

# GREATER LONDON AUTHORITY

**Gerlinde Gniewosz**  
(By email)

Our Ref: **MGLA070317-4983**  
3 April 2017

Dear Ms Gniewosz

Thank you for your further correspondence which the Greater London Authority (GLA) received on 7 March 2017.

You have expressed dissatisfaction with the way the GLA has responded to your request for information (ref MGLA070217-1847) and submitted a further request for information. I am now responding to you under the GLA's internal review procedure and will respond to your new FOI request.

## Background

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

- 03 May 2015: MGLA050515-4964 – Request for a copy of the 2014 Lambeth application for further Decent Homes Backlog Funding. The GLA responding providing you with a copy of the application and exempting some content from disclosure under s.43 (2) of the FOIA.
- 03 Jun 2015: MGLA030615-6949 – Submission of an internal review into the decision to withhold the unit costs from disclosure in the Lambeth application. The GLA upheld its decision and maintained its application of s.43 (2) to withhold the unit costs.
- 29 Jun 2015: MGLA290615-8731 – Submission of second internal review. GLA advised that the next stage of the appeal process is to refer complaint to Information Commissioner.
- 14 Jul 2015: MGLA150715-9984 – You informed the GLA of pricing and costs provided by Lambeth as part of the LTQA s20 consultation. We responded that the GLA had nothing further to add to our previous response on the subject.
- 07 Mar 2017: MGLA070217-1847 – The GLA refused a request for *'a copy of all correspondence with Lambeth council in connection with decent homes backlog funding over the past 5 years'* on the grounds that compliance would be manifestly unreasonable under regulation 12(4)(b) of the Environmental Information Regulations (EIR).
- 07 Mar 2017: MGLA070317-4977 – You repeated your request of MGLA050515-4964 for an un-redacted copy of the 2014 backlog funding application.
- 07 Mar 2017: MGLA070317-4983 – You submitted a request for an internal review into the our application of regulation 12(4)(b) (ref MGLA070217-1847)

## Your complaint

With regards to case reference MGLA070217-1847 you have submitted the following complaint:

*"Please provide a list of the documentation that you do hold so that I can refine the search. It is definitely in the public interest due to Lambeth's mismanagement of their decent homes program that has triggered the need to demolish estates to cover the funding gaps. These estates were included in the submissions to the GLA. Thus, we want to see whether Lambeth has collected grant money when it had no intention of doing the works and whether Lambeth has misled the GLA over costs".*

## Internal review

This internal review is conducted by someone who was not involved in the handling of the original request. I will now consider each part of your complaint in turn;

- List of documentation held for refined search.

The attached list shows the volume of information 'held' by the GLA. In our response to your request for information we stated that to comply with your request would involve a review of the entire content of these files in a granular way in order to apply the EIR, which would include a process of identifying what information could and equally could not be disclosed. The ICO have stated in their guidance<sup>1</sup> to local authorities that the exception in regulation 12(4) (b) is concerned specifically with the nature of the request and the impact of dealing with it.

In establishing your concerns, I have examined whether there is any information on the list of documentation that I believe would help satisfy your interest. I attach (where available) the quarterly grant claims for each financial year (schedules 5 and 6) and annual statements which detail any difference in expenditure.

- Public interest test - regulation 12(4) (b).

In our response of 7 March 2017, we informed you that regulation 12(4) (b) is engaged due to consideration of the proportionality and value of the request.

You have stated that you believe disclosure of all correspondence between the GLA with LB Lambeth over the last 5 years regarding decent homes backlog funding would enable you to establish whether grant money has been collected without intention of completing the required works.

The ICO supports the public interest in disclosure under the circumstances that there is 'reasonable' suspicion of wrongdoing. However you have not provided the GLA with any evidence which would support any suspicion of wrongdoing as 'reasonable'. I can confirm the GLA allocated Decent Homes Backlog funding to the LB Lambeth between 2012 and 2016 and is satisfied that throughout the programme period, all funds were claimed by the Council in accordance with the funding requirements.

## Outcome

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<sup>1</sup> <https://ico.org.uk/media/for-organisations/documents/1615/manifestly-unreasonable-requests.pdf>

In reviewing your complaint, I attach some of the requested information which I hope will further your understanding on the financial management of the programme. However, I uphold that regulation 12(4) (b) has been correctly engaged in relation to your request and that the public interest is weighed in favour of non-disclosure in relation to all of our communications with LB Lambeth on the subject of Decent Homes Backlog funding.

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

Ian Lister  
Information Governance Manager