

**Freedom of Information Act 2000 - Request Reference FoI/23/448**  
**Car Parking Management Contract**

**Information Requested:**

I would be most grateful if you would provide me, under the Freedom of Information Act, details in respect to your Car Park Management contract.

**The details we require are:**

**1. What are the contractual performance KPI's for this contract?**

Cardiff and Vale University Health Board (the UHB) does not hold this information.

**2. Suppliers who applied for inclusion on each framework/contract and were successful & not successful at the PQQ & ITT stages**

- Indigo Park Services
- ParkingEye
- Q-Park
- CP Plus
- Empark
- Excel Parking Ltd

**3. Actual spend on this contract/framework (and any sub lots), from the start of the contract to the current date.**

After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under the Freedom of Information Act 2000 (Section 43) Commercial Interests. This section of the Act sets out an exemption from the right to know if:

- the information requested is a trade secret, or
- release of the information is likely to prejudice the commercial interests of any person. (A person may be an individual, a company, the public authority itself or any other legal entity).

This exemption was considered by the UHB when deciding whether to disclose information because it considered that in doing so there could be a significant risk in prejudicing the commercial interests of both the supplier and the UHB. As this is a qualified exemption, the UHB is required to complete a public interest test in deciding whether it is in the public's interest to withhold or disclose the information.

In favour of disclosure: There is a public interest in transparency and in the accountability of spending of public funds. Furthermore, it is in the public's interest that public funds be used effectively and that public sector bodies obtain the best value for money when contracting for the provision of services.

Against disclosure: It has been established that releasing the information sought under the Freedom of Information Act, to which the UHB is subject, will give an unfair advantage to the supplier's competitors. There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with suppliers. This in turn could lead to less effective use of public funds in future. The UHB believes that there is wider established public

interest in suppliers not being prejudiced merely because they have contracted with a public sector body (as upheld in ICO decision notice FS50473543 ICO v Royal Marsden Hospital Trust).

Decision: The UHB considers that the public interest in withholding the information is greater than the interests in disclosing it and thereby giving unfair commercial advantage to competitors of the supplier to which this information concerns. The UHB believes that disclosure of information in a manner which fails to protect the interests and relationships arising in a commercial context could have the effect of discouraging companies from dealing with the Health Board because of fears that the disclosure of information could damage them commercially. In turn this could then jeopardise the Health Board's ability to compete fairly and pursue its function to bring forward development in the area and obtain value for money. It was therefore decided that it was not in the public's interest to disclose this information.

**4. Start date & duration of framework/contract?**

The start date was 05/06/2018 for five years The UHB has the option to extend for a further two years.

**5. Could you please provide a copy of the service/product specification given to all bidders for when this contract was last advertised?**

Please see the attached specification document.

**6. Is there an extension clause in the framework(s)/contract(s) and, if so, the duration of the extension?**

The UHB has the option to extend for two years.

**7. Has a decision been made yet on whether the framework(s)/contract(s) are being either extended or renewed?**

The contract has been extended until 04/06/2025.

**8. Who is the senior officer (outside of procurement) responsible for this contract?**

After considering your request, the UHB believes that the data requested is classed as personal data as defined under the General Data Protection Regulation (GDPR) and Data Protection Act 2018 and its disclosure would be contrary to the data protection principles and constitute unfair and unlawful processing in regard to Articles 5, 6, and 9 of GDPR. We are therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000. This exemption is absolute and therefore there is no requirement to apply the public interest test.