

Our Reference: HA2951

By email:

Date:

Dear

### **Your request for a review under Freedom of Information Act 2000 (FOIA)**

Thank you for contacting the Office of the Police and Crime Commissioner (OPCC) requesting a review or your original request for information about maintenance and building reports relating to Southampton Central Police.

Your original request was dated 3<sup>rd</sup> February 2023 and given the reference HA2951.

*“...please could you provide copies of the maintenance/building reports into the state of Southampton Central Police Station that led to the decision to decamp and improve it.”*

A response was provided on 10<sup>th</sup> February 2023 where a refusal notice was issued under Section 17 (1) of the Freedom of Information Act (FOIA). Under Section 1(1) of the FOIA the OPCC confirmed that the information requested was held but were refusing to provide it in response to your request.

The reasons for refusal were set out in that letter in line with exemptions under Section 43 (1) of the FOIA – Commercial Interests.

You have requested a review which was received on 29<sup>th</sup> March 2023 and stated,

*‘.....is not a trade secret under section 43 (1).*

*I understand that reports might include exempt information due to the discussion of financial agreements but this information could be redacted.*

*I ask for this decision to be reviewed with this in mind. ‘*

### **Responses:**

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I am a senior manager within the OPCC and have conducted a review of your request having not previously been involved in the original decision.

The original decision to refuse, utilised Section 43 (1) FOIA – Trade secrets.

After careful consideration and based on the circumstances at the time of your request, I have decided that, the appropriate section that should have been applied is Section 43 (2) – Commercial interest.

You should be aware that the FOIA provides a right of access to information it does not provide a right of access to documents. The consideration by a public authority is whether the provision of copies of documents, is in their view, the most effective and expedient manner of dealing with the issue of disclosure. In this instance, the choice is to provide either;

- a) a summary of the information or
- b) a copy of the individual items within a file / record / report and may need to be redacted in line with exemptions to material included within a document.

Based on this, the outcome of my review is shown below.

Request	Response
<p><i>“...please could you provide copies of the maintenance/building reports into the state of Southampton Central Police Station that led to the decision to decamp and improve it.”</i></p>	<p>A redacted copy of a building report has been provided as an attachment to this letter.</p>

Factors favouring disclosure under FOIA	Factors against disclosure under FOIA
<ul style="list-style-type: none"> <li>• Transparency to the public over use of public funds.</li> <li>• Reassurance to the public that money is being spent in an appropriate manner.</li> <li>• Reassurance to the public that the scope of the works to be undertaken are necessary.</li> </ul>	<ul style="list-style-type: none"> <li>• Prejudice to commercial interests as disclosure would compromise the OPCC position with the construction market.</li> <li>• Information could be used by Commercial entities to inflate project costs.</li> <li>• Increased cost for project, risks public confidence and could impact other areas of the policing budget.</li> <li>• Cost / time taken in providing the information requested.</li> </ul>

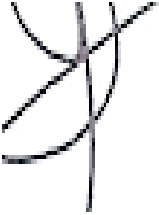
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If you are unhappy with the outcome of the review, you can contact the Information Commissioner. Contact details can be found by visiting the website:

<https://ico.org.uk/>

If you are unhappy with the way this matter has been handled complaints should be made in writing using the email address: [opcc@hampshire.pnn.police.uk](mailto:opcc@hampshire.pnn.police.uk) .

Yours Sincerely



Olan Jenkins  
Senior Business Manager  
Police & Crime Commissioner for Hampshire & IOW