

## **Freedom of Information Request – SEEDA's Assets and Liabilities Plan**

Thank you for your request for information which was dated 28<sup>th</sup> January 2011 and made under the terms of the Freedom of Information Act 2000. I understand that you would like to receive a copy of SEEDA's Assets and Liabilities Plan as submitted to the Department for Business, Innovation and Skills (BIS) at the end of January 2011.

SEEDA has been advised by the Department that BIS consider that the document in its current draft form is, at this time, exempt from disclosure under Sections 35 (relating to central government). As Acting Chief Executive I have reviewed the position carefully and have assessed the document to be exempt from disclosure under Section 36 (relating to RDAs) of the Freedom of Information Act 2000. This is because Regional Development Agency Assets and Liabilities Plans relate to the formulation of government policy and decisions have yet to be taken on the recommendations included within these documents.

In addition, as you acknowledge in your request, the Assets and Liabilities Plans submitted to BIS by RDAs contain a significant amount of commercially sensitive information, such as the valuations of individual assets and recommendations as to their disposal. We have consulted with third parties and we consider this information is exempt from disclosure under Section 43 of the Act, as release at this time may unduly influence the market place and could have a negative impact on market sales. This could result in the less of effective use of the public funds entrusted to SEEDA.

I should also make clear that SEEDA's Assets and Liabilities Plan is at this stage still a 'work in progress' in that the options identified - which will contribute to the government's development of policy – are still being developed in discussion with local partners, and SEEDA's own policy development has not yet concluded. Once the policies have been developed, the government has taken decisions, and SEEDA's Board has agreed a final version of our Assets and Liabilities Plan, we will be in a position to publicise the plans as action is taken to dispose of assets. In the meantime, we are able to provide you with details of our land and property assets at annex 1.

It may also be helpful to you to know that SEEDA's objectives are to dispose of our assets in a manner that achieves the best possible outcome for the South East, whilst achieving value for the public purse.

In conclusion, while SEEDA fully recognises the public interest in providing transparency of decision making and expenditure of public funds, we are unable to fully comply with your request at this time. I consider that SEEDA's Assets and Liabilities Plan, in its current format, is exempt from disclosure under the Act under Section 36. We also believe that Section 43 and Section 22 of the Freedom of Information Act 2000 apply, at this time, as the information within the plan is either commercially sensitive or intended for future publication.

