

SOUTH GLOUCESTERSHIRE COUNCIL

FREEDOM OF INFORMATION REQUEST REVIEW

FOI REFERENCE: FIDP/012788-18

APPLICANT: Mr Robert Kingston

**REVIEWING OFFICER: Brian Glasson
ENVIRONMENT & COMMUNITY SERVICES DEPARTMENT**

BACKGROUND

A request was received by the Council from you under the Freedom of Information Act on 1st April 2019 as follows -

The information request

The publicity for this Retirement Village includes means tested subsidy from public authorities for residents acquiring flats under shared ownership schemes. This is to encourage elderly residents to move out of housing into the flats. I understand that some of the subsidy comes from a national help to buy scheme and some from local public authorities. Could you provide a copy of the subsidy scheme agreed by the Council with Extra Care for this retirement village and the budgeted costs for the current and future years.

The original decision

The request was responded to by the Children, Adult and Health Customer Feedback Officer on 30th April 2019 partly refusing the requested disclosure. This withholding of this information has resulted in a request to me for a review of that decision as you were dissatisfied with the refusal, as follows -

The request for a review

I am writing to request an internal review of South Gloucestershire Council's handling of my FOI request 'Details of any subsidy scheme for Extra care Stoke Gifford Retirement Village'.

Thank you for the information about the capital subsidy. Can you provide a copy of the agreement (as I requested) as well as the relevant council discussions

I do not believe the details of the subsidy scheme will be within Section 41 which states that Information is exempt information if —

a) it was obtained by the public authority from any other person (including another public authority), and,

(b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

Regarding a) the subsidy is part of an agreement with the council whereby grant was paid, nomination rights given and thus it seems unlikely that it was provided in confidence but as part of an agreement , and b) as it is a scheme which is used for assessing options and financial support for potential customers (members of the public) and advertised as such on the website it seems unlikely that its disclosure could be a breach of confidence.

I trust the information can now be published to avoid troubling the ICO

A full history of my FOI request and all correspondence is available on the Internet at this address: https://www.whatdotheyknow.com/request/details_of_any_subsidy_scheme_fo_2

REVIEW PROCESS

I have carried out my review after having contacted the Environment and Community Services Department officers involved in the original response. I have taken legal advice from a different solicitor in the Council's Legal Services from the one who advised on the original response, and considered the fresh material supplied and submissions made with your second e-mail. I have carefully reviewed the case you have made for the disclosure of the Grant Agreement.

MY FINDINGS

Having reviewed the matter and I am of the opinion that the Grant Agreement document should be disclosed in the public interest.

I hope that you will be satisfied with the outcome of this review, however should you remain dissatisfied you are able to contact the Information Commissioner's Office at Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

REVIEW CONCLUSION

As stated above my review has concluded that the information you have requested should be disclosed.

A handwritten signature in black ink, appearing to read 'B Glasson', with a horizontal line underneath the name.

Brian Glasson

Head of Strategic Planning and Housing