

## ANNEX

### REASONS FOR NOT PROVIDING INFORMATION

#### An exception applies

Exceptions under regulations reg 10(5)(e) and reg 11(2) of the EIRs applies to some of the information you have requested.

Reg 10(5)(e) - Confidentiality of commercial or industrial information, provided for by law to protect legitimate economic interest: The information concerns a contract that has not been awarded yet. This exception applies to document 5.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception.

We recognise that there is some public interest in release because of the need to ensure value for money. However, this is outweighed by the public interest in this case as the contract has not yet been awarded, disclosure could hinder fairness in relation to this and disclosure does not contribute to ensuring effective oversight of expenditure of public funds.

Reg 11(2) - Personal data relating to a third party: An exception under regulation 11(2) of the EIRs (personal information) applies to some of the information requested because it is personal data of a third party and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018. This exception is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exception.

This applies to document 5. Signatures have also been redacted from documents 4 and 5.