

PART 2 – CONFIDENTIAL FACTS AND ADVICE

MD2174

Title: Former North Woolwich Station Building project

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This information is not for publication until the stated date, because: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 contains commercially sensitive related to the proposed acquisition of the former North Woolwich Station Building, as part of the wider London Regeneration Fund project LB Newham.

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

31/03/2018

Legal recommendation on the grounds of keeping the information confidential:

In the event of any request for access to the information contained in this document under section 1 of the Freedom of Information Act 2000 ("the Act"), it is considered that access can be denied on the basis that the disclosure of such information would prejudice both the GLA's, LB Newham's and Create London's commercial interests in that the freeholder, House Mill Trust and other organisations competing for the property would be informed of the finance available to Create London, and affect adversely its ability to secure the freehold whilst securing value for money. This is therefore covered by the exemption under section 43 of the Act.

Section 1 of the Act creates the general right of access, which provides that any person making a request for information to a public authority is entitled:

- to be informed in writing by the public authority whether it holds information of the description specified in the request; and
- if that is the case, to have that information communicated to him/her.

Part II of the Act contains a number of exemptions from disclosure for certain classes of information. In particular, section 43 of the Act provides that information is exempt information if disclosure under the Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it). The paragraph above states that the information is considered commercially sensitive as its release could affect:

- Create London's ability to successfully secure the freehold of the relevant property for the optimal price/at all; and
- impact upon the GLA and LB Newham delivery of the proposed enhanced project whilst securing value for public money.

The section 43 exemption is a qualified exemptions and its use is therefore, subject to a public interest assessment.

Public Interest Assessment

At present, on balance, it is considered that the public interest is best served if the information is not disclosed at this point. GLA officers are of the opinion that disclosure by the GLA would be likely to have a detrimental effect on:

- Create London's ability to secure the freehold optimal price/at all; and therefore
- LB Newham's and the GLA's ability to: optimise the delivery of the London Regeneration Fund programme; promote economic development in the area and huge regeneration benefits to North Woolwich and the wider Royal Docks; stimulate new activity in the area; and improve the skills of local people and opportunities for their inclusion in the neighbouring area's future development assisting North Woolwich to become a more distinctive and prosperous area at a time when workspace provision is becoming an issue for London as a whole

The eligibility of this exemption should be reassessed in the event of an FOI request for this information as the level of sensitivity will change over time and different circumstances may alter the arguments in favour of non-disclosure

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

Name: Stephen Fernandes-Owen, TfL Legal

Date: 7 September 2017

Confidential decision and/or advice:

It is proposed that £360,000 of the existing £647,995 London Regeneration Fund allocation to the North Woolwich Station project is reallocated to LB Newham as a contribution to the costs of purchasing the station building freehold and securing the leasehold interest on the adjacent track land, when it goes to market in September. Whilst LB Newham will remain accountable for the funding the station freehold and leasehold interest will reside with LB Newham's project partner Create London.

Financial comments

The Decision is seeking approval to vary the funding agreement with LB Newham, in relation to the North Woolwich project, to use approximately £360,000 of the agreed funding for the project for the acquisition of North Woolwich old station building.

The Decision is also seeking approval to accept match funding of £324,000 from Crossrail which will be used to fund the cost of works west of Store Road.

The project currently has an approved budget of £648,000, of which £360,000 would be directed towards acquiring the building.

The risks associated with the acquisition are set out in section 5, part 1 to this report.