

14 June 2019

Information Rights & Compliance Team
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Our Ref: FOI/03281

Thank you for your request concerning pipelines of public sector projects.

Your request has been considered and processed in accordance with the requirements of the Freedom of Information (FOI) Act 2000.

The total pipeline of public sector projects involving any aspect of the Built Environment, Construction, Consultancy Services or Professional Services in any capacity;

- 1. The total value of these projects;**
- 2. The expected benefits and high level policy outcomes of these projects;**
- 3. Descriptive information for each of these projects, including location, value, and procuring authority;**
- 4. Descriptive information for any other public sector projects involving any aspect of the Built Environment, Construction, Consultancy Services or Professional Services in any capacity.**

Answer:

Please see attached our Strategic Plan Summary for 2014-2019. We are currently developing a 5 year investment plan which has yet to be finalised and approved¹.

As I am sure you are aware information released under the Freedom of Information Act is published in the public domain and in this case advance knowledge might influence unfair competition as some competitors would have a more competitive edge. Further to this, the supplier would be placed at an additional competitive disadvantage as it's other customers also would also have access to this information which could then be used to distort prices to the detriment of the supplier.

The Trust regards the release of our Five Year Investment Plan prior to the conclusion of any feasibility studies to be commercially sensitive under 43 (2) of the Freedom of Information Act. Information is exempt if disclosure would, or would be likely to prejudice the commercial interests of any person, including the public authority holding the information. This is a qualified exemption and therefore subject to the public interest test. We have considered the reasons for and against disclosure below

¹ Section 43 – Information that constitutes a trade secret or may prejudice commercial interests has been applied

Reason in favour of disclosure

There is considerable interest in ensuring the Trust is transparent about its spending of public money at a time when public finances are under considerable scrutiny.

Reason against disclosure

The Trust is obliged to protect its commercial interests and by releasing our future investments plans in advance would be prejudicial to the Trust by leading to uncompetitive tenders being submitted resulting in Trusts inability to negotiate.

We reached the view that, on balance, the public interest is better served by withholding this breakdown under Section 43 (2) of the Freedom of Information Act.

Should you require further clarification, please do not hesitate to contact me.

Please find enclosed an information sheet regarding copyright protection and the Trust's complaints procedure in the event that you are not satisfied with the response.

Yours sincerely

Sue Smith

**Sue Smith
Information Rights Officer**

Enc: Copyright Protection and Complaints Procedure Information Leaflet.

If you would like to complete a short survey in relation to your Freedom of Information request please scan the QR code below or click [here](#).

