

From: [Foi Enquiries](#)
To: [REDACTED]
Subject: EIR-17-0204 - National Housing Trust
Date: 03 March 2017 10:25:29
Attachments: [Further Information - Right to Review & Appeal.pdf](#)

Dear [REDACTED],

Thank you for your information request of 4 February 2017. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

1. The agreed business case and paperwork setting out the detailed business models of each NHT building project undertaken in partnership with the City of Aberdeen Council.

The information requested is published on the ACC's Council's web pages as reports and minutes for various Council and Committee meetings and can be found at the link below;

<http://committees.aberdeencity.gov.uk/mgListCommittees.aspx?bcr=1>

- Council 18th August 2010
- Housing & Environment 26th October 2010
- Finance, Policy & Resources 1st February 2011
- Council 29th June 2011
- Finance, Policy & Resources 29th September 2011
- Council 4th April 2012
- Council 1st May 2013
- Council 21st August 2013
- Finance, Policy & Resources 5th December 2013
- Council 11th May 2016

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 6 (b) - information is already publicly available and easily accessible to the applicant in another form or format.

The detailed business models were developed and held by the Scottish futures Trust.

2. Details of the total amount borrowed by the City of Aberdeen Council to support NHT projects, and the repayment profile associated with these debts.

The Scottish Government granted Aberdeen City Council Consent to Borrow to finance loans to LLP's for a number of NHT schemes. The consent specified a maximum amount that could be

borrowed for each scheme and the accounting conditions to be met, including a maximum loan term of 10 years. The total consent granted for all schemes is £19.7m. The value of loans provided to LLP's and thus consent used to 31 March 2016 was £10.6m. During 2016/17, a further £5.9m of loans have been provided and thus the total consent used to date is £16.5m. Loans totalling £9.7m have been repaid by the LLP's during 2016/17.

The Council operates a Loans Fund which consolidates all external borrowing for capital purposes and where consent to borrow has been provided by the Scottish Government. This means that external borrowing is not undertaken for specific projects so it is not possible to correlate the repayment profile for external borrowing to the amount of loans provided to support NHT projects.

3. Details of any payments made via the NHT projects, or directly from The City of Aberdeen Council, to the Scottish Futures Trust in relation to these housing projects.

Nil

4. Copies of any minutes, reports and emails sent between the City of Aberdeen Council to the Scottish Futures Trust send in the last 24 months, relating to NHT projects.

ACC is unable to provide you with this information as it is considered exempt 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) – Commercial Information - of the EIRs and 10(5)(c) – intellectual property rights

In making this decision, ACC considered the following points;

Disclosure of this information is likely to weaken the Contractor's business position in a competitive environment by revealing sensitive information which competitors may find useful. It is important that ACC maintains good working relationships with reputable companies in order to obtain value for money and so releasing commercially sensitive information could potentially damage ACC's reputation with such third parties, dissuading the third parties from engaging with ACC.

All information released under the Environmental Regulations is considered information released into the public domain regardless of the intended recipient. Releasing these details would harm the commercial interests of SFT as the information will be released into the public domain and in turn, shared with other commercial companies and/or a potential market competitor of SFT. In turn, this information could be used by other bidders to inform future work and contracts associated with SFT and potentially compromise the Council's ability to deliver the project.

ACC recognises that there is a public interest in being open and transparent about its spending of public money is in the public interest. We recognise that there is a clear public interest in maintaining a level of transparency around public finances, and in support of this interest, the Committee reports specified above detail how the National Housing Trust was used to deliver the affordable housing

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 future contractual negotiations with service providers. Providing all of the requested correspondence has the potential to adversely affect the commercial interest of SFT and our relationship with SFT. Disclosure would be detrimental to SFT (by disclosing information to potential competitors) and to the Council (potentially discouraging tenders which are fairly produced and competitive).

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

We hope this helps with your request.

Yours sincerely,

Information Compliance Team

INFORMATION ABOUT THE HANDLING OF YOUR REQUEST

ACC handled your request for information in accordance with the provisions of the Freedom of Information (Scotland) Act 2002. Please refer to the attached PDF for more information about your rights under FOISA.

Information Compliance Team
Communications and Promotion
Office of Chief Executive
Aberdeen City Council
Room 1-24
Town House
Broad Street
ABERDEEN AB10 1AQ

foienquiries@aberdeencity.gov.uk

01224 523827/522346

Tel 03000 200 292

*03000 numbers are free to call if you have 'free minutes' included in your mobile call plan. Calls from BT landlines will be charged at the local call rate of 10.24p per minute (the same as 01224s).

www.aberdeencity.gov.uk

