

**From:** [Foi Enquiries](#)  
**To:** [REDACTED]  
**Subject:** EIR-16-0267 - Land and Property  
**Date:** 10 May 2016 14:48:28  
**Attachments:** [Further Information - Right to Review & Appeal.pdf](#)  
[EIR-16-0267 - Non-Housing.xlsx](#)  
[EIR-16-0267 - Housing.xlsx](#)

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Dear [REDACTED],

Please accept our sincerest apologies for the delay in responding to your clarified information request of 8 March 2016. Aberdeen City Council (ACC) has completed the necessary search for the information requested.

**Please could you provide me with details of all land and property owned by Aberdeen City Council, including:**

**Clarification: I would be extremely grateful if individuals non-housing assets could be listed as previously requested - giving location, name, and so on - as well giving housing properties.**

**1. Non-Housing**

**i) Asset name (eg Beach Leisure Centre). If the land or property has no clear name then please provide a generic description of the asset instead (eg football pitch).**

Please refer to the attached spreadsheet [EIR-16-0267 – Non-Housing](#).

**ii) Asset address;**

Please refer to the attached spreadsheet [EIR-16-0267 – Non-Housing](#).

**iii) Asset use (eg shop, leisure centre, library)**

Please refer to the attached spreadsheet [EIR-16-0267 – Non-Housing](#).

**vi) Asset value. If this is not available then please provide any information you do have to do with the estimated value of Aberdeen City Council assets.**

It should be noted that the value of the Council's assets is based on a variety of asset valuation methods. This includes Market Value, Existing Use Value and Depreciated Replacement Cost. Accounting requirements dictate the type of valuation required. These are in accordance with the RICS (Royal Institute of Chartered Surveyors) Valuation – Professional Standards (The 'Red Book'). For example schools are valued on a Depreciated Replacement Cost basis. With the exception of Market Value, the values are not representative of the value of the assets should they be placed on the open market. Further clarification can be provided if required.

Please refer to the attached spreadsheet [EIR-16-0267 – Non-Housing](#).

Please see below a combined Market Value for 2010 and 2016:

2016 Overall Market Value: £180,183,870

2010 Overall Market Value: £150,162,595

Please note that due to commercial sensitivity, Market Valuations have not been included in the attached spreadsheet. Please see below:

ACC is unable to provide you with information on **the asset value for each non-housing asset** 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 this part of 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:

Is the information commercial or industrial in nature – whose commercial interests will be damaged by the release of the information and what is the nature of those interests?

ACC is of the view that the individual market valuations (i.e. where the value of the properties is calculated using

the market value method) are commercial in nature and that the commercial interests of ACC would be damaged if ACC were to disclose these into the public domain under the Environmental Information (Scotland) Regulations 2004 (EIRs) (or under FOISA). Please see below.

Does a legally-binding duty of confidence exist in relation to the information?

A legally-binding duty of confidence exists in relation to sales as there is an expectation that the selling and buying of assets is protected by the common law of confidentiality.

Is the information publicly available?

The information is not currently publicly available. Where other methods of valuation were used, the value was included in the attached spreadsheet EIR-16-0267 – Non-Housing. The combined Market Value is included in the above response and is also available in the Council's accounts ([http://www.aberdeencity.gov.uk/council\\_government/performance/financial\\_information/ctx\\_FinInfo\\_Home.asp](http://www.aberdeencity.gov.uk/council_government/performance/financial_information/ctx_FinInfo_Home.asp)).

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

The market value of an asset is an assessment of the likely sale value should the Council decide to put the asset up for sale. The Council has a number of assets that are currently for sale, will be for sale in the near future or could become for sale in the future. Releasing information on the market value of these assets would give potential purchasers an indication of what the Council expected to receive. That may influence the amount they offer and may give them a competitive advantage over other potential purchasers that have not seen the published information. The harm would be in a potentially reduced capital receipt for the Council.

In addition, where a sale has already been agreed, the publishing of the value may lead the purchaser to withdraw their offer or attempt to renegotiate if they feel they have paid above the market value. The harm would be in a potentially reduced capital receipt, a delay in the sale or the requirement to remarket the asset.

What are the public interest arguments?

ACC recognises that there is a general public interest in the public knowing about the market value of an asset, as this would show the public the value of certain assets which would be of interest and would show the potential value that could be achieved if an asset was sold. This may help the public understand why certain assets are sold or retained.

However, ACC is of the view that, in this case, the market value of Council assets is not generally of great public interest but could be of significant interest to parties negotiating with the Council. The release of the information would put the Council at a commercial disadvantage with the potential loss or reduction in capital receipts which could result in less money for the Council and taxpayers.

In these circumstances, the public interest lies in withholding the individual market values under the terms of Regulation 10(5)(e) of the EIRs.

**Could this information please be provided for both this year (present, up to date), and to the same specifications for 2010.**

**2. Housing**

**i) Asset name (eg Beach Leisure Centre). If the land or property has no clear name then please provide a generic description of the asset instead (eg football pitch).**

Please refer to the attached spreadsheet EIR-16-0267 – Housing.

**ii) Asset address;**

Please refer to the attached spreadsheet EIR-16-0267 – Housing.

**iii) Asset use (eg shop, leisure centre, library)**

Please refer to the attached spreadsheet EIR-16-0267 – Housing.

**vi) Asset value. If this is not available then please provide any information you do have to do with the estimated value of Aberdeen City Council assets.**

Please see below a combined Market Value for 2010 and 2016. Please note that ACC does not hold individual values for its housing stock and that the 2016 overall market value is not yet available.

2016 Overall Market Value: unavailable at this time

2010 Overall Market Value: £749,264,250

ACC is unable to provide you with information on **the combined Market Value for 2016 or the individual values for its housing stock** as it is not held by the Council. In order to comply with its obligations under the terms of Regulation 10(4)(a) - Information Not Held - of the EIRs, ACC hereby gives notice that this information is not held by it. ACC is required by Regulation 10(1)(b) of the EIRs to inform you as to why in all the circumstances of the case, the public interest in maintaining this exception outweighs the public interest in disclosing this information to you. ACC is satisfied that it does not hold this information and considers that, as there is no information held, the public interest lies with the exception.

**Could this information please be provided for both this year (present, up to date), and to the same specifications for 2010.**

**3. A total figure for housing sales in the last 3 years?**

Please see below for a total figure for housing sales in the last 3 years:

2013:	144
2014:	178
2015:	138
TOTAL:	460

We hope this helps with your request.

Yours sincerely,

Anna Buchan  
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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\*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](http://www.aberdeencity.gov.uk)

We wish to advise you that the information which was released with this response is too large to be uploaded to our disclosure log. If you are interested in viewing the attachment, please contact us at [foienquiries@aberdeencity.gov.uk](mailto:foienquiries@aberdeencity.gov.uk), quoting the appropriate reference number, and we will provide you with a copy.