



## Freedom of Information Request

**Applicant:** Private individual

**Date of receipt:** 20 September 2022

**Date of response:** 6 October 2022

### Lease details for the Boathouse restaurant

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**Request:**

I am trying to ascertain information in relation to a States-owned property which is leased out and I would like to find out lease details including term and annual rental amount.

The property is:– Boathouse, part of the Victoria Pier.

**Response provided by Guernsey Ports:**

The States of Guernsey's Freedom of Information Code provides a number of exemptions under which certain requested information will not normally be disclosed. Further details can be found at [www.gov.gg/information](http://www.gov.gg/information).

The Boathouse is under the management of Guernsey Ports, which leases a number of properties around the harbour to private tenants. This provides a commercial income that contributes towards the operation of the Ports, and the total is included in Guernsey Ports' published annual accounts.

Guernsey Ports' ability to let properties could be compromised if it can be assumed that details within individual lease agreements would be openly disclosed to any other party.

The competitive position of Guernsey Ports in any lease negotiations may also be undermined if specific details of agreements for other let properties were readily available to potential tenants or their agents.

In addition, leases are considered to be a commercially confidential agreement between the parties, and the details and specifics of each contract is subject to negotiation and reflects the particular circumstances of each agreement. Disclosure to a competitor could therefore harm the competitive position of the lessee.

Details of the lease arrangements for the Boathouse is therefore subject to the following exemptions under the Freedom of Information Code:-

**Exemption 2.3 – effective management and operations of the public service:-**

- *Disclosure of information that could lead to improper gain or advantage or would prejudice:*
  - *The competitive position of a [States] Committee or other body or authority;*
  - *Negotiations or the effect conduct of commercial or contractual activities.*
- *Disclosure of information that would prejudice the commercial interests of the States.*

**Exception 2.13 - Third Party's Commercial Confidences:-**

- *Information including commercial confidences whose unwarranted disclosure would harm the competitive position of a third party.*