

Request

I would like the full levelling up bid that was sent to the government for Leigh from Wigan Council.

Response

Qualified exemption applies. FOIA Section 43(2), Justification under the Act:

“Complying with this request would prejudice or be likely to prejudice the commercial interest of Wigan Metropolitan Borough Council”.

This exemption and non-disclosure argument is underpinned by these reasons:

Competition and ability to generate income – The Levelling Up Fund is an ongoing competitive bidding process and releasing bid documents is deemed to negatively affect our ability to compete in the LUF commercial bidding environment, by giving competitors for the funding a commercial advantage through providing them with an opportunity to review parts of our documents. If competitors are unfairly advantaged this puts Wigan at a disadvantage in future bidding rounds and negatively affects the Council’s ability to generate income from this limited funding programme.

Public Interest Test

Timing - the timing of the request carries extremely significant weight in favour of non-disclosure. The timing of the request is the critical factor given the ongoing competitive process that WMBC is engaged in in the LUF.

All other public interest tests. The timing of the request carries more weight than all the other public interest tests combined. Thereby providing justification for the current non-disclosure of the LUF submission

It is noted that ‘timing’ begins to carry less weight only once any project(s) within the bid documents are fully funded and physical construction completed. Rather than ‘timing’ being dependent on the ending of the LUF competitive process.

It is important to note that a summary of the LUF submission (which excludes any commercially sensitive information) has been made publicly available on the Council’s website and this satisfies the public interest in terms of transparency and accountability.

The public interest test is deemed to have been satisfied and the non-disclosure is deemed to be justified.