

# GREATER LONDON AUTHORITY

[REDACTED]  
(By email)

Our Ref: MGLA291116-4866  
15 December 2016

Dear [REDACTED]

Thank you for your further correspondence which the Greater London Authority (GLA) received on 28 November 2016. You have expressed dissatisfaction with the way the GLA has responded to two requests for information that you have made. I am now responding to you under the GLA's internal review procedure.

## Background

Below is a summary of the correspondence you have had with the GLA to date:

- MGLA171016-9667; On 17 October 2016, you submitted a request for information for:

*...all the documents in which the actions and outcomes of all and every meeting of each of the following Boards relating to the possible establishment of an Opportunity Area or of multiple Opportunity Areas in The Borough of Kingston has been documented since 24 March 2015 until today's date:*

1. *The Strategic Growth Board*
2. *The Officer Project Board*
3. *The Opportunity Area Project Team.*

The GLA responded to you on 25 October confirming we did not hold the requested information and advising that the Strategic Growth Board, the Officer Project Board and the Opportunity Area Project Team are part of Kingston upon Thames Council.

- MGLA251016-0839; You submitted a second request on 25 October 2016 for:

*...the GLA's internal minutes of meetings - including actions agreed - since January 2015 and up until today's date at which any employee or employees of the GLA attended in their capacity as members of the Strategic Growth Board, the Officer Project Board and Opportunity Area Planning Team established by Kingston Council in March 2015 and at*

*which a possible Opportunity Area or possible Opportunity Areas in Kingston have been discussed.*

The GLA responded on 22 November 2016 advising that your request had been handled under the Environment Information Regulations (EIR) 2004; and providing you with some of the information you have requested but advising some redactions under regulation 13(1) and withholding some information under regulation 12(4)(d).

- MGLA291116-4866; On 28 November 2016 you submitted a request for an internal review in relation to the way the GLA handled request MGLA251016-0839.
- MGLA071216-5919; On 6 December 2016 you submitted a further request for an internal review. This time your complaint relates to our handling of your original request MGLA171016-9667.
- MGLA061216-5824; On 6 December 2016 you also submitted a further request for information:

*...the Development Infrastructure Funding Study for Kingston upon Thames (DIFS) or current draft thereof, together with data that gives the assumptions on which the Study is based and information that shows in full the assumptions used in the study. Please also send minutes of meetings in which the DIFS has been proposed, discussed or approved or mentioned in any way, together with the names of people participating in any such discussions or meetings or decisions.*

I understand you have now received a response in relation to this request confirming the GLA does not hold the requested information.

## **Your complaint**

For the purpose of this internal review I will address both of your complaints:

- MGLA291116-4866:

*The information you have sent me is identical to information I have received from Kingston Council when I requested information on the "actions and outcomes" of the meetings of the Strategic Growth Board, Officer Project Board and Opportunity Area Project Team relating to the establishment of an Opportunity Area or of multiple Opportunity Areas in Kingston. I have not actually received any information from you or Kingston Council that responds to my request. Why?*

*As an independent body, the GLA should have its own minutes of the meetings held with Kingston Council and it is such minutes that I again request that you send me:*

*"Please can you send me the GLA's internal minutes of meetings - including actions agreed - since January 2015 and up until today's date at which any employee or employees of the GLA attended in their capacity as members of the Strategic Growth Board, the Officer Project Board and Opportunity Area Planning Team established by Kingston Council in March 2015 and at which a possible Opportunity Area or possible Opportunity Areas in Kingston have been discussed."*

*It is difficult to see how the GLA and Kingston Council can be acting independently if each body is not independently recording discussions and decisions and actions agreed at each meeting. Please provide information that demonstrates that your independence in negotiations and discussions with Kingston Council relating to the possibility of establishing one or many Opportunity Areas in the Borough is being maintained. I believe strongly that it is in the public interest for this information to be disclosed.*

*Please provide the FULL minutes of the meetings you indicate took place on 5 April 2016 and 21 September 2016, including the actions and outcomes agreed at those meetings, as you have only sent the cover page for the meetings that took place on these dates.*

*Please also send information that clarifies the nature and legal status of the "Opportunity Area Strategic Board" and send details of when and by whom this Board was constituted. This is not a Board that has been formally established by Kingston Council and therefore meetings of the Board can have no legitimacy in negotiating the possible establishment of Opportunity Areas in Kingston Borough.*

*I also assert that there is overwhelming justification in the public interest for you to disclose information you have decided to withhold on the basis that it is from a "draft for an unfinished document, Development Capacity Scenarios that will be finalised and published on the Royal Borough of Kingston Upon Thames website in early 2017". I assert that when a council such as Kingston is contemplating growth on such a massive scale that will change the nature and character of the Borough and surrounding areas forever, that there is "strong public interest in transparency of information contained in the draft document that would allow members of the community to understand and contribute to discussions and decisions that affect them." This public interest far outweighs the desire of the GLA's officers to have a "safe space in which to finish ongoing work without interruption or interference from outside." Indeed, I assert that such a statement is arrogant and dismissive of the rightful public interest in plans on the scale being considered by the GLA and Kingston Council. I therefore request that you release all the information that you have currently withheld immediately*

- MGLA071216-5919:

*In your reply to my request, you state that "The Strategic Growth Board, the Officer Project Board and the Opportunity Area Project Team are part of Kingston upon Thames Council. We can therefore confirm that the GLA does not hold the information you have requested."*

*However, I am aware from the agenda and minutes of the Infrastructure, Projects and Contracts Committee meeting on 24/3/15 (Kingston upon Thames Opportunity Area Terms of Reference Appendix 2) that employees of the GLA sit on each of the said boards and teams. I also know that the GLA has been taking actions on an on-going basis following a stream of meetings with Kingston Council since early 2015 to pursue the establishment of an Opportunity Area or multiple Opportunity Areas in the Borough of Kingston. I would like to receive information that documents the actions that the GLA has agreed to take and has taken following each such meeting with Kingston Council.*

*I would therefore like to repeat and clarify my request that you send me information that documents the actions agreed and taken by employees or agents of the GLA in their capacity as members of the Boards and Team mentioned in my original FOI Act request*

*relating to the pursuit of the possible establishment of an Opportunity Area or of multiple Opportunity Areas in Kingston, with a particular focus on the actions that employees or agents of the GLA have agreed to take and have taken following each meeting of said Board or team.*

## **Internal review**

This internal review is conducted by someone who was not involved in the handling of the original request. I will now respond to each point of your complaint in turn:

- 1. The information you have sent me is identical to information I have received from Kingston Council when I requested information on the "actions and outcomes" of the meetings of the Strategic Growth Board, Officer Project Board and Opportunity Area Project Team relating to the establishment of an Opportunity Area or of multiple Opportunity Areas in Kingston. I have not actually received any information from you or Kingston Council that responds to my request. Why?*

The GLA attends the Strategic Growth Board with RBK who are responsible for taking the minutes of the meeting. This is common practice when the GLA meets with London Borough (LB) councils for these meetings.

- 2. As an independent body, the GLA should have its own minutes of the meetings held with Kingston Council and it is such minutes that I again request that you send me...(Repeating request MGLA251016-0839)*

The GLA does not take minutes of the meeting. There is no requirement to duplicate the minute taking activity that is being undertaken by the relevant LB at these meetings.

- 3. It is difficult to see how the GLA and Kingston Council can be acting independently if each body is not independently recording discussions and decisions and actions agreed at each meeting. Please provide information that demonstrates that your independence in negotiations and discussions with Kingston Council relating to the possibility of establishing one or many Opportunity Areas in the Borough is being maintained.*

The GLA and RBK are not acting independently. Opportunity Area Planning Frameworks are joint ventures between the GLA and Local Borough Councils. GLA and RBK officers have been working together to identify and assess opportunities for growth in the borough for the new Local Plan and emerging Opportunity Area.

- 4. Please provide the FULL minutes of the meetings you indicate took place on 5 April 2016 and 21 September 2016, including the actions and outcomes agreed at those meetings, as you have only sent the cover page for the meetings that took place on these dates.*

RBK have not distributed the minutes of these meetings therefore we do not hold the information for the purpose of the FOIA to inform our response to request MGLA251016-0839.

- 5. Please also send information that clarifies the nature and legal status of the "Opportunity Area Strategic Board" and send details of when and by whom this Board was constituted. This is not a Board that has been formally established by Kingston Council and therefore*

*meetings of the Board can have no legitimacy in negotiating the possible establishment of Opportunity Areas in Kingston Borough.*

This is a new request and I attach the Terms of Reference which we hold in relation to the Strategic Board.

6. Repeat and clarification of request MGLA171016-9667; ...*I would therefore like to repeat and clarify my request that you send me information that documents the actions agreed and taken by employees or agents of the GLA in their capacity as members of the Boards and Team mentioned in my original FOI Act request relating to the pursuit of the possible establishment of an Opportunity Area or of multiple Opportunity Areas in Kingston, with a particular focus on the actions that employees or agents of the GLA have agreed to take and have taken following each meeting of said Board or team.*

The GLA officer responsible for handling your original request mistakenly assumed you wanted details of internal meetings held at RBK. When the GLA received your second response the officer realised their mistake and provided you with the relevant information that the GLA held.

## **Outcome**

In reviewing your complaints, I consider that the GLA handled your original request for information (ref MGLA171016-9667) incorrectly. I would like to apologise that the GLA did not clarify what information you wanted at the time your request was made.

I trust I have addressed your concerns. However, if you remain dissatisfied you may take your complaint to the Information Commissioner at the following address:

*Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
SK9 5AF  
<http://www.ico.org.uk/complaints>*

Yours sincerely

  
Information Governance Officer

If you are unhappy with the way the GLA has handled your request, you may complain using the GLA's FOI complaints and internal review procedure, available at:  
<https://www.london.gov.uk/about-us/governance-and-spending/sharing-our-information/freedom-information>

## **Kingston upon Thames: Opportunity Area: Terms of Reference**

### **A. The Strategic Growth Board**

#### **1. Objectives**

The Strategic Growth Board will have the following key functions:

- Providing the strategic lead and high level steer to the project and approval of overall approach to growth
- Ensuring high level co-ordination across relevant partner organisations
- Providing linkages with relevant government departments, as well as strategic groups, such as the LEP, Network Rail, English Heritage etc.

#### **2. Membership**

This board will be made up of senior politicians and officers. This will include for Royal Borough of Kingston Upon Thames (RBK) the Leader, Lead Member for Planning, Chief Executive and Senior Officers; for the GLA London Deputy Mayor and Senior Officers; and Senior Officers of Transport for London.

#### **3. Chairmanship**

Meetings of the Board shall be chaired by the Leader of RBK (proposed) with support of the deputy chair Deputy Mayor of the GLA (proposed).

#### **4. Secretariat**

The Secretariat shall be provided by RBK with support from GLA.

#### **5. Meetings**

Formal meetings shall normally be held on a quarterly basis. Meetings may be held more or less frequently as the Chairman and members consider appropriate.

The venue for Meetings of the Board will vary, as agreed by attendees.

RBK will circulate notice of meetings to all members of the Board at least one month in advance of each meeting, detailing the date, time and location of the meeting.

At least ten working days prior to each meeting, RBK will provide all members with an opportunity to contribute to the draft agenda and submit accompanying papers as appropriate.

Any member may propose any relevant matter for discussion or decision at any meeting.

The nature and extent of discussion to be conducted at meetings shall be at the discretion of the chairman.

At least four working days prior to each meeting, RBK will circulate to Members all necessary supporting documents and details of any intended presentations at the meeting. Where it is not

possible for such details to be provided in such period, they shall be provided as soon as reasonably practicable thereafter.

Any actions or outcomes of the Board meetings will be circulated by the Officer Project Board as appropriate.

## **6. Amendment**

These terms of reference may be altered and amended from time to time by decision of the Board. Any such proposal shall be subject to consultation with the full membership of the Board.

## **7. Conflicts of interest**

Whenever a Member finds himself or herself in a situation that is reasonably likely to give rise of a conflict of interest, he or she must declare his or her interest to the Chair/Members unless, or except to the extent that the Chair/Members are or ought reasonably to be aware of it already.

## **8. Lifetime of the board**

The Board will exist until such time as its functioning is no longer required to meet the purpose of the Board defined above.

## **9. Quorate**

Two thirds of Board members must be in attendance for the meeting to be quorate, meetings will be cancelled if suitable numbers of members are not able to attend.

# **B. Officer Project Board**

## **1. Objectives**

The Officer Project Board will have the following key functions:

- General project management duties
- Overview of evidence gathering and data analysis
- Agreement of specific proposals
- Oversight and leadership to the Opportunity Area work-streams
- Senior liaison with various key service and infrastructure providers

## **2. Membership**

This board will be made up of senior officers and officers. This will include for Royal Borough of Kingston upon Thames (RBK) the Head of Planning and Transport, and Group Manager of Strategic Planning and Transport; for the GLA London the Assistant Director for Planning; and the TfL Area Manager.

## **3. Chairmanship**

Meetings of the Officer Steering Group shall be chaired by the Head of Planning and Transport of RBK (proposed).

## **4. Secretariat**

The Secretariat shall be provided by RBK with support from the GLA.

## **5. Meetings**

Formal meetings shall normally be held on a six weekly basis. Meetings may be held more or less frequently as the Chair and members consider appropriate.

Meetings of the Officer Project Board shall alternate between the Royal Borough of Kingston's offices and City Hall.

RBK will circulate notice of meetings to all members of the Officer Project Board at least one month in advance of each meeting, detailing the date, time and location of the meeting.

At least five working days prior to each meeting, RBK will provide all members with an opportunity to contribute to the draft agenda and submit accompanying papers as appropriate.

Any member may propose any relevant matter for discussion or decision at any meeting.

The nature and extent of discussion to be conducted at meetings shall be at the discretion of the chairman.

At least two working days prior to each meeting, RBK will circulate to Members all necessary supporting documents and details of any intended presentations at the meeting. Where it is not possible for such details to be provided in such period, they shall be provided as soon as reasonably practicable thereafter.

Any actions or outcomes of the Officer Project Board meetings will be circulated by the RBK project support officer as appropriate.

## **6. Amendment**

These terms of reference may be altered and amended from time to time by decision of the Officer Project Board. Any such proposal shall be subject to consultation with the full membership of the Officer Project Board.

## **7. Conflicts of interest**

Whenever a Member finds himself or herself in a situation that is reasonably likely to give rise of a conflict of interest, he or she must declare his or her interest to the Chairman/Members unless, or except to the extent that the Chairman/Members are or ought reasonably to be aware of it already.

## **8. Lifetime of the officer steering group**

The Officer Project Board Group will exist until such time as its functioning is no longer required to meet the purpose of the Officer Project Board defined above.

## **C. Opportunity Area Project Team**

### **1. Objectives**

The Opportunity Area Project Team (OAPT) are responsible for:



- Establishing and managing the project management documentation
- Identifying and leading all work-streams associated with the Opportunity Area
- Identifying and leading technical sub-groups with support from internal and external partners to facilitate the development of the Opportunity Area evidence base
- Commissioning and managing specialist consultants to inform the evidence base
- Leading to secure the requirements of the duty to cooperate
- Developing and formulating all Opportunity Area documents
- Providing reports (including monitoring updates) to the Officer Project Board.

## **2. Membership**

The OAPT will be made up of officers. This will include for Royal Borough of Kingston upon Thames Group Manager of Strategic Planning and Regeneration and Kingston Futures Programme Manager; for the GLA London the OAPF Officer; and the TfL Area Manager.

## **3. Chairmanship**

Meetings of the OAPT shall be chaired by Group Manager Strategic Planning and Regeneration of RBK.

## **4. Secretariat**

The Secretariat shall be provided by RBK with support from the GLA.

## **5. Meetings**

Formal meetings shall normally be held on a monthly basis. Meetings may be held more or less frequently as the Chairman and members consider appropriate.

Meetings of the OAPT will be held at the Royal Borough of Kingston's offices.

RBK will circulate notice of meetings to all members of the OAPT at least one month in advance of each meeting, detailing the date, time and location of the meeting.

At least five working days prior to each meeting, the RBK will provide all members with an opportunity to contribute to the draft agenda and submit accompanying papers as appropriate.

Any member may propose any relevant matter for discussion or decision at any meeting.

The nature and extent of discussion to be conducted at meetings shall be at the discretion of the chairman.

At least two working days prior to each meeting, RBK will circulate to Members all necessary supporting documents and details of any intended presentations at the meeting. Where it is not possible for such details to be provided in such period, they shall be provided as soon as reasonably practicable thereafter.

Any actions or outcomes of the OAPT meetings will be circulated by the OAPT project support officer.

## **6. Amendment**

These terms of reference may be altered and amended from time to time by decision of the OAPT. Any such proposal shall be subject to consultation with the full membership of the OAPT.

#### **7. Conflicts of interest**

Whenever a Member finds himself or herself in a situation that is reasonably likely to give rise of a conflict of interest, he or she must declare his or her interest to the Chairman/Members unless, or except to the extent that the Chairman/Members are or ought reasonably to be aware of it already.

#### **8. Lifetime of the master planning sub-group**

The OAPT will exist until such time as its functioning is no longer required to meet the purpose of the OAPT defined above.