

## PART 2 – CONFIDENTIAL FACTS AND ADVICE

**MD2291**

### **Title: Supporting developments with high levels of affordable housing**

*Information may have to be disclosed in the event of a request under the Freedom of Information Act 2000. In the event of a request for confidential facts and advice, please consult the Information Governance team for advice.*

#### **This information is not for publication until the stated date, because:**

It is commercially sensitive information.

**Date** at which Part 2 will cease to be confidential or when confidentiality should be reviewed: April 2021.

#### **Legal recommendation on the grounds of keeping the information confidential:**

Under section 43 of the Freedom of Information Act information is exempt if its disclosure would, or would be likely to, prejudice the commercial interests of any person (including the GLA). Under section 42 of that Act information is exempt if its disclosure would, or would be likely to, involve the disclosure of information that is legally privileged.

These are both qualified exemptions, meaning that information captured under sections 42 and 43, can only be withheld if the public interest in withholding it outweighs the public interest in releasing it.

The information below is commercially sensitive information, the disclosure of which would, or would be likely to, prejudice the commercial interests of GLA/GLAP and limit their ability to get value for money from external providers of services. Whilst there is a public interest in understanding the circumstances in which public money is provided to other bodies, it is considered that in these circumstances the public interest lies in maintaining the exemption and withholding the information.

If this information is considered for release pursuant to the provisions of the Environmental Information Regulations 2004, this information should be considered exempt information under regulation 12(5)(e) – where disclosure would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

**Legal Adviser** - I make the above recommendations that this information should be considered confidential at this time

**Name:** Michael Mullin

**Date:** 8<sup>th</sup> June 2018

*Once this form is fully authorised, it should be circulated with Part 1.*

<b>Confidential decision and/or advice:</b>
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**Budget costings**

The balance of the £1.78m - £260k – is to be retained in its current revenue budget to fund on-going legal and property due diligence relating to HZ legacy costs, The forecasts for property and legal consultancy support, included in Table 2, are based upon actual legal costs (£30k per project) incurred to date on IF schemes and existing property consultancy fee rates (£10k per project). There are currently 12 IF schemes (2 approved and 10 strong pipeline projects) being progressed which require a budget of £480,000, in order to commit this funding and secure the intended housing outputs. The HIF programme requires £400,000 to cover the costs of 12 Marginal Viability Funded (MVF) schemes where infrastructure investment is required to unblock or unlock sites; and 8 Forward Funded (FF) schemes where infrastructure investment is targeted towards strategic/high impact areas. The forecasts are based upon legal cost comparables (£20k per project) for similar HZ infrastructure projects.