

Mr. Bruno
(request-684363-6c1113fb@whatdotheyknow.com)

By email

24 August 2020

Dear Mr. Bruno,

I refer to your email dated 13 August 2020 in which you requested the following information:

What improvement schemes and their costs were carried out in Drumtara, Ballymena in each year from 2000 onwards?

I am writing to confirm that the Housing Executive has processed your request as a request for information under the Freedom of Information Act 2000 and is providing the following information:

<i>Previous schemes carried out at Drumtara, Ballymena</i>			
<i>Scheme Type</i>	<i>Project No.</i>	<i>Addresses</i>	<i>Date of Possession</i>
<i>Heating</i>	<i>07.66.1007</i>	<i>91 addresses</i>	<i>2019</i>
<i>Heating</i>	<i>07.66.0028</i>	<i>39 addresses</i>	<i>2012</i>
<i>ECM</i>	<i>07.78.0058</i>	<i>All</i>	<i>2011</i>
<i>ECM</i>	<i>07.78.0046</i>	<i>All</i>	<i>2001</i>
<i>Double Glazing</i>	<i>Records are indicating that double glazing was installed in 2002 - May have been done in External Cyclical Maintenance (ECM) scheme 07.78.0046</i>	<i>All</i>	<i>2002</i>

In respect of your request regarding the costs, the Housing Executive's view is that the costs in this report are commercially sensitive. I have sought advice from our GDPR Team in relation to your FOI request regarding the disclosure of the costs in respect of the above mentioned schemes that were carried out in Drumtara, Ballymena in each year from 2000 onwards.

We have concluded that the exemption in **Section 43(2)** of the Freedom of Information Act 2000 applies to that information, because its disclosure under the Act would be likely to prejudice the commercial interests of the Housing Executive and relevant contractors, and therefore have applied redactions to this information.

43 Commercial interests

- (1) *Information is exempt information if it constitutes a trade secret.*
- (2) *Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).*
- (3) **Section 43(2)** is a 'qualified' exemption and I must now go on to consider if the public interest is in favour of maintaining the exemption or vice versa. On weighing the factors for and against disclosure, I have concluded that the public interest lies in not disclosing the information. I have set out below the factors which I have taken into account in reaching my conclusion.

Factors in favour of disclosure

There is a rebuttable presumption in favour of disclosure. I accept that there is a general public interest in transparency and accountability, and in understanding the reason why certain decisions were made and how public money is spent.

Factors in maintaining exemption

There is a strong public interest in public bodies being able to contract services effectively, so anything which prevents that (such as companies being fearful that commercially sensitive information such as pricing of services will be disclosed to their competitors) will not be in the public interest.

If you feel that this response does not adequately meet your response, please contact our Asset Management FOI Co-ordinator, Girlie Nuguid on (028) 9598 5003 or by email girlie.nuguid1@nihe.gov.uk in the first instance.

You have the right to request a formal review by the Housing Executive within two calendar months of the date of this letter. If you wish to do this, please contact us by email at FOI@nihe.gov.uk.

Following an internal review, if you find that you are still dissatisfied with the response, you have the right to appeal to the Information Commissioner at The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Thank you.

Yours sincerely,



Leeann Vincent

Assistant Director, Project Delivery
Asset Management