

Freedom of Information Act 2000 – Request Reference FoI/24/193
Properties and Land

Information Requested:

Under the FIO request Can you please provide me with a breakdown of all the properties and land owned by the Cardiff & Vale University Health Board deemed to be non-core surplus, and the valuation for each asset?

Response Details:

Cardiff and Vale University Health Board (the UHB) currently have Whitchurch Hospital declared as surplus. This is currently in the process of transfer to a neighbouring NHS organisation.

While Rookwood Hospital is also surplus and to be marketed in May/June 2024, this is not a UHB asset. It is owned by charity.

With regards to valuation figures at this present time:

After considering your request, Cardiff and Vale University Health Board (the UHB) considers this information to be exempt from disclosure under section 43 of the Freedom of Information Act 2000 ('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 by doing so there could be a significant risk in the bidding process thus potentially affecting the commercial interest of the UHB and interested parties. 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 any potential bidders. There is a risk of disclosure prejudicing the commercial interests of the UHB by affecting its bargaining position with any potential bidders. This in turn could lead to less effective use of public funds in future.

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 bidder 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 is not in the public's interest to disclose this information.