

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA060618-3809

2 July 2018

Dear [REDACTED]

Thank you for your request for information which the GLA received on 4 June 2018. Your request has been dealt with under the Freedom of Information Act 2000.

You requested:

- 1) *Has the Greater London Authority received any invitations from Royal Dutch Shell, or its partners or subsidiaries, to attend or have a presence at the company's 'Make the Future Live' festival in July 2018? If yes, please disclose copies of any relevant correspondence or related materials.*
- 2) *Has the Greater London Authority engaged with or participated in Royal Dutch Shell's 'Make the Future' promotional strategy, the 'Shell Eco-Marathon' or Shell's 'Bright Ideas Challenge', directly or indirectly, since June 2017? If yes, I request that you disclose copies of relevant material, such as correspondence, meeting notes or other materials.*
- 3) *Has the Greater London Authority met with representatives of Royal Dutch Shell since June 2017? If yes, I request that you disclose copies of any relevant meeting notes and/or correspondence material.*

Please find attached the information we hold within the scope of your request from 01 July 2017 to 4 June 2018.

As there is a lot of overlap between the categories, I have provided all the information in date order.

We have redacted some information under the following exemptions:

- Section 38(1)(b) Endangering the safety of any individual
- Section 43 Prejudice to commercial interests

Please see the attached annex from information about how these exemptions have been applied.

We have also redacted personal data under (Section 40(2) Personal Data). This information could potentially identify specific employees and as such constitutes as personal data which is defined by Article 4(1) of the General Data Protection Regulation (GDPR) to mean any

information relating to an identified or identifiable living individual. It is considered that disclosure of this information would contravene the first data protection principle under Article 5(1) of GDPR which states that Personal data must be processed lawfully, fairly and in a transparent manner in relation to the data subject.

Finally, if you have not already done so you may wish to make a request to the London Legacy Development Corporation (LLDC), who may also hold information about this event.

If you have any further questions relating to this matter, please contact me, quoting the reference MGLA060618-3809

Yours sincerely

Ruth Phillips
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>

Annex

Exemptions

Section 38(1)(b) – endangering the safety of any individual

*Information is exempt information if its disclosure under this Act would, or would be likely to —
(b) endanger the safety of any individual.*

Section 43(2) Prejudice to commercial interests

(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

The redacted information is described below:

- Details of specific dates and times and/or locations that would allow people to know in advance where the Mayor or others will be; details of travel arrangements including pickup location
- Details of Shell's future plans in relation to their product/s

How the exemptions apply to this information

Section 38(1)(b) of the Act is engaged because of the potential risk to the safety of the Mayor and others if their location is known in advance. Releasing such information would increase the risk posed to the safety of those individuals; those attending or working at the event.

The Mayor is a prominent political figure, with a significant national and international profile and responsibility for leadership of London's government. We have previously identified that there is "a sizeable risk" that disclosure of future engagements may endanger the health or physical well-being of the Mayor. In support of this argument, we have explained that the Mayor was one of the subjects of a foiled terrorist plot. There is relevant media coverage available to support this view.

The Commissioner accepted that the Mayor is clearly at some risk of being targeted and upheld that we were justified in withholding information which relates to the Mayor's future engagements under Section 38 (Health and safety) of the FOIA and that there is no public interest in disclosing the future whereabouts of the Mayor. See https://ico.org.uk/media/action-weve-taken/decision-notice/2012/735982/fs_50431334.pdf

Section 43(2)

Section 43(2) of the Act provides that information may be exempt information if the release of that information into the public domain (in response to a request under that Act) would, or would be likely, to be prejudicial to the commercial interests of any person - i.e. the commercial interests of the GLA itself, any company, or any other legal entity.

A commercial interest relates to a person's ability to participate competitively in a commercial activity and their ability to trade, i.e. the purchase and sale of goods or services.

In this case, the release or publication of this information into the public domain would be likely to prejudice the commercial interests of Shell by giving competitors information about their plans and product.

Public interest test

Considerations favouring disclosure

- The GLA acknowledges there is a legitimate interest in transparency regarding the Mayor and GLA's involvement in events and relationships with businesses and other parties
- The GLA is also mindful of the assumption in favour of disclosure in 2(2)(b) of the FOIA.

Considerations favouring non-disclosure

- Public interest in the diary of the Mayor is satisfied by publication of his past engagements and meetings on our website
- Protecting the safety of the Mayor and others including the public attending the event is of paramount importance.

In all circumstances of the case, the public interest favours maintaining the exemption provisions of s.38(1)(b) and s. 43(2) in relation the redacted and withheld information.