anchor tenant? What is the breakdown of funding between the LLDC, West Ham, Newham Council and other sources for this projected cost?**

We can confirm funding of £40m from the London Borough of Newham (made through their investment vehicle Newham Legacy Investments); £15m from West Ham United FC; and a £25m contribution from central government should it be required when the capital works tenders are received. LLDC is withholding the total projected cost of the transformation works under Section 43(2) (Commercial Interests) of the Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it) as it could impact on the procurement of the transformation works contractor(s).

- 3. Would would have been the breakdown of funding for a legacy conversion with no football club involved (in other words, the fallback position had West Ham and the LLDC failed to reach an agreement)?**

LLDC developed a detailed alternative transformation option should the competition seeking concessionaires of the Stadium have failed to deliver an acceptable outcome in business planning and/or wider legacy terms. We cannot go into details on this as we are still at a competitive tender stage on a number of construction contracts and cannot risk potential parties being able to break down the cost of various elements of the transformation scheme with consequential impact on the public purse. Therefore, LLDC is withholding this information under Section 43(2) (Commercial Interests) of the

Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

- 4. What is the current allocation of funding of the budget at (2) for conversion works, broken down by separate spends (such as installation of retractable seating, roof conversion, installation of toilets, installation of corporate hospitality areas, etc.). Please be as specific as possible.**

LLDC is withholding this information under Section 43(2) (Commercial Interests) of the Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it) as it could impact on the procurement of the transformation works contractor(s).

- 5. What would have been the allocation of funding of the budget at (3) for conversion works, again broken down by separate spends, and again please be as specific as possible.**

We cannot go into details on this as we are still at a competitive tender stage on a number of construction contracts and cannot risk potential parties being able to break down the cost of various elements of the transformation scheme with consequential impact on the public purse. As such we are withholding this information under Section 43(2) (Commercial Interests) of the Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

- 6. Is the reported rent agreed with West Ham subject to rent review, and if so at what intervals and under what terms?**

LLDC is withholding this information under Section 43(2) (Commercial Interests) of the Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it). This information is also subject to a confidentiality agreement between LLDC and West Ham United Football Club (WHUFC) so is also currently withheld under Section 41(1b) (Information provided in confidence) of the Freedom of Information Act as the disclosure of the information to the public by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

- 7. Is West Ham's £15m contribution to the budget a one-off payment or under a schedule of repayment? If the latter, under what terms?**

LLDC is withholding this information under Section 43(2) (Commercial Interests) of the Freedom of Information Act as its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it). This information is also subject to a confidentiality agreement between LLDC and West Ham United Football Club (WHUFC) so is also currently withheld under Section 41(1b) (Information provided in confidence) of the Freedom of Information Act as the disclosure of the information to the public by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

- 8. Are any of the other elements of the conversion budget subject to repayment by West Ham, and if so under what terms?**

This is commercially confidential information but LLDC can disclose that we have secured a deal with WHUFC as part of the multi-use nature of the Stadium which

provides a robust business case for its operation, does not require an ongoing public subsidy, gives an operating surplus and secures the long-term future of the venue.

Please note: you are not permitted to re-use the information for publishing or issuing copies to the public, you will require the permission of the copyright owner.

If you are unhappy with our response to your request and wish to make a complaint or request a review of our decision, you should write to:

Executive Director of Finance and Corporate Services
London Legacy Development Corporation
Level 10
1 Stratford Place
Montfichet Road
London
E20 1EJ

Please note: complaints and requests for internal review received more than two months after the initial decision 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

Rachael Clauson
FOI Co-ordinator
London Legacy Development Corporation