



Information Governance

Coventry City Council
PO Box 15
Council House
Coventry
CV1 5RR

www.coventry.gov.uk

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Please contact Information Governance
Direct line 024 7697 5408
infogov@coventry.gov.uk

Dear Sir/Madam

**Freedom of Information Act 2000 (FOIA)
Request ID: REQ06758**

Thank you for your request for information relating to The Godiva Festival.

Your request and our responses are outlined below:

Please could you detail the finances for the Godiva Festival 2019.

Could this detail the cost broken down by area (i.e. spend on infrastructure, spend on waste collection etc).

The total expenditure on the Godiva Festival in 2019 was £916,000. With regards to the breakdown of spend, we can confirm that we hold this information and it is accessible to you via the Council website, please use the following link:

https://www.coventry.gov.uk/downloads/download/818/spending_over_500

We therefore do not have to provide the information as per Section 21 of the FOIA.

Could this also detail the income broken down by area too (i.e. sponsorship, cost of administration ticket price etc).

We confirm the total income was £451,000. This income combines the concession for food and beverage, ticketing, sponsorship and car parking. The food and beverage operation at Godiva was combined and offered as a competitive tender for the 2019 Festival onwards. The result of this generated a much greater income for the Festival than in previous years.

With regards to a breakdown of income by area, the Council confirms that it holds this information, but that it is exempt from disclosure under section 43(2) of the Freedom of Information Act 2000.

The exemption at s 43(2) is qualified, and therefore subject to a public interest test. Even where a qualified exemption is engaged it can only be applied where the public interest in withholding information outweighs that in favour of releasing it. In applying the public interest test, the Council have given careful consideration to the arguments for and against disclosure.

Part 1 – Arguments in Favour of Disclosure

1. Promote accountability and transparency for the Council’s decisions and in its spending of public money
2. Assist the public to understand and challenge our decisions
3. Inform the public of the activities carried out on their behalf, allowing for more user involvement and collaborative decision making
4. Enable the public to better scrutinise the public monies spent
5. Help to ensure clarity around fairness, equity, value for money and quality of care in the overall tender process

Part 2 – Arguments Against Disclosure

1. There is a public interest in allowing public authorities to withhold information which if disclosed, would reduce providers' ability to compete in a commercial environment, for the reasons given above
2. The successful tenderers operate in a competitive market. If prejudicing the commercial interests of the successful tenderers in the market would distort competition in that market, this in itself would not be in the public interest
3. There is a public interest in protecting the commercial interests of individual companies and ensuring they are able to compete fairly: “If the commercial secrets of one of the players in the market were revealed then its competitive position would be eroded and the whole market would be less competitive with the result that the public benefit of having an efficient competitive market would be to some extent eroded” (taken from the decision of the (then) *Information Tribunal in Visser v ICO* EA/2011/0188 at paragraph 20)
4. Disclosure of information may cause unwarranted reputational damage or loss of confidence in the Council

5. Revealing information such as a pricing mechanism can be detrimental to a provider's commercial interest. If an organisation has knowledge of a provider's business model, it can exploit this for its own commercial interest. This would also have a detrimental impact on the Council on other contracts and procurements by distorting the market, for the reasons stated above

The Balancing Exercise

Having taken into account the arguments for and against disclosure, the Council has decided that the public interest in this case is best served by maintaining the exemption under section 43(2) FOIA and by not disclosing the information requested.

The Council considers that the possible benefits of disclosure are outweighed by the real risk of causing prejudice to the commercial interests of the tenderers concerned and the Council itself. In this case there is an overriding public interest in ensuring that companies are able to compete fairly and in ensuring there is competition for public sector contracts. It is more probable than not that disclosure would prejudice both the successful tenderers' and the Council's commercial interests.

Could this therefore include the total cost and overspend.

- Total expenditure on the Godiva Festival in 2019 was £916,000
- Income was £451,000
- The Council's approved budget for the event was £454,000
- The Council therefore incurred an £11,000 overspend representing 1.2% of total expenditure on the event.

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.

Should you wish to make any further requests for information, you may find what you are looking for is already published on the [Council's web site](#) and in particular its FOI/EIR [Disclosure log](#), [Council's Publication Scheme](#), [Open Data](#) and [Facts about Coventry](#).

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 faithfully

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