

**Rachael Edwards**

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**From:** Chris Brown  
**Sent:** 09 January 2017 16:18  
**To:** 'Marcus Chapman'  
**Subject:** RE: Freedom of Information request - notification

Many thanks for the swift reply

Best,

Chris Brown | Senior Policy Advisor, Buses and Taxis Division, Department for Transport  
2/14 | 020 7944- [REDACTED] | [REDACTED]

**From:** Marcus Chapman [mailto:MChapman@kennethbush.com]  
**Sent:** 09 January 2017 16:16  
**To:** Chris Brown  
**Subject:** RE: Freedom of Information request - notification



Evershed House  
23 - 25 King Street  
King's Lynn  
Norfolk PE30 1DU

Tel: 01553 692737  
Fax: 01553 691729  
DX: 57802 King's Lynn  
Website: [www.kennethbush.com](http://www.kennethbush.com)

Dear Chris

I have liaised with my client and cannot see any reason why the Dft should not respond to the FOI request.

Kind regards.

Marcus Chapman  
Partner  
Personal Injury Team  
Dispute Resolution Department  
Kenneth Bush Solicitors  
01553 692737

**From:** Chris Brown [mailto:Chris.Brown@dft.gsi.gov.uk]  
**Sent:** 09 January 2017 12:47  
**To:** [joanne@fact.gb.com](mailto:joanne@fact.gb.com)  
**Cc:** Marcus Chapman <MChapman@kennethbush.com>  
**Subject:** Freedom of Information request - notification  
**Importance:** High

Dear Jo and Marcus,

I write in connect with a request for information (further to the request that Jo and I discussed in July) received by the Department under the terms of the Freedom of Information Act 2000. We have been asked:

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*"I would like to request information under FOIA in relation to the Fenland Association for Community Transport (FACT) and its sister organisations the Huntingdonshire Association for Community Transport (HACT) and the Ely & Soham Association for Community Transport (ESACT).*

*Specifically, I would like copies of all correspondence since December 2014 between the Department for Transport and the above Community Transport Organisations in relation to funding applications for minibuses under the Community Transport Minibus Fund. I would like copies of all the documentation relating to the assessment and processing of those applications, including the completed applications. I would also like copies of the documentation and correspondence in both directions relating to the subsequent investigation (I believe by the Department's Buses and Taxis Division) that led to the temporary suspension of delivery of one or more of those minibuses apparently in connection with State Aid issues.*

-----

Part of the information requested was therefore supplied by you. From my search, that part comprises:

- Various emails between you (on behalf of FACT and HACT) and the [buses@dft.gsi.gov.uk](mailto:buses@dft.gsi.gov.uk) inbox, relating to your bid (and subsequently acceptance) to the Minibus Fund, dating from December 2014 onwards. This includes your initial notification of interest, then follow up emails attaching Section 19 permits and providing vehicle specifications.
- The application forms. These have already been released under an FOI request earlier this year.
- The recent emails (between you and me, and between your solicitor Marcus Chapman and me) concerning the suspension of minibuses and my request for confirmation of State Aid figures for HACT and FACT – up to 16 December 2016, which is the date of the request.

In the final bullet, I believe that correspondence between the Department and the solicitor acting on your behalf falls within the meaning of the request.

Having reviewed the contents of the correspondence, my initial view is that none of the FOI Act exemptions (which allow information to be withheld) apply – except, it is likely that Department officials' names/contact details will be redacted under Section 40 of the Act. You can see explanations of the exemptions at <https://ico.org.uk/for-organisations/guide-to-freedom-of-information/refusing-a-request> if you wish to review them. If you consider that the information should be withheld in reliance on any of the exemptions, please let me have a written explanation of why you think it applies, identifying the harm you consider would come from disclosure. This includes redacting of names/contact details. The final decision on whether the information should be withheld rests with the Department. However, we would take into account your views when making this decision.

Your response must reach me by **16 January** – next Monday - to enable the Department to take your views into account, if you have any. If you do not make any representation by that date, the Department will assume you have no objections to the information being disclosed.

If you would like to discuss any of this, please do give me a call.

Chris



Department for Transport

**Chris Brown**

Senior Policy Advisor, Buses and Taxis Division

2/14, Great Minster House

33 Horseferry Road, London, SW1P 4DR

020 7944 [REDACTED]

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Partners: Peter Denison Jonathan Eales (*Managing Partner*) Sharon Cambridge Paul Croker Amanda Davies Rebecca Hamilton-Bing Julie Easter Marcus Chapman



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**Rachael Edwards**

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**From:** Marcus Chapman <MChapman@kennethbush.com>  
**Sent:** 16 January 2017 15:44  
**To:** Chris Brown  
**Subject:** RE: Fenland Association for Community Transport ("FACT") and Huntingdonshire Association for Community Transport ("HACT")



Evershed House  
23 - 25 King Street  
King's Lynn  
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Tel: 01553 692737  
Fax: 01553 691729  
DX: 57802 King's Lynn  
Website: [www.kennethbush.com](http://www.kennethbush.com)

Dear Mr Brown

Following our meeting with Counsel just over a week ago and having just received all documents from my client for disclosure a final draft has been dictated and should be with you in the next day or so.

Kind regards.

Marcus Chapman  
Partner  
Personal Injury Team  
Dispute Resolution Department  
Kenneth Bush Solicitors  
01553 692737

---

**From:** Chris Brown [mailto:Chris.Brown@dft.gsi.gov.uk]  
**Sent:** 16 January 2017 11:46  
**To:** Marcus Chapman  
**Subject:** RE: Fenland Association for Community Transport ("FACT") and Huntingdonshire Association for Community Transport ("HACT")

Dear Mr Chapman

I hope this finds you well. Could you give me an update on the timing for this please?

Many thanks

Chris

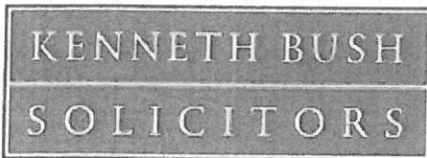
Chris Brown | Senior Policy Advisor, Buses and Taxis Division, Department for Transport  
2/14 | 020 7944 [REDACTED] | [REDACTED]

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**From:** Marcus Chapman [mailto:MChapman@kennethbush.com]  
**Sent:** 06 January 2017 15:35

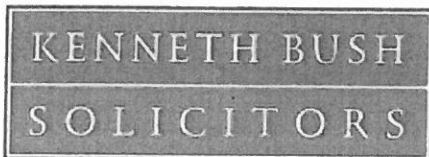
To: Chris Brown <Chris.Brown@dft.gsi.gov.uk>

Subject: Fenland Association for Community Transport ("FACT") and Huntingdonshire Association for Community Transport ("HACT")



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Dear Mr Brown

I refer to our exchange of email of 30<sup>th</sup> November 2016.

I am pleased to advise that my clients and I undertook a conference with Richard Oulton of Counsel at 5 Essex Court this morning, due to the seasonal break and Counsel's diary it was not possible to arrange this meeting earlier.

A detailed response to your email of 10<sup>th</sup> November 2016 is now being prepared and should be with you early next week.

My clients and I are grateful for your forbearance and would expect to move forward with their application to the Community Minibus Fund in the immediate future.

Kind regards.

Marcus Chapman  
Partner  
Personal Injury Team  
Dispute Resolution Department  
Kenneth Bush Solicitors  
01553 692737



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**Rachael Edwards**

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**From:** Joanne Philpott [REDACTED]  
**Sent:** 11 January 2017 14:43  
**To:** Chris Brown  
**Cc:** 'Marcus Chapman'  
**Subject:** RE: Freedom of Information request - notification

Dear Chris,

Thank you for making us aware of this FOI request and details therein.

We do not believe there are any sensitive, confidential or competitive details in the record of transactions between the DfT, Kenneth Bush Solicitors and FACT or HACT, so have no objections to details being released up to and including 16th December 2016.

We note with interest in the explanations of exceptions when a request can be refused on the grounds of cost. Is there any way a member of the public can request from the highest level of government, across all government entities, how much a single requester or alternative requester but same subject has cost the taxpayer over the last 5 years?

Regards

Jo

*Jo Philpott*  
Manager

Fenland Association for Community Transport Ltd  
5 Martin Avenue  
March  
Cambridgeshire  
PE15 0AY

Tel: [REDACTED]  
Fax: 01354 661235  
Web: [www.fact-cambs.co.uk](http://www.fact-cambs.co.uk)

Please note my new email address, [REDACTED]  
Please delete joanne@fact.gb.com from your address book, as this email address will cease working at the end of 2016.

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**From:** Chris Brown [mailto:Chris.Brown@dft.gsi.gov.uk]  
**Sent:** 09 January 2017 12:47  
**To:** joanne@fact.gb.com  
**Cc:** 'Marcus Chapman'  
**Subject:** Freedom of Information request - notification  
**Importance:** High

Dear Jo and Marcus,

I write in connect with a request for information (further to the request that Jo and I discussed in July) received by the Department under the terms of the Freedom of Information Act 2000. We have been asked:

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*"I would like to request information under FOIA in relation to the Fenland Association for Community Transport (FACT) and its sister organisations the Huntingdonshire Association for Community Transport (HACT) and the Ely & Soham Association for Community Transport (ESACT).*

*Specifically, I would like copies of all correspondence since December 2014 between the Department for Transport and the above Community Transport Organisations in relation to funding applications for minibuses under the Community Transport Minibus Fund. I would like copies of all the documentation relating to the assessment and processing of those applications, including the completed applications. I would also like copies of the documentation and correspondence in both directions relating to the subsequent investigation (I believe by the Department's Buses and Taxis Division) that led to the temporary suspension of delivery of one or more of those minibuses apparently in connection with State Aid issues.*

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- The application forms. These have already been released under an FOI request earlier this year.
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Your response must reach me by **16 January** – next Monday - to enable the Department to take your views into account, if you have any. If you do not make any representation by that date, the Department will assume you have no objections to the information being disclosed.

If you would like to discuss any of this, please do give me a call.

Chris



**Chris Brown**  
Senior Policy Advisor, Buses and Taxis Division  
2/14, Great Minster House  
33 Horseferry Road, London, SW1P 4DR  
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