

Public Interest Test

EIR2024/00086

1. *The 'management plan', as defined in National Highways standard CS 466 Section 8, for each affected structure. We understand that a decision has been made to replace all structures. Replacement is one of a range of long-term options that should have been considered alongside repair, strengthening (etc.). We wish to review the process that has resulted in selection of the 'replace' option in each case. We do not need to see specific replacement design details or programmes.*

Environmental Information Regulations 2004 exception

Regulation 12(5)(e) - Commercial or industrial information

Factors supporting disclosure

There is a clear public interest in:

The costs of the Lune Gorge repair scheme options, so that they can be scrutinised.

National Highways evidencing the criteria and processes used to assess the options.

National Highways being transparent about and accountable for the way in which public money has been used to progress the scheme, the decisions made at each stage of the scheme, and the reasons for those decisions.

Factors supporting non-disclosure

It is not in the public interest for National Highways to disclose this information because it is confidential and protects a legitimate economic interest.

This is commercial information where confidentiality is provided by the common law of confidentiality.

We are in contract with a supplier. If the repair scheme is not undertaken by that supplier the work will go out to tender.

If the information requested is disclosed, it would undermine the integrity of future public procurements in that it may put the supplier at a disadvantage and their competitors at an advantage.

Suppliers will be reluctant to compete for future tenders if they know, or believe, the details they have provided may be made publicly available.

This will weaken the tender process. If suitable suppliers decide not to participate, competition will be reduced, and National Highways will have to accept higher-priced and/or lower quality bids.

	<p>This would undermine National Highways' leverage to obtain the best value for the public purse, resulting in an increased cost to the government and the taxpayer.</p>
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<p>Conclusion: It is not in the public interest to release this information. There are compelling arguments for withholding the information which outweigh the arguments supporting its release.</p> <p>Date of PIT: 02 July 2024</p>
