



11 March 2016

Dear ,

ATISN 10194: Torfaen County Council's bid for funding under the 21st Century School Programme for the remodel and extension of Garnteg and Cwmffrwdor primary schools

Thank you for your request which I received on 15 February about the proposed closure of Victoria Primary School and Brynteg Nursery in Abersychan. The information you requested is attached.

I have decided that Appendix A of the Business Justification Case (Docs 2 & 4) is exempt from disclosure under section 43(2) of the Freedom of Information Act 2000 and is therefore withheld. Section 43(2) applies when the disclosure of information would, or would be likely to prejudice the commercial interests of any person. A person may be an individual, a company, the public authority itself or any other legal entity.

Appendix A contains financial information. I believe that disclosure of this information would be likely to prejudice the local authority's ability to deliver this and other projects within current budgetary constraints. Disclosure would be likely to lead to the local authority not obtaining the best market value for any asset it may look to sell,

In order to satisfy the public interest test in relation to the exemption it is necessary to conclude that the public interest arguments in favour of withholding the information are sufficient to outweigh the public interest arguments in favour of release.

Public interest arguments in favour of disclosure

Transparency and accountability.

Public interest arguments against disclosure

It is in the wider public interest that local authorities are able to maximise the amount of funds that they can raise through the sale of assets. This will enable them to continue to maintain, as far as possible, their current services and invest in targeted projects to improve those services. Disclosure of information which would be likely to hinder the local authority's ability to obtain the highest return on assets would not be the most effective use of public funds and would be contrary to the interests of the public purse and the residents of Torfaen.

On this basis I consider that the public interest argument in favour of maintaining the exemption is sufficient to outweigh the arguments in favour of disclosure.

If you are dissatisfied with the Welsh Government's handling of your request, you can ask for an internal review within 40 working days of the date of this response. Requests for an internal review should be addressed to the Welsh Government's Freedom of Information Officer at:

Information Rights Unit,
Welsh Government,
Cathays Park,
Cardiff,
CF10 3NQ

or Email: FreedomOfInformationOfficer@wales.gsi.gov.uk

Please remember to quote the ATISN reference number above.

You also have the right to complain to the Information Commissioner. The Information Commissioner can be contacted at: Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire,
SK9 5AF.

However, please note that the Commissioner will not normally investigate a complaint until it has been through our own internal review process.

Yours sincerely