

## **Freedom of Information Request – East Cowes Development**

Thank you for your Freedom of Information Request dated 8 March 2010 concerning arrangements between SEEDA and Waitrose regarding the proposed store development in East Cowes, Isle of Wight.

Your request to SEEDA is:

*Please provide all information in your possession regarding the arrangements between SEEDA and Waitrose in respect of the development of the proposed food store in East Cowes, Isle of Wight, including any information relating to delivery of the superstore development and to the link between the superstore development and the wider East Cowes regeneration project.*

### **Your Revised Request**

Subsequently you clarified your request for information in an email dated 9 March 2010, confirming that you are particularly interested in any contracts between SEEDA and Waitrose relating to the site in East Cowes:

*My request relates to the contractual arrangements that are in place between SEEDA and Waitrose regarding the development of a supermarket in East Cowes. In particular, I am requesting a copy of any contract, development agreement, or similar document that SEEDA and Waitrose have entered into in respect of the development.*

### **Information Held and Process Followed**

SEEDA can confirm that it has entered into a conditional agreement with Kimberley Developments, for the development of a new Waitrose food store on a 0.95 ha site in the centre of East Cowes. With regards to this agreement SEEDA holds the following documentation:

- 1) Conditional Sale and Purchase Agreement and Option Agreement in Relation to Land at East Cowes, Isle of Wight between SEEDA and Kimberley Developments Plc

We have reviewed the Agreement, and applied public interest tests to all the information subject to the exemption in Section 43(2): release of information that would be prejudicial to the commercial interests of any person

SEEDA has concluded that at this point of time the requested information, namely the Conditional Sale and Purchase Agreement and Option Agreement, should not be disclosed. This Draft Agreement is subject to ongoing commercial negotiations and its disclosure at this time would be likely to prejudice commercial interests of the involved parties. The outcome of the test is that the public interest in maintaining the exemption outweighs the public interest in disclosure.

Please note that the negotiations over the conditional agreement are likely to be concluded in within the next month. At that time SEEDA will be in a position to consider a new formal FOI request.