

Internal Review - 7046196

I write further to your request for an internal review of the attached response to your request for information.

Your request for review

It is a matter of public interest to see the proof of your claim now that there was a contract in place that ran continuously from 2013 until 2019, by coincidence the year I made the original request. It is my understanding that the original contract was much shorter.

There is even more of a strong case of public interest after the revelations this week's Audit committee that half of the contracts on the Contract register have expired.

The attempt to argue exemption on the basis of being prejudicial to commercial interests is utterly spurious. If you are prepared to claim the money paid amounts to £50K+VAT, there is absolutely no reason not to present the evidence of payments made, and the correspondence I have asked for - and there is no sound argument that can prevent transparency and accountability over what appears to be a failure to secure money owed to a public fund, ie payment owed to a publicly funded authority.

It is not at all credible that 'negotiations' to extend a contract of such a small and uncomplicated arrangement ran from May to December 2019 ie for eight months, with no agreement, and were then shelved in December due to Covid. Covid did not prevent normal council processes from continuing, and certainly not from December 2019. We are not discussing a complex commercial contract with a budget of several million pounds, merely a renewal of a low rent amount for advertising, and one that had already been in place. If Saracens had refused to pay, or had not been asked, clearly this, in the context of the massive and controversial loan given to the club, would be a matter of substantial public interest. If there is no audit trail of any payments, I would suggest this was admitted now, before we go much further.

I have undertaken the internal review and the outcome of my review is set out below.

Response

I shall take each part of your request in turn.

First, I have reviewed the council's response on correspondence relating to negotiations for the renewal of the contract. This review finds that, were this information to be released whilst negotiations are still ongoing, this would be highly likely to have a prejudicial impact on these discussions and the commercial interests of one or both parties, to the extent of jeopardising negotiations.

I therefore find that the exemption under s43(2) of the Act is engaged and that the council's original response and application of the Public Interest Test is upheld, with specific reference to the requested correspondence, at least whilst negotiations are ongoing.

On the matter of the revenue accrued through this contract, I have reviewed the relevant contractual and payment documentation and find that, whilst the exemption under s43(2) of the Act is in fact engaged, as there is a likelihood that there would be some impact on commercial interests, the balance of the public interest lies in release. The information requested is below:

Year 1	£10k	13/14
Year 2	£12k	14/15
Year 3	£12k	15/16
Year 4	£12k	16/17
Year 5	£12k	17/18
Extension	£12k	18/19
Total	£70k	

Your rights

If you remain dissatisfied with the handling of your request, you 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.