

Dear

Thank you for your Freedom of Information (FOI) request of 21 May to the Mayor's Office for Policing And Crime (MOPAC). I apologise for the lengthy delay in our reply to you. You requested the following information:

1. *Please provide a copy of all documents in MOPAC's possession which relate to searches done by or on behalf of MOPAC and MOPAC's consideration of alternative sites to the Land.*
2. *Please provide copies of any other documents or correspondence in MOPAC's possession, which are not legally privileged or in respect of which privilege has been waived, which describe the nature of MOPAC's activities at the Land and how these activities may be accommodated elsewhere than (or indeed reconfigured) at the Land.*
3. *Please provide copies of all documents containing details of sites located in the Greater London area which are either owned or controlled by MOPAC and which are 5 acres or larger in size. – Please note that MOPAC does not hold information relating to this, therefore we cannot provide any information relating to this part of your request.*
4. *Please provide copies of all internal correspondence of MOPAC relating to or discussing property searches and consideration of alternative sites to the Land, including but not limited to emails, minutes of meetings and records of telephone conversations.*

I confirm that your request has been handled under the FOI Act 2000 and that MOPAC does hold some information relating to your request (apart from Q3 as noted above), which is attached with redactions. Please also see the two links below to information which is already published:

PCD746 at

[https://www.london.gov.uk/sites/default/files/3.4\\_vres\\_continuity\\_update\\_report\\_pcd\\_746\\_part\\_2\\_redacted.pdf](https://www.london.gov.uk/sites/default/files/3.4_vres_continuity_update_report_pcd_746_part_2_redacted.pdf)

PCD 844 at <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/mopac-decisions-0/perivale-vres-acquisition-cpo>

Redactions to the attachments have been made for the following reasons:

- . The information is outside of the scope of the request.
- . The information is exempt from publication under Section 40(2) Data Protection of the FOI Act. This is an absolute exemption, therefore no Public Interest Test is required.
- . The information is exempt from disclosure under Section 43 of the FOIA. Commercial Interests. This allows the exemption from publication of any information which would be likely to prejudice the commercial interests of any person (including the

public authority holding it). This exemption is engaged in this case since the information relates to the sums of money that MOPAC has approved to pay for the land concerned. To disclose these figures would harm MOPAC's commercial interests in that it would inform the landlord of the maximum sum that MOPAC were prepared to pay and thus make negotiations on a fair purchase price very difficult. Section 43 exemption is a qualified exemption and is therefore subject to a public interest test, set out below:

#### **Public Interest in disclosing the information**

To disclose the requested information would adhere to the basic principle of being open and transparent, in particular regarding the spending of public money. In addition, disclosure of this information may assist members of the public in understanding the decision-making process and allow scrutiny of how public money is spent.

#### **Public Interest in maintaining the exemption**

There is a public interest in protecting the commercial interests of MOPAC and ensuring it is able to compete fairly in a commercial environment. Disclosure of information may cause unwarranted reputational damage to MOPAC which may in turn damage its commercial interests. In addition, the disclosure of this information could harm MOPAC's ability to participate successfully in future sales/purchases/negotiations. If a competitor knows how much MOPAC paid/is willing to pay for a product then it can exploit this for profit or other gain. Revealing this particular commercially sensitive information now may cause other parties in the future to question whether MOPAC is able to maintain confidentiality of such information.

In addition, the future of the site in question is still undecided, so to reveal the amount that MOPAC has approved to pay would be detrimental to the ongoing negotiations/inquiry.

#### **Balance Test**

There are factors favouring both disclosure and non-disclosure. The main factor favouring disclosure is openness and accountability; however, the impact of this factor is diminished due to the factors favouring non-disclosure outlined above. As such, it is my decision that the public interest at this time lies substantially in favour of non-disclosure as to release the information would prejudice the commercial interests of MOPAC.

If you are unhappy with the response to your Freedom of Information request, please see the MOPAC website on what the next steps are at: <https://www.london.gov.uk/what-we-do/mayors-office-policing-and-crime-mopac/governance-and-decision-making/freedom-information>