SEEDA SOUTH EAST ENGLAND DEVELOPMENT AGENCY
Working for England's World Class Region

Review of Response to Freedom of Information Request – SEEDA's Asset & Liability Plan

Thank you for your email dated 28th February 2011 in which you requested a review of the Agency's decision not to provide you with a copy of our Asset and Liabilities plan as submitted to the Department for Business, Innovation and Skills (BIS) on the 31st January 2011. We were unable to provide you, at that time, with a copy of our Asset and Liability Plan in response to your Freedom of Information Act request dated 28th January 2011 as we considered that the version of the plan submitted to BIS was, on the 24th February 2011, exempt from disclosure under Section 36 of the Freedom of Information Act 2000.

I note in your email that you state that you are content for financial information to be redacted from the plan prior to disclosure to you, as you appreciate that this information is commercially sensitive and exempt from disclosure under the terms of the Act. I further note that you consider that SEEDA should provide you with details of the recommended options for disposal of individual assets, as you believe that there exists a clear public interest in making these recommendations public at this time.

I can confirm that I have now considered your request and reviewed our response to this, which was provided to you on the 24th February 2011. During the course of my investigation I have also reviewed guidance available from the Information Commissioner's Office which is relevant to this matter.

As explained in the letter from my colleague Oona Muirhead, the plan as submitted to BIS was in a draft format only and, as this was a work in progress, the recommendations within were subject to change following further discussion with interested parties, including BIS, and further guidance being received by SEEDA. SEEDA has now received this further guidance.

In the plan submitted to BIS the preferred option for disposal of the majority of the Agency's land and property assets was to transfer these assets to other bodies (such as Local Authorities or Local Enterprise Partnerships) in two portfolios with payment deferred to a later date. One portfolio could have been of interest to the Kent/Medway Local Enterprise Partnership and the other to the Solent Local Enterprise Partnership.

All Regional Development Agencies have now received further guidance from BIS, formulated in consultation with the Treasury, which explains that deferred payment is not considered feasible and is impracticable in the time available. Therefore SEEDA, in consultation with partners, is currently formulating a revised framework for the disposal of our land and property assets in a manner that will meet the objectives of achieving the best possible outcomes for the South East through furthering local economic development, as well as contributing to national deficit reduction. We are discussing this revised framework with BIS as well as other partners, to assist with its further development.

Within the Assets and Liabilities Plan submitted to BIS at the end of January 2011, SEEDA identified five properties that could be disposed of under any of the options proposed within the plan. These are the five sites that do not clearly fall within an obvious portfolio and which were included within the information (map and list) provided to you previously, specifically these are:

- Ropetackle housing development, Shoreham (property 28 on map)
- Adur Business Centre, Shoreham (property 29)
- Andover Business Centre, Hants (property 30)
- Farringdon Business Centre, Oxfordshire (property 31)
- Chilterns Business Centre Site, Bucks (property 32)

BIS have recently provided us with feedback with regard to our recommendations for the disposal of these assets, and I can confirm that SEEDA's Board have decided that we will now proceed with the sale of these five properties at market value.

Given that the version of SEEDA's Asset and Liability Plan as submitted to BIS is now out of date and both the government and Regional Development Agencies are developing policy relating to the disposal of assets at this time, we are now in a position to disclose to you the version of the plan that you have previously requested. However we would reiterate that the preferred strategic option described within (Option 3 – Invest locally to bring to the market) is being revised and is no longer considered by the government to be a viable option.

As you will see within the version of SEEDA's Asset and Liability Plan that we are now disclosing to you, we have redacted all commercially sensitive material (which we consider to be exempt from disclosure under Section 43 of the Freedom of Information Act 2000) and any information which was provided to us in confidence (exempt under Section 41 of the Act). The redacted information includes the recommendations for disposal of specific assets. Whilst SEEDA recognises the public interest in our recommendations for the disposal of these assets which were acquired using public funds, we believe that, in this case, this public interest is over-ridden by the need for us to achieve the best possible value for the taxpayer from publicly funded assets. As stated in our letter dated 24th February 2011, we believe that the disclosure of this information now might unduly influence the market place, and could have a negative impact on the market sales. Therefore I am unable to uphold this element of your appeal request to SEEDA.