

PART 2 – CONFIDENTIAL FACTS AND ADVICE

DMFD216

Title: Procurement of Misting Lance Technology

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This information is not for publication until the stated date, because: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 costings information set out in Section 4 (cost analysis) of Appendix 2 (business case) to report LFC-23-097 contains commercially sensitive information which was provided by external companies to LFB on a confidential basis with the expectation that such information would not be put into the public domain.

Date at which Part 2 will cease to be confidential or when confidentiality should be reviewed:
31 December 2024

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

In the event the information contained in part two of this report is the subject of a request for information under section 1 of the Freedom of Information Act 2000 (the Act), it is considered that access can be denied on the basis that such information constitutes exempt information under it.

The cost analysis information set out in Section 4 would constitute exempt information should it be subject to a request for its disclosure under the Act. The provisions of section 43(2) provide that information can constitute exempt information if its disclosure would, or would be likely to, be prejudicial to the commercial activities of any party (including the public authority holding it).

The costings information was provided to the London Fire Commissioner (LFC) on a confidential basis and should not be published until 31 December 2024, as publication risks the commercial interests of the LFC.

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 LFC would be likely to have a detrimental effect on the LFC's position and related commercial interest regarding the expenditure incurred for the purposes of procurement of the misting lance technology.

The eligibility of these exemptions 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 should be considered confidential at this time.

Name:

Date:

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

Confidential decision and/or advice:

This Part 2 report has been produced for the purposes of including LFB's business case for the procurement, which contains further financial information and is appended to the report.

Report LFC-097 - Appendix 2 Business case