

PART 2 – CONFIDENTIAL FACTS AND ADVICE

MD2817

Title: MedCity Business Plan 2021-22

Information may have to be disclosed in the event of a request under the Freedom of Information Act 2000. In the event of a request for confidential facts and advice, please consult the Information Governance team for advice.

This information is not suitable for publication until the stated date because:

It contains information the disclosure of which may be considered to prejudice the commercial interests of MedCity, which is not in the public interest. The information provided in Part 2 and in the attached supporting document contains commercially sensitive information that is considered to be exempt under section 43(2) of the Freedom of Information Act 2000. Specifically, the document includes information that has been developed with another funding organisation and is confidential to that organisation. It also includes information that may put MedCity at a competitive disadvantage, for example by outlining potential events and sponsorship plans.

Date at which Part 2 will cease to be sensitive or when this information should be reviewed with a view to publication: **31 March 2022**

Legal adviser recommendation on the grounds for not publishing information at this time:

In the event of any request for access to the information contained in this document under section 1 of the Freedom of Information Act 2000 ("the Act"), it is considered that access can be denied on the basis that the disclosure of such information would prejudice MedCity Limited's commercial interests and therefore, is covered by the exemption under section 43 of the Act.

Section 1 of the Act creates the general right of access, which provides that any person making a request for information to a public authority is entitled:

- to be informed in writing by the public authority whether it holds information of the description specified in the request
- if that is the case, to have that information communicated to him/her.

Part II of the Act contains a number of exemptions from disclosure for certain classes of information. In particular, section 43 of the Act provides that information is exempt information if disclosure under the Act would, or would be likely to prejudice the commercial interests of any person (including the public authority holding it). The section above states that the information is considered commercially sensitive as it gives a level of operational detail the release of which could impact adversely upon: MedCity Limited's ability to generate sponsorship or income for its work programme: and therefore, its (and the GLA's) ability to secure value for public money.

The section 43 exemption is a qualified exemption and its use is therefore, subject to a public interest assessment.

Public Interest Assessment

At present, on balance, it is considered that the public interest is best served if the information is not disclosed at this point. Disclosure by the GLA would be likely to have a detrimental effect on:

- MedCity Limited's (and the GLA's) ability to secure value for public money; and
- MedCity Limited's efficient and effective delivery of its Business Plan.

The eligibility of this exemption should be reassessed in the event of an FOI request for this information as the level of sensitivity will change over time and different circumstances may alter the arguments in favour of non-disclosure.

Legal Adviser - I make the above recommendations that this information is not suitable for publication at this time.

Name: TfL Legal

Date: 28 May 2021

Once this form is fully authorised, it should be circulated with Part 1.

Decision and/or advice:

Appendix 1 – MedCity Operational Plan to be withheld from publication.