

Response Saracens Loan Drawdowns Paperwork 7004168

I can confirm that London Borough of Barnet holds the information you requested.

However, we believe that the exceptions detailed below apply to some of the information you requested and so we are withholding that information. Please see the Refusal Notice below.

I would like copies of ALL information regarding subsequent payments to Saracens (from Drawdown 9 last year- see request reference 5968867).

The council intends to publish proactively all information that could be considered to be within the public domain relating to the Saracens drawdowns for the loan. The publication process has begun and is available at:

[Saracens Drawdowns – Barnet Open Data](#)

We consider that regulation 12 (4) (d) (In course of completion, unfinished or incomplete) applies to the information requested because we consider that the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

- The council's commitment to transparency.

Factors in favour of withholding

- The information is being prepared for publication and the publication process has begun
- We have added the headline data for drawdowns 1-13. We will be adding supporting paperwork for Drawdowns shortly and for other drawdowns as they are made.
- Information is also published through committee reports and Devolved Powers Reports:

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MIId=9725&Ver=4>

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=692&MIId=9459&Ver=4>

<https://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=7108>

<https://barnet.moderngov.co.uk/ieListDocuments.aspx?CId=693&MIId=10107&Ver=4>

https://barnet.moderngov.co.uk/documents/s60803/201019_SCLLP_Loan_update.pdf

[Decision - Loan Agreement with Saracens Copthall LLP - Re-starting Loan Draw Down Payments \(moderngov.co.uk\)](#)

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

We are withholding the invoices of Saracens's sub-contractors. These contain their unit costs which are commercially sensitive and consultation with Saracens has confirmed that harm to the commercial competitiveness of Saracens and their contractors is highly likely.

We consider that regulation 12 (5) (e) (Confidentiality of commercial or industrial information) applies to the information requested because we consider that disclosure of the information

requested would adversely affect the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.

Therefore, we have decided to withhold the information.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

- The council's commitment to transparency
- Public interest in the expenditure of public money
- EIRs have a presumption in favour of disclosing which is a factor for disclosing
- Public interests in council decisions/spending etc being open to public scrutiny

Factors in favour of withholding

- The contractors do not work for the council and have no contract with the council. The council does not manage them or supervise their works.
- It is highly likely that disclosing the unit costs of Saracens contractors would prejudice the ability of Saracens to negotiate the best deal for itself and damage the ability of the contractors to compete in a highly competitive environment
- The invoices were supplied to the council with the expectation of confidence and consultation with Saracens has confirmed this expectation.
- The council requires verification that works have been competed not the private negotiated commercial contracts between Saracens and its contractors.

The environmental information held does not relate to emissions.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access.

<http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.