



REQUEST 18133

Further to your response to FOI request 18013 regarding the lease termination payment made to Scullindale Global Ltd, we would be grateful for clarification on the following point.

The termination deed states that the Council agreed to pay the tenant a sum of £4,600,000 pursuant to clause 9.3 of the lease. However, the actual payment made was £3,832,000, as confirmed in your response.

You note that the Council set off an interim payment of £270,000 in legal costs awarded by the court. This would account for a reduction of that amount. However, this still leaves a discrepancy of approximately £498,000 between the sum specified in the deed and the amount paid.

Could you please confirm:

1. Whether any additional set-offs, deductions or adjustments were made to the £4.6 million sum beyond the £270,000 legal cost offset; If so, please itemise the nature and amount of each deduction;
2. Whether any such deductions were agreed as part of a confidential or commercial settlement not detailed in the public documents;
3. Whether the sum of £4.6 million was ever actually paid in full, with subsequent recovery or credit, or whether the £3.832 million represents the final net payment.

RESPONSE

The information requested is withheld in reliance on the exemption set out at section 32 of the Freedom of Information Act 2000 – information that is only held because it is part of court records, an inquiry or arbitration

The exemption is absolute and therefore does not require a Public Interest Test.