



13 December 2019

RECORDS MANAGEMENT SECTION

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Jamie Mann

Sent by email: [request-617366-e386081a@whatdotheyknow.com](mailto:request-617366-e386081a@whatdotheyknow.com)

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Dear Jamie Mann

### **Freedom of information request**

Thank you for your email of 4 November 2019 requesting information about the University's assets. I apologise again for the delay in responding to your request.

As a public authority, the University is subject to the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs). FOISA gives anyone the right to request recorded information held by the University. EIRS specifically governs access to information with a connection with the environment. We have therefore processed your request under FOISA and EIRS. Please note the University is required to be 'applicant blind' when responding to FOISA and EIRS requests, that is to say that it does not matter who makes the request, if we disclose information to one person we are expected to disclose it to all.

### **University context**

The University of Edinburgh is a global university, rooted in Scotland. We are globally recognised for our research, development and innovation and we have provided world-class teaching to our students for more than 425 years. We are the largest university in Scotland and in 2017/18 our annual revenue was £984 million, of which over £279 million was research income. We have over 41,000 students and more than 15,000 staff. We are a founding member of the UK's Russell Group of leading research universities and a member of the League of European Research Universities.

High-quality infrastructure is key to enabling the University to achieve its strategic goals. We continue to transform our estate in order to provide innovative, safe and sustainable spaces which support our world-class academic activities. These developments create outstanding facilities which will benefit students, staff and visitors, as well as the local community. Our Estate Strategy is described in *Quality Infrastructure: Estate Strategy 2010-2020* published at

<http://www.docs.csq.ed.ac.uk/EstatesBuildings/Strategies/EstateStrategy.pdf> and information about current projects is at: <http://www.ed.ac.uk/schools-departments/estates-buildings/about/current-projects/overview>.

## University assets

The University is a charity rather than a public body. However it does receive some public investment and is required to consult with the Scottish Funding Council (SFC) prior to the disposal of properties which have received public funding. The SFC requires institutions to keep their holdings of Exchequer funded land and buildings under review, with the objective of rationalising and disposing of those holdings which institutions consider, in light of their estate strategies, to be no longer needed. For transactions at or above the threshold of £3m, SFC approval is required prior to initiating the sale of an asset and for the retention of the proceeds of the sale. For transactions below the £3m threshold, institutions have delegated authority to process sales, however reinvestment of the proceeds is conditional on institutions meeting certain conditions. The SFC requires confirmation of the nature of the proposed reinvestment and that reinvestment conforms to the conditions. The conditions include that the proceeds are used for the development of the institution's estate or for the procurement of equipment, that are used for teaching, research and related activities.

You asked for a list of all the 'publicly-owned' assets that the University has sold in the last five years. We have interpreted your request as relating to the disposal of properties that have received public funding as described above.

I can confirm that the University has disposed of four flatted residences during the period that were purchased using an interest free loan from the Universities Grants Committee. The residences were located in Rankeillor Street, Gladstone Terrace, Panmure Place and Montague Street in Edinburgh. The sale prices were £365,000, £310,000, £242,500 and £186,187 and the dates of the sales were 17 July 2018, 28 September 2016, 20 May 2016 and 1 August 2014 respectively.

The University does not hold a record of who the buyers were for the flats in Gladstone Terrace and Montague Street. We do hold the names of the buyers for the properties in Rankeillor Street and Panmure Place, however as the properties were purchased by private individuals I cannot provide you with the names as this would breach the data protection principles set out in data protection legislation. The Freedom of Information (Scotland) Act 2002 does not require us to provide this sort of information as it is exempt under section 38(1)(b).

During the period, the University also sold areas of land and an outdoor centre which had received public funding. The first plot of land was on Bilston Moor Road in Bilston and was sold on 31 July 2019 to Barratt Development West Trading Limited. The second plot of land was on Penicuik Road, Roslin and was sold to CALA Management Ltd in two lots on 16 March 2017 and 18 September 2018. The outdoor centre was in Woodlands, Kingussie and was sold for £320,000 on 5 April 2019. The buyers were private individuals and again providing the names would breach the data protection principles set out in data protection legislation.

I have not provided the sale prices for the two areas of land. This is because disclosing this information is likely to substantially damage the effective conduct of the University's legitimate business, and would also be likely to substantially damage the University's commercial interests. The Freedom of Information (Scotland) Act 2002 does not require us to provide this sort of information as it is exempt under sections 30(c) and 33(1)(b). The Environmental Information (Scotland) Regulations 2004 do not require us to provide this sort of information as it is exempt under Regulation 10(5)(e).

These FOISA exemptions and EISR exception are subject to the public interest test. There is clear public interest in openness, transparency and the accountability of public authorities. This is why we are disclosing other information about the land sales. However, there is also inherent and strong public interest in allowing the University to operate its business in a way to compete commercially, and undertake management planning with the purpose of maximising revenue, which is reinvested in our estate or used for the procurement of equipment, that are used for teaching, research and related activities. This includes maintaining the confidentiality of information where disclosure could harm the University's position in future negotiations with potential buyers. If the University disclosed how much it previously sold land for this could compromise any future negotiations on land sales and adversely affect the sale price. In this case, the University considers that the public interest in withholding the redacted information outweighs the public interest in releasing it.

You also asked for a list of all the assets currently owned by the University. The University does hold a list of all its assets. However, the Edinburgh City Council Asset Register that you refer to as an example relates to its commercial property. Therefore I have understood your request to be for a list of the properties and land owned by the University and enclose a list. Please note that not all of these properties or land have received public funding.

The list does not include all the criteria contained in the Edinburgh City Council Asset Register as the University does not record coordinates or ward information and does not categorise properties according to 'user type' or 'status name'. However, I can confirm that most of the properties are occupied.

### **Right to review**

If you are dissatisfied with this response, you may ask the University to conduct a review of this decision by contacting the University's Records Management Section in writing (e.g. by letter or email) or in some other recorded form (e.g. audio or video tape). You should describe the original request, explain your grounds for dissatisfaction, and include an address for correspondence. You have 40 working days from receipt of this letter to submit a review request. The contact details for the Records Management Section are at the top of this letter. When the review process has been completed, if you are still dissatisfied, you may use the [Scottish Information Commissioner's guidance on making an appeal](#) to make an appeal to the Commissioner. If you do not have access to the Internet, please let me know and I will provide a copy of the relevant web pages.

### **Privacy notice for information request applicants**

[The University of Edinburgh's request privacy notice](#), which describes how we use the information you have supplied about yourself and your request, is published on the University website.

Yours sincerely

**Ann-Marie Noble**  
Information Compliance Manager

**Enclosure:** List of University of Edinburgh-owned buildings and land

**If you require this letter in an alternative format, such as large print or a coloured background, please contact the Records Management Section on 0131 651 4099 or email [recordsmanagement@ed.ac.uk](mailto:recordsmanagement@ed.ac.uk)**