

## PART 2 – CONFIDENTIAL FACTS AND ADVICE

**MD2171**

**Title: Young London Inspired**

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**This information is not for publication until the stated date, because:**

The information contained within part of this MD, when taken together with the sum v·inspired are investing. would, if disclosed, enable their competitors to calculate the unit cost rates applied to reach the targeted number of young people detailed.

**Date** at which confidentiality should be reviewed: 1<sup>st</sup> September 2018.

**Legal recommendation on the grounds of keeping the information confidential:**

In the event of a 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 v·inspired’s and the GLA’s commercial interests. Disclosure of the amount of v·inspired’s investment, when taken together with the information contained in part 1 of this MD, would enable their competitors to calculate v·inspired’s unit cost rates, prejudicing v·inspired’s commercial position and genuine competition on the market on which they operate. This is 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; and
- 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 paragraph above states that the information is considered commercially sensitive as its release could affect:

- v·inspired’s ability to compete effectively on the market on which it operates; and
- impact upon the GLA’s and other public sector bodies’ ability when seeking to fund similar schemes or procure services of the applicable nature, to secure value for public money.

As an example, the GLA proposes to seek competitive bids in relation to the next phase of “Young London Inspired” activity and it is in v·inspired’s, the GLA’s and public interests to ensure that the relevant market is not distorted to avoid prejudicing all parties commercial interests and enable the efficient management of public funds.

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

**Legal Adviser** - I make the above recommendations that this information should be considered confidential at this time

**Name:** TfL Legal

**Date:** 18.09.17

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

**Confidential decision and/or advice:**

The amount of v•inspired's funding referred to at section 1.9 of part 1 of this MD is £195k.