

Freedom of Information Request 19 028

Our Reference: FOI 19 028 / AA / PB
Name:
Date: 22nd February 2019
Address:

Dear

Further to your Freedom of Information Request, please find the Trust's response below:

- 1) GROSS SALE PRICE OF VICTORIA HOUSE (AND OTHER ASSOCIATED PROPERTIES INCLUDED IN THE SALE)
- 2) FEES PAID (AGENTS; LEGAL ETC WITH REGARDS TO THE SALE)
- 3) NET £ THE TRUST ENVISAGES FROM THE SALE
- 4) NAME OF PURCHASER
- 5) COPY OF AWARDS CRITERIA
- 6) OTHER OFFERS PLACES FOR THE PROPERTY
- 7) NAMES OF ANY TRUST BOARD DIRECTOR (OR IMMEDIATE FAMILY) WHO WILL GAIN FROM THE SALE/PURCHASE OF THE PROPERTY
- 8) NAMES OF ANY TRUST BOARD DIRECTOR (OR IMMEDIATE FAMILY) WHO HAVE SHARES OR INTEREST IN THE BUYER

Humber Teaching NHS Foundation Trust can confirm that it does hold information in relation to the sale of Victoria House however it is considered that this information is exempt under section 43 of the Freedom of Information Act. Section 43 provides an exemption where the release of the information is likely to prejudice the commercial interests of any person.

In reaching this decision, the Trust is obliged to consider whether this disclosure would be likely to cause prejudice. The sale you cite in your request has not yet completed therefore the Trust feels that disclosure of the information would prejudice the commercial interests of the parties concerned.

We have also considered whether or not such a disclosure would be in the public interest. We acknowledge that there is a public interest in scrutinising transactions of public organisations and that decisions on how public funds are used will also generate confidence in the integrity of the procedures involved. However, we feel that the balance of non-disclosure of such information does fall on the side of the public interest.

In relation to questions 7 and 8 of your request, we consider that the exemption under section 40(2) applies. Section 40 exemptions apply to the right to know information that is personal data protected by the Data Protection Act.



We consider that certain information is exempt from disclosure under section 40(2) of the FOI Act on the grounds that it amounts to personal data and the first condition under section 40(3)(a)(i) is satisfied, namely that disclosure would amount to a breach of the first data protection principle (personal data should be processed fairly and lawfully) as any individuals concerned would have a reasonable expectation that their information would not be disclosed into the public domain. Section 40 is an absolute exemption and consideration of the public interest test in disclosure is not required.

Kind regards,

Freedom of Information Team
Humber Teaching NHS Foundation Trust
Mary Seacole Building
Willerby Hill
Willerby
HU10 6ED

<https://www.humber.nhs.uk/about-our-trust/freedom-of-information-enquiry-form.htm>

