

Information Governance Department  
East Wing  
St. Pancras Hospital  
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London NW1 0PE  
[Freedom.Information@Candi.nhs.uk](mailto:Freedom.Information@Candi.nhs.uk)

16 December 2014

**Reference: 2014-146**

Dear [REDACTED]

**Re: Information Request – Freedom of Information Act 2000**

Following your request for information we received on the 18 November 2014, we are providing you with access to the recorded information held by Camden and Islington NHS Foundation Trust in answer to your enquiry.

You requested the following information:

**How much has Camden and Islington NHS Foundation Trust spent on security and/or maintenance of vacant/empty premises in each of the last ten years (or years where figures are available)?**

Prior to 1<sup>st</sup> April 2013 the Trust's properties were managed by Camden Primary Care Trust and Islington Primary Care Trust, which ceased to exist on 1<sup>st</sup> April 2013. Therefore, the information you have requested is not available prior to this date. The Trust did not have any vacant premises (apart from one property which is currently boarded and not maintained) during the last financial year (2013-2014), so the figure would be £0.

**Refusal Notice**

**On which site(s) does Camden and Islington NHS Foundation Trust currently have vacant/empty premises (if any), and how many square metres of floorspace does this represent?**

I can confirm that the Trust does hold this information, however, the Trust is unable to provide the information because an exemption under section 31(1)(a) of the Freedom of Information Act 2000 applies:

*“Section 31(1)(a) states:*

*Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would likely to, prejudice*

*(a) The prevention or detection of crime.”*

The Trust does currently own vacant/empty premises, however, it also has evidence to illustrate that these empty/vacant premises have recently been associated with squatters and associated criminal activities. For this reason the Trust is of the opinion that releasing this information would therefore prejudice the prevention or detection of crime.

Section 31(1)(a) is a qualified exemption meaning that a public test must be applied in order for the Trust to rely on it. The Trust therefore must therefore conduct a balancing test to establish whether the public interest in releasing the information outweighs the public interest in withholding it. I have considered the public interest test and have decided that on this occasion the public interest in withholding the information outweighs the public interest in disclosing it.

### **Refusal Notice**

**Please provide all documents presented to the Trust Board (or subsidiary committee) relating to actual or planned disposal of land/buildings held by the Trust in the last 5 years.**

I can confirm that the Trust does hold this information, however, the Trust is unable to provide the information because it is considered to be commercially sensitive and an exemption under section 43(2) of the Freedom of Information Act 2000 applies:

*“Section 43(2) states:*

*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).”*

The Trust is of the opinion that releasing this information would prejudice the commercial interests of the Trust because it contains commercial information relating to costs of the Trust's properties, projected expenditure and forecasted income in the case of future property disposals.

Section 43(2) is a qualified exemption meaning that a public test must be applied in order for the Trust to rely on it. The Trust therefore must therefore conduct a balancing test to establish whether the public interest in releasing the information outweighs the public interest in withholding it. I have considered the public interest test and have decided that on this occasion the public interest in withholding the information outweighs the public interest in disclosing it.

I do hope you are satisfied with the way in which your response was handled, if not you may request an internal review at the above email address within 28 days of this letter. When contacting the Trust please use the above reference that is unique to your request.

If you remain unsatisfied with the outcome of the internal review, you may seek further recourse by lodging an appeal with the Information Commissioner' Office at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF and on the Information Centre's website. [www.ico.gov.uk/](http://www.ico.gov.uk/)

Yours sincerely

  
**Interim Information Governance Officer**