Dear

Freedom of Information Response (Our Ref: K/21/201)

Thank you for your clarified Freedom of Information (FOI) request dated 22 April 2021, reference K/21/201. Please accept our sincere apologies for the delay in providing a response to your request.

Your original request read:

"I'd like to politely request information surrounding the cafe's and restaurants throughout your university.

The information I would like to examine of each restaurant/ cafe/ outlet is:

Total Revenue
Costs
Profits.

I am a student but also a CEO of a startup company planning to serve and improve the lives of University students. Whatever financial statements you can provide would help in regards to me developing a forecast for investors in my seed round."

Your clarification email read:

"Q3 of 2017 onwards to either now, or the most current date possible would be great."

The University of Leeds holds this information.

However, we consider this information to be exempt from disclosure under section 43(2) of the Freedom of Information Act. Section 43(2) sets out that information is exempt from disclosure if its release would or would be likely to prejudice the commercial interests of any party.

To release the total revenue, costs and profits of businesses; information which is not ordinarily publicly available, would provide other cafes, restaurants and similar businesses an opportunity to target our outlets with competitor locations of their own. The information you have requested is likely to be of significant value to competitors; revealing profits margins and highlighting any financial difficulties which may be being faced, again allowing for targeting competition. This clearly demonstrates prejudice which would be likely to occur as a result of the release of this information.
It is important to note that this prejudice would apply to both the University owned and operated businesses, and those which operate independently in partnership with the University.

Furthermore, we consider that the prejudicial impact the release of this information would be likely to have on businesses would, in turn, be likely to dissuade businesses from electing to partner with the University in future. If partnering with the University can result in sensitive commercial information (such as that which is the subject of this request) being made public, it is not unreasonable to assume that businesses will simply choose not to put themselves in that position. This would be likely to prejudice the commercial interests of the University of Leeds, by reducing the number of active commercial partnerships, leading to a loss of income.

Section 43(2) is a qualified exemption. This means that in addition to demonstrating the prejudice which would or would be likely to occur, the University of Leeds is also required to consider whether the public interest is in favour of maintaining the exemption (i.e. withholding the information).

We recognise that there is an inherent public interest built into the FOI Act, compelling organisations to release information as fully and proactively as possible. We also appreciate that you have a personal and commercial interest in this information, as you have set out in your request. However, we do not consider there to be any genuinely compelling public interest arguments in favour of releasing this information. Conversely, we do consider there to be a strong public interest in protecting the commercial interests of the University, and in protecting rental and other commercial income for the future. Revenue such as this helps safeguard the University’s finances, and as such, we are satisfied that the public interest is in favour of maintaining the exemption.

We hope this information is helpful. If you have any questions about this email, however, please do not hesitate to contact us on foi@leeds.ac.uk

If you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review of our decision, you can request an Internal Review. Requests for Internal Review should be made in writing using the following contact information:

Post: Mr D Wardle
Deputy Secretary
The University of Leeds
Leeds
LS2 9JT

Email: foi@leeds.ac.uk

Requests for Internal Review should be submitted within 40 working days of receiving the University’s response to your request. Further information about how the University manages Freedom of Information requests and about our complaints procedure is also available on our website (www.leeds.ac.uk).
If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. Generally, the ICO cannot make a decision unless you have exhausted the review/complaints procedure provided by the University. The Information Commissioner can be contacted at: Information Commissioner’s Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

Chloe Wilkins
Freedom of Information Officer

Secretariat
University of Leeds