



Information Governance Team

Postal Address:
Coventry City Council
PO BOX 15
Council House
Coventry
CV1 5RR

www.coventry.gov.uk

E-mail: infogov@coventry.gov.uk

Phone : 024 7697 5408

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Dear Sir/Madam.

**Freedom of Information Act 2000 (FOIA)
Request ID: REQ06168**

Thank you for your request for information relating to Council funded construction projects.

You have requested the following information:

- 1. Under the Freedom of Information Act please could you let me know all your construction projects (Council Funded) that are due for completion in the next 6 months along with the expected completion date, Value, and Main Contractor Employed. You can leave out any or all projects you have if they are under £1 million.**

Project: Development of a 50m swimming pool and the Alan Higgs Centre and Enhancement of the Associated Public Leisure Facilities.

Contractor: Galliford Try

Estimated Project Completion date: Feb 2020

Project: Wave

Contractor: Buckingham's

Full Project Completion date: October 2019

In relation to the value of the above projects to provide the information requested would be disclosing information which is commercially sensitive and would be likely to prejudice or harm the commercial interest of the contractor or the Council. We believe this information is therefore held exempt under section 43(2) of the Freedom of Information Act 2000.

For ease of reference, this section states –

Section 43(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

The ICO guide for the Prejudice Test, in legal terms, the word 'prejudice' is commonly understood to mean harm. To say that disclosure would, or would be, likely to prejudice the interests specified in the exemption implies that it would (or would likely to) harm those interests.

Having considered the public interest test for and against disclosing the information, the Council has taken into consideration the argument for disclosure, to be as open and transparent as possible regarding the spending of public money.

In considering the public interest test against disclosure of the information requested, whilst there is always some public interest in the disclosure of information, the Council are of the opinion that maintaining the exemption outweighs that of disclosing the information as there is a stronger public interest in protecting the commercial interest of the Council and the contractors. The release of the information would be likely to prejudice (harm) the commercial interests of not only the contractor involved, but also the Council. There is an element of trust with the contractor (with whom costs, and contracts are negotiated) in that the best costs have been, and are still being, negotiated between the parties, and by disclosing these details could impact on their own ability to negotiate with other Councils or organisations.

It is further considered that disclosing the costs or values to the world at large, which in any disclosure made under the provisions of the FOI must be considered, would prejudice the commercial interests of the Council by limiting its ability to be able to negotiate or compete in a commercial environment for the services of such contractors in the future.

After considering the arguments outlined above the Council have decided to withhold the information requested relating to values of the contracts.

The supply of information in response to a freedom of information request does not confer an automatic right to re-use the information. You can use any information supplied for the purposes of private study and non-commercial research without requiring further permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs. Please contact us if you wish to use the information for any other purpose.

For information, we publish a variety of information such as: [FOI/EIR Disclosure Log](#), [Publication Scheme](#), [Facts about Coventry](#) and [Open Data](#) that you may find of useful if you are looking for information in the future.

If you are unhappy with the handling of your request, you can ask us to review our response. Requests for reviews should be submitted within 40 days of the date of receipt of our response to your original request – email: infogov@coventry.gov.uk

If you are unhappy with the outcome of our review, you can write to the Information Commissioner, who can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or email casework@ico.org.uk.

Please remember to quote the reference number above in your response.

Yours sincerely

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