

PART 2 – CONFIDENTIAL FACTS AND ADVICE

MD2450

Title: London Borough of Culture programme

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:

The GLA are seeking £200,000 external funding from the City Bridge Trust. City Bridge Trust funded round one of this programme in 2019/20 with a grant of £300,000. Before the City Bridge Trust will commit to providing funding, they wish to see the evaluation from the first year of the programme in 2019 in order to assess the impact of their funding, and this will not be available for their review until mid-2020. The GLA will underwrite this amount of £200,000 in case this funding is not forthcoming from City Bridge Trust. This would take the GLA expenditure from £4.66m to £4.86m in total. We want to have the best chance of securing the income and do not want a potential GLA underwrite to be in the public domain as this could prejudice negotiations with City Bridge Trust and other funders.

Date at which Part 2 will cease to be sensitive or when this information should be reviewed with a view to publication: **December 2020.**

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 GLA's commercial interests. This is therefore 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 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 43 exemptions are qualified exemptions 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;

GLA's commercial interests as the information is commercially confidential; and the GLA's ability to effectively negotiate with City Bridge Trust

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 is not suitable for publication at this time.

Name: Rachael Scott

Date: 15 March 2019

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

Decision and/or advice:

As detailed in Part 1 of this report, the gross expenditure of the London Borough of Culture round two Programme is £4.86m. Following the approach set out in London Borough of Culture round one Programme, £200,000 should be funded via external income from the City Bridge Trust.

In the event that this income is not secured the GLA (specifically, the Culture and Creative Industries Unit) will underwrite the full £200,000. Should this be the case, the £200,000 can be contained within the £4.86m budget allocated to the Culture and Creative Industries Unit for the London Borough of Culture round two Programme across the four financial years 2019-2020 through to 2022-23.