



Information Governance

Postal address:
Coventry City Council
PO Box 15
Coventry
CV1 5RR

www.coventry.gov.uk

E-mail: Phone: 024 7697 5408

Date: 04 March 2021

Dear Sir/Madam

Freedom of Information Act 2000 (FOIA)
Request ID: FOI311781177

Thank you for your request for information relating to the sale value of Riley Square.

Your request and our responses are shown below:

1. What was the value of the sale of Riley Square to developers?

To clarify, Coventry City Council has granted a 150-year lease to the developer, not a sale of Riley Square. Details about the development are accessible in a public report, which went to Cabinet on the 29 August 2017, and which is publicly available to view by accessing the Council website, please use the following link:

<https://edemocracy.coventry.gov.uk/ieListDocuments.aspx?CId=124&MId=11473>

With regards to financial information, it is confirmed that the Council does hold information pursuant to your request. However, it is our view that the information is exempt from disclosure under Section 43(2) – Commercially Sensitive Information. Section 43(2) exempts information from disclosure where disclosure of that information would, or would be likely to, prejudice the commercial interests of any person (an individual, a company, the public authority itself or any other legal entity).

It is the Council's position that the third-party providers and its own commercial interests would be prejudiced and/or would be likely to be prejudiced by the disclosure of the requested information.

The exemption at Section 43(2) is qualified, and therefore subject to a public interest test. In applying the public interest test the Council have given careful consideration to the arguments for and against disclosure.

Arguments in favour of disclosure.

- Promote accountability and transparency for the Council's decisions and in its spending of public money.
- Assist the public to understand and challenge our decisions.
- Inform the public of the activities carried out on their behalf, allowing for more user involvement and collaborative decision making.
- Enable the public to better scrutinise the public monies spent

Arguments against disclosure.

- There is a public interest in allowing public authorities to withhold information which if disclosed, would reduce providers' ability to compete in a commercial environment.
- The successful providers operate in a competitive market. If prejudicing the commercial interests of the successful providers in the market would distort competition in that market, this would not be in the public interest.
- Disclosure of information may cause unwarranted reputational damage or loss of confidence in the Council.
- Revealing information such as a pricing mechanism can be detrimental to a provider's commercial interest. If an organisation has knowledge of a provider's business model, it can exploit this for its own commercial interest. This would also have a detrimental impact on the Council on other contracts and procurements by distorting the market, for the reasons stated above.

Having considered the arguments for and against disclosure, the Council has decided that the public interest in this case is best served by maintaining the exemption under section 43(2) FOIA and by not disclosing the information requested.

The decision to withhold the information requested is therefore upheld on the basis that Section 43(2) in relation to commercially sensitive information has been applied correctly.

Should you wish to make any further requests for information, you may find what you are looking for is already published on the [Council's web site](#) and in particular its FOI/EIR [Disclosure log](#), [Council's Publication Scheme](#), [Open Data](#) and [Facts about Coventry](#).

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk.

Please remember to quote the reference number above in your response.

Yours faithfully