

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-1708 - AECC Energy Centre
Date: 21 December 2017 15:16:43
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Please accept our sincere apologies for the delay in responding to your information request of 13 November 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

On page 6 in today's P&J it is reported that the largest hydrogen fuel cell installation in the UK has been installed at the new AECC.

The Sustainability Statement in the planning application for the new AECC (150826) provides the plans for the Energy Centre. According to the document, the hydrogen fuel cells will use biomethane from the anaerobic energy system and/or (unsustainable) gas from the national grid to produce electricity. Surplus electricity generated at night will produce high grade hydrogen for the buses. This looks to me like it could be an awfully expensive and cumbersome system to meet green targets or reduce the carbon footprint when electricity from the national grid is already substantially green/renewable energy.

I should appreciate it if you would provide me with a copy of the financial appraisal and working spreadsheet(s) that demonstrate an investment in the Energy System is more cost effective, sustainable and greener than simply taking sustainable/green electricity from the national grid to power the new AECC.

Question:- Will the initial cost of the Energy System ever be recovered (is there a pay-back period) or will it be a constant drain on public finances?

ACC are unable to provide you with a copy of the financial appraisal and working spreadsheets as they contain commercially sensitive figures and costs from the successful tender.

Finally, please would you confirm, with respect to the AD Plant Logistics, the offsite location where the 51,000 tons of farm and biodegradable wastes and silage and fuel crops will be stored, prepared and processed prior to delivery to the onsite reception hall for loading into the AD plant.

We are finalising the finer details of the offsite location contracts at this time. This means that we are unable to divulge this information at this time as it may prejudice the tender process.

ACC is unable to provide you with information on **the financial appraisal and working spreadsheet(s) that demonstrate an investment in the Energy System is more cost effective, sustainable and greener than simply taking sustainable/green electricity from the national grid to power the new AECC, Will the initial cost of the Energy System ever be recovered (is there a pay-back period) or will it be a constant drain on public finances and the offsite location where the 51,000 tons of farm and biodegradable wastes and silage and fuel crops will be stored, prepared and processed prior to delivery to the onsite reception hall for loading into the AD plant** as it is excepted from disclosure. In order to comply with its obligations under the terms of Regulation 13 of the EIRs, ACC hereby gives notice that we are

refusing your request under the terms of Regulation 10(5)(e) – Confidentiality of Commercial or Industrial Information - of the EIRs.

In making this decision ACC considered the following points:

Do commercial interests exist in relation to the information?

The commercial interests of Energy Centre Builder – Robertsons Construction, Energy Centre Designer – Hurley Palmer Flatt and Energy Centre Installer – FES and Hulley and Kirkwood will be affected by the release of this information.

The design, build and installation are currently ongoing which includes the sale and purchase of goods and services, commonly for the purpose of revenue generation.

Please describe how disclosure of the requested information would cause the level of harm required for this exemption?

The tender exercise has recently been completed therefore the release of information surrounding the costs associated with the build contract will allow competitors to know the successful bidders pricing structure through the financial information within the contracts and tender returns. Risk is very high in a commercially competitive industry

Where does the public interest lie in relation to the information?

ACC recognises that there is a clear public interest in maintaining a level of transparency around the new AECC. However, ACC also believes that there is public interest in allowing normal market forces to operate in a competitive environment and engage in a fair and transparent process. ACC believes that disclosure of the requested information could prejudice commercial relationships and the trading activities of the contractors involved. The public interest in withholding this information is stronger than releasing the information in this instance due to the damage to ACC if contractors considered that ACC breached the confidentiality of tender returns.

Therefore, on balance, ACC believes that in this case, the public interest is best met by applying the exception and that the information should not be disclosed.

We hope this helps with your request.

Yours sincerely,

Grant Webster
Information Compliance Officer

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

As the information which you requested is environmental information, as defined under Regulation 2(1) of the Environmental Information (Scotland) Regulations 2004 (the EIRs), ACC considered that it was exempt from release through FOISA, and must therefore give you notice that we are refusing your request under Section 39(2) of FOISA (Freedom of Information (Scotland) Act 2002). However, you have a separate right to access the information which you

have requested under Regulation 5 of the EIRs, under which ACC has handled your request.
Please refer to the attached PDF for more information about your rights under the EIRs.

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