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Public Interest Test

Freedom of Information

Section 43(2)

Harm

Release via the Freedom of Information Act is deemed release into the public domain. It is our conclusion that releasing this information into the public domain would be likely to prejudice the commercial transaction of the sale, because it is likely to influence the cost that the building is sold for, which could have a detrimental effect on the West Midlands Police budget.

Factors that favour Disclosure

Disclosing the proposed sale price of the building may be in the interest of the local community who are interested in prices of estates in the area. It may also be of personal beneficial interest to anyone hoping to buy the building, who will then have an idea of how much to offer.

Factors against Disclosure

Releasing information that falls within the scope of this request may have a detrimental effect on the sale of the police building. This may affect WMP budgets, if the sale of the building does not meet the intended price. Releasing this information to any legal persons (whether that be an individual, a company, a public authority or any other legal entity) could prejudice the offers for the estate, and therefore, negatively impact the amount that it is sold for.

Balancing Test

The issues of transparency and awareness are noted. However, on balance, it is considered that the public interest in disclosing this information is outweighed by the potential harm that release would have on the owner of the information.

Having considered the arguments for and against, I therefore consider that this prejudice test favours maintaining some level of confidentiality surrounding the intended sale of the police estate. The Office of the Police and Crime Commissioner will not disclose information that could prejudice the current or future commercial interests of its organisation.