

GREATER LONDON AUTHORITY

[REDACTED]
(By email)

Our Ref: MGLA280916-7495

28 November 2016

Dear [REDACTED]

Thank you for your request for information which the GLA received on 28 September 2016. Your request has been dealt with under the Freedom of Information Act 2000. Please accept my apologies for the delay in responding to your request.

Our response to your request is as follows:

1. *The list of all meetings between the mayor and the London Taxi Drivers Association, with dates, duration, and attendees*

The LTDA met with the Mayor on 16 August 2016 from 13.15 – 15.00.

Attendees:

Sadiq Khan, Mayor of London
Ben Johnson, Senior Advisor to the Mayor - Business and Digital Policy
Bob Oddy, Deputy General Secretary, LTDA
Steve McNamara, General Secretary, LTDA
Mark Glover, Chief Executive, Bellenden

2. *For the meetings in point 1, please provide the minutes of the meetings*

The GLA does not hold any information in relation to this part of your request. There are no recorded minutes of this meeting.

3. *Any formal agreements between the LTDA and the mayor and/or any of his staffing relation to the investment plan*

The GLA does not hold any information in relation to this part of your request.

4. *A list of meeting between the mayor and/or any of his staff with any of the London taxi vehicle manufacturers*

Val Shawcross, Deputy Mayor for Transport met with David Ollier, London Taxi Company on 8 September.

5. For meetings in point 4, the minutes of the meetings

Please find attached. Please note that some of the information contained within this document is exempt from disclosure under section 43 of the FOI Act. Please see the attached annex for further information.

6. Any legal advice the mayor received in relation to the legality of the investment, especially whether it constitutes an illegal anti-competitive subsidy in the eyes UK and EU law

The GLA does not hold any legal advice on the investment pot.

7. The list of options considered for the reform of taxi services in London, and any associated analysis

TfL are responsible for delivering the Mayor's strategy and commitments on transport and their FOI team can be contacted at foi@tfl.gov.uk.

8. The list of options considered in general for the possible uses of the funds (?65M) and any associated analysis

The scheme was developed and then funding was allocated. The GLA did not have £65m and then create a list of options for potential funding.

9. The sources of the funds to be used, and any cuts made elsewhere to make these funds available

The source of £65m funding is £40m TfL Business Plan and £25m DfT.

You may find the following consultation material, impact assessments and subsequent decision papers of interest;

- First ULEZ consultation:
<https://consultations.tfl.gov.uk/environment/ultra-low-emission-zone>
- Second ULEZ consultation focussed on taxi and PHV requirements:
<https://consultations.tfl.gov.uk/environment/ulez-2>

10. The volume of representations made to date in favour and against the proposed plans

Unfortunately, to provide the information you have requested would exceed the 'Appropriate limit' of £450 set by the Freedom of Information (Appropriate Limit and Fees) Regulations 2004. Under section 12 of the FOI Act, we are not obliged to comply with a request if the cost of determining whether we hold the information, locating and retrieving it and extracting it from other information would exceed the appropriate limit. This is calculated at £25 per hour for every hour spent on the activities described and equates to 18 hours of work.

The GLA has received a high volume of correspondence relating to the taxi and private hire plan. One campaign alone has yielded results of 45,000 correspondence cases. GLA officers would be required to review all correspondence and then establish whether it's for or against. We estimate that to comply with this part of your request would significantly exceed the 18 hours limit. We are therefore refusing your request under section 12 of the Act.

If you have any further questions relating to this matter, please contact me, quoting the reference at the top of this letter.

Yours sincerely

Paul Robinson
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>

| Exemption provisions |
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| <p>Section 43:</p> <p>(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interest of any person (including the public authority holding it)</p> |
| How the exemption applies to this information |
| <p>Section 43(2) of the Act provides that information can be withheld from release if its release under this Act would, or would be likely to prejudice the commercial interests of any person, including those of the GLA.</p> <p>A commercial interest relates to a person's ability to participate competitively in a commercial activity, i.e. the purchase and sale of goods or services.</p> <p>The information covered by this exemption is commercial in nature as it relates to the planned marketing activity of a car manufacturer (LTC) who is developing a prototype vehicle following the Mayors announcement that all new taxis are required to be electric rather than diesel by 2018.</p> <p>If released in to the public domain, this information could prejudice the marketing process and therefore the commercial interests of LTC.</p> <p>Section 43(2) constitutes a qualified exemption from our duty to disclose information under the Freedom of Information Act, and consideration has to be given as to whether the public interest favouring disclosure of the information covered by this exemption outweigh the public interest considerations favouring maintaining the exemption and withholding the information.</p> |
| Public interest test |
| <p>Under FoIA the 'public interest' is not the same as what might be of interest to the public. In balancing the public interest in disclosure, we consider the greater good or benefit to the community as a whole if the information is released or not. The 'right to know' must be balanced against the need to enable effective government and to serve the best interests of the public.</p> <p>Considerations favouring disclosure:</p> <p>Promoting transparency and a greater understanding of the activities being undertaken in response to the Mayor's 2018 electric taxi requirement.</p> <p>There is also a specific public interest in transparency of public authorities' dealings with commercial bodies, to demonstrate that such dealings are to the public benefit.</p> <p>Considerations favouring non-disclosure</p> <p>It is not in the public interest to cause economic harm to organisations operating in a competitive environment. The GLA is aware of different manufacturers developing prototypes. LTC has committed significant investment for the project.</p> <p>LTC have met with the GLA for a discussion. Publishing sensitive marketing information held by the GLA under an expectation of confidentiality would deter organisations such</p> |

as LTC from sharing similar information with GLA in the future, particularly if they felt that the GLA would not treat information that could harm their economic interests with due care. This would ultimately hinder the ability of the GLA to deliver its stated objectives for London.

Timing is also a significant factor. LTC is finishing construction of a factory and developing prototypes and a test facility in order to obtain TfL licencing. The requested information includes how they are planning to pitch their product and launch date as well as indicating the costs of vehicles. Disclosure of this information would be likely to undermine the marketing activity of LTC as competitors would be likely to use knowledge of dates and costs to their advantage by launching conflicting promotional activity.