

Date 27/03/2025  
Your Ref  
Our Ref 9812

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Dear

## FREEDOM OF INFORMATION REVIEW – PROPERTY

I write in response to your request for review of NHS Lothian's response to your Freedom of Information request about NHS Lothian property. Having discussed your request and our response of, 3 March 2025, I can respond as follows:

Original Request and Response:

Question:

- A list of all land and property that your local authority sold between 1 January 2020 and 31 December 2024.

For each sold asset, please include:

- The address and coordinates of the land/property
  - A description of the asset, including what your local authority used it for
  - The size of the asset (e.g. hectares, sq km)
  - The sale price
  - The buyer (please state the name of any company, organisation, etc. or otherwise state whether it was a private individual)
  - The date of sale
- Please provide a list of all the land and property currently owned by your local authority.

For each asset, please include:

- The address and coordinates of the land/property
- A description of the asset, including what your local authority uses it for
- The size of the asset (e.g. hectares, sq km)
- The date of purchase

Headquarters  
Mainpoint  
102 West Port  
Edinburgh EH3 9DN

Chair Professor John Connaghan CBE  
Chief Executive Professor Caroline Hiscox  
*Lothian NHS Board is the common  
name of Lothian Health Board*

Answer:

I am advised that the information requested is available on the Land Register, which is searchable by the public. Therefore the information is exempt under FOI(S)A - Section 25. The test is just that the requestor can reasonably obtain the information (even if there is a cost).

<https://www.ros.gov.uk/>

This information is exempt under Section 25 of the Freedom of Information (Scotland) Act 2002 - Information otherwise accessible

(1) Information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.

Review Request:

Please can you open an internal review into this? NHS Lothian and other boards previously provided similar information to me:

[https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatdotheyknow.com%2Frequest%2Fsales of nhs board assets 10&data=05%7C02%7CRichard.Mutch%40nhs.scot%7Ca1b5f883e0714584b59e08dd5a71ec7c%7C10efe0bda0304bca809cb5e6745e499a%7C0%7C0%7C638766167537032489%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOilwLjAuMDAwMCIslIAiOiJXaW4zMilslkFOLjoiTWFpbCIsIlldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=eLHA%2F9WXkgHTfPU1%2BLIRci0AKB%2FVZhQtjbJFL8lze3M%3D&reserved=0](https://eur01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.whatdotheyknow.com%2Frequest%2Fsales%20of%20nhs%20board%20assets%2010&data=05%7C02%7CRichard.Mutch%40nhs.scot%7Ca1b5f883e0714584b59e08dd5a71ec7c%7C10efe0bda0304bca809cb5e6745e499a%7C0%7C0%7C638766167537032489%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOilwLjAuMDAwMCIslIAiOiJXaW4zMilslkFOLjoiTWFpbCIsIlldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=eLHA%2F9WXkgHTfPU1%2BLIRci0AKB%2FVZhQtjbJFL8lze3M%3D&reserved=0)

It is not easily obtained via private services, or would prove prohibitively expensive to locate the information via a custom Registers of Scotland search.

Moreover, it is in the interests of the public that the board is transparent about the publicly-owned property which it has sold off.

Review Response:

While I am aware that we have provided this detail in the past, it remains the case that the information is now publicly available via the link provided in the original response. Under the Act there is no obligation to provide information that is public available or generate new information in addition to publicly available information (even if there is a cost in obtaining the information).

<https://www.ros.gov.uk/>

This information is exempt under Section 25 of the Freedom of Information (Scotland) Act 2002 - Information otherwise accessible

(1) Information which the applicant can reasonably obtain other than by requesting it under section 1(1) is exempt information.



If you are not satisfied with this response you still have the right to make a formal complaint to the Scottish Information Commissioner who you can contact at the address below or using the Scottish Information Commissioner's Office online appeals service at <https://www.foi.scot/appeal>. If you remain dissatisfied with the Commissioner's response you then have the option to appeal to the Court of Session on a point of law.

Scottish Information Commissioner  
Kinburn Castle  
Doubledykes Road  
St Andrews, Fife  
KY16 9DS  
Telephone: 01334 464610  
Fax: 01334 464611  
e-mail: [enquiries@foi.scot](mailto:enquiries@foi.scot)

Yours sincerely

**Freedom of Information Reviewer/  
NHS Lothian**  
cc: Executive Nurse Director