



11 April 2016

Dear ,

**ATISN 10295: NEATH PORT TALBOT – NEW WELSH MEDIUM 3-18 SCHOOL
YSTALYFERA**

Thank you for your request for the Strategic Outline Case, Outline Business Case, Full Business Case and grant award letter for the new Welsh medium 3-18 school in Ystalyfera, which I received on 11 March. There was no SOC for this project. The remaining information requested is attached.

I have decided that financial information included in the Business Cases and the grant award letter 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.

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. As the contractors would be aware of the project financial envelope, it would be likely to result in contractors submitting a higher tender than would otherwise be the case.

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

The release of estimated capital cost information into the public domain ahead of any formal procurement procedure could potentially result in a less competitive tendering process.

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