

FOI 169/2016

REQUEST

Could you please let me know the recent inspectors review result regarding the rent increase for beach kiosk #9 at Holland Haven.

An independent review was carried out regarding the rent increase and that review is now complete. Tendring Council are refusing to pass the information on to the kiosk lease holders, for reasons known only to Tendring Council.

Full disclosure of the review should be provided to all lease holders of each of the kiosks along Clacton beach regarding the increase in any rent. If not. Why not?

RESPONSE

I refer to your request for information and would inform you that the Authority holds the information requested, but is unable to provide this information because it is exempt under section(s) 43 (Commercial Interests) of the Freedom of Information Act and is therefore being withheld.

Section 43(2) of the Act, provides that: "Information is exempt information if its disclosure under the Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

In the case of a qualified exemption the Authority has applied the public interest test and determined that the public interest in applying the exemption outweighs the public interest in disclosure. The reasons why we have come to this decision are the fact that the Lease and the rent in relation to Kiosk 9 is still in the negotiation stages and to reveal financial information before a Lease is completed could potentially jeopardise the transaction.

The recent review was undertaken for the Council in order to determine new rents and is for Council purposes only and this is also therefore considered commercially sensitive information and will not be disclosed.