

[REDACTED]
(by email)

Our reference: MGLA230719-8407
7 August 2020

Dear [REDACTED]

Freedom of Information and Environmental Information Regulations Complaint

I write in response to notice received by the Greater London Authority (GLA) from the Information Commissioners Office (ICO) regarding receipt of a complaint issue by you to them, on 23 October 2019 and then notice of their intention to investigate your complaint received by the Authority on 3 February 2020.

Your complaint is in relation to the way in which the GLA handled your initial FOI request (MGLA240619-5742) and then subsequently through the internal review procedure.

Initial request

On 24 June 2019 you submitted the following request:

"... I am only interested in information generated between 1 January 2010 and 1 January 2012.

Please note that the references to written communications should include all forms of written correspondence including letters, faxes and emails. For the avoidance of doubt it should also include any emails sent via private email accounts as well as official accounts. It should also include any messages sent through encrypted messaging services.

Please note that the reference to The Prince of Wales in the questions below should include the Prince, his press secretary(ies); his private secretary(ies) and any staff in his private office who are authorised to write and reply to correspondence on his behalf.

Please note that the reference to The Mayor should include the Mayor himself, his private office and any staff in his private office who are able to write or respond to correspondence on his behalf.

1...During the aforementioned period did The Prince of Wales communicate in writing with The Mayor about any of the following issues.

- a. The Environment including but not limited to matters relating to climate change, the causes of climate change and the best ways of tackling climate change.*
- b. London's architecture, London's skyline, planning policy in London and concerns about any live planning applications before the Mayor's Office.*

- c. *Royal Residences in London including but not limited to Buckingham Palace, Clarence House, Kensington Palace and St James' Palace.*
- d. *Historic properties and historic sites in London including but not limited to The Houses of Parliament, Westminster Abbey, St Paul's Cathedral and The Tower of London.*
- e. *London's transport links; Traffic congestion in London, London's roads, London's public transport networks.*
- f. *London's parks and greenspaces.*
- g. *The 2012 Olympics and London's preparations for 2012.*

2...If the answer to question one is yes can you please provide copies of any written communications including letters; faxes, emails, emails sent through private accounts and emails sent through encrypted messaging services.

3...During the aforementioned period did The Mayor reply to these written communications or did he communicate with The Prince about any of the issues in question one.

4...If the answer to question three is yes can you please provide copies of any written communications including letters; faxes; emails, emails sent through private accounts and emails sent through encrypted messaging services.

5...Has any relevant documentation been destroyed. In the case of each destroyed piece of documentation can you please provide the following details. Why was it destroyed and on what date was it destroyed. Can you please provide a brief outline of its contents. In the case of each destroyed piece of written communication can you please provide details of sender (s), recipient (s) and date sent. In the case of each destroyed piece of written communication can you please provide a brief outline of its contents. If ANY destroyed documentation continues to be held in another form can you please provide copies of that documentation. "

The GLA responded to your request on the 22 July 2019 citing the provision under section 37(2) of the Act to neither confirm nor deny whether the requested information was held.

Internal Review

On the 23 July 2019 you asked for an internal review, as below:

"...I would now like to request an internal review and I would be grateful if you could forward this request onto the most appropriate person.

I am unhappy with the organisation's refusal to supply the relevant information.

I believe that given the nature of the information being requested the request should have been treated as a request for information under The Environmental Information Regulations (EIRS).

I note that The Prince is not exempt from the Regulations."

The Authority concluded that it wished to uphold its decision to exempt the requested information under section 37 (2) of the FOIA which relates to Communications with Her Majesty and the awarding of honours. The Authority also considered your request under the Environmental Information Regulation and decided to withhold the requested information

under reg 12 (5) (f) of the EIR, namely the interests of the person who provided the information.

I have reviewed both your initial request and request for an internal review and the responses to both provided to you by the GLA. I have also noted your dissatisfaction and your subsequent complaint sent to the ICO and I have decided to overturn the original decision. As such, please see attached the requested information.

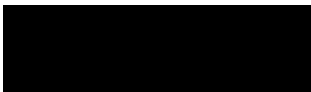
Please also be advised that parts of the requested information is withheld under s.40 of the FOIA (Personal Information) as it contains personal data other than personal data of the requester, and where disclosure under the Act would breach one of the data protection principles in the General Data Protection Regulation (GDPR) or Data Protection Act 2018 (DPA). It is our view that disclosing this information would breach the fair processing provisions of the first data protection principle, in that it would not be the reasonable expectation of these individuals that their personal data would be disclosed in this way. The exemption at section 40 is an absolute exemption and does not require consideration of the public interest test.

If following this response, you remain dissatisfied, you may make a complaint to the Information Commissioner to investigate whether the GLA has complied with the provisions of the Environmental Information Regulations. You can write to the Information Commissioner at the following address:

*Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF*

Further details can be found at <http://www.ico.org.uk/complaints>

Yours sincerely,



Senior Information Governance Officer

GREATER LONDON AUTHORITY

Mayor's Office

Sir Michael Peat
Clarence House
London SW1A 1BA

City Hall
The Queen's Walk
More London
London SE1 2AA
Switchboard: 020 7983 4000
Minicom: 020 7983 4458
Web: www.london.gov.uk

Our ref: MGLA271010-2851

Date:

01 NOV 2010

Dear Sir Michael

Thank you for your letter of 18 October.

I would be delighted to catch up with The Prince of Wales. Please contact my Diary Secretary, [REDACTED], on 020 7983 [REDACTED] to make the necessary arrangements.

Yours ever,



Boris Johnson
Mayor of London

22 OCT 2010



CLARENCE HOUSE
LONDON SW1A 1BA

Private and Confidential

From: The Principal Private Secretary to TRH The Prince of Wales and The Duchess of Cornwall

18th October, 2010

Ben Boris,

The Prince of Wales would love to have a chance to catch-up if you ever had a moment.

There are always a number of things to talk about, but he would like, in particular, to get a feel for your thoughts on the future of the Royal Parks.

Could my Office give yours a call to see when might be a convenient time?

*With best wishes,
Yours ever,*

✓ Michael

Sir Michael Peat

Boris Johnson Esq., MP,
The Mayor of London,
City Hall,
The Queen's Walk,
London,
SE1 2AA.

271010-2851