

Ref. No: 2566
Date: 14th May 2026
Subject: Costing on A&E Consultation

REQUEST

I would like the full costings if the A&E department had moved fully to Ormskirk, as outlined in the recent consultation document.

RESPONSE

Please see attached spreadsheet.

We cannot provide the full detail of the costings as it is commercially sensitive. Therefore the following FOI Exemption has been applied.

Exemption Applied: Section 43(2) – Commercial Interests

Mersey and West Lancashire Teaching Hospitals NHS Trust is applying Section 43(2) of the Freedom of Information Act 2000 (FOIA) to withhold the requested information.

Following careful consideration, the requested information is being withheld under Section 43(2) of the Freedom of Information Act 2000. This exemption applies where disclosure would, or would be likely to, prejudice the commercial interests of any person, including the public authority itself.

The information in question relates to commercially sensitive matters, including pricing structures, which, if disclosed, could undermine the ability of the public authority to operate effectively in a competitive environment. It may also adversely affect the commercial interests of third parties with whom the authority has contractual or financial relationships.

In applying this exemption, the authority has considered the ICO's guidance on the prejudice test. It has concluded that there is a real and significant risk that disclosure would prejudice commercial interests. This assessment is based on the nature of the information, the context in which it is held, and the competitive landscape in which the authority and its partners operate.

As Section 43 is a qualified exemption, the public interest test has also been applied. The authority recognises the public interest in transparency, accountability, and the scrutiny of public spending. However, in this instance, it is considered that the public interest in maintaining the exemption outweighs

the public interest in disclosure. Releasing the information could distort market competition, damage relationships with suppliers, and reduce the authority's ability to secure value for money in future negotiations.