



23 June 2021

James Liddell

request-758752-fd2c9da0@whatdotheyknow.com

Our Ref: 21/FOI/006

Your Ref:

Direct Dial: 0141-333-3787

Email: foi@spt.co.uk

Dear Mr Liddell

Freedom of Information Request: Contract Information M174 C (M174B)

Your request dated 25 May 2021 for information in relation to the above has been considered under the Freedom of Information (Scotland) Act 2002 ("FOISA").

You have requested that Strathclyde Partnership for Transport ("SPT") provides you with the following information:

"..... a copy of all emails, letters etc relating to the request to tender. Submission of tenders and acceptance of tender between SPT and East Ayrshire Council regarding school contract M174 C (M174B) Also the continuation of this contract after the expiry date July 2021 Dates from 1st June 2020 till 25th May 2021"

In response, I attach a copy of e-mails held by SPT covered by your request.

SPT considers that the personal data redacted from the attachment is exempt from disclosure under section 38(1)(b) of FOISA being the personal data of third parties, the disclosure of which would contravene data protection legislation. Accordingly, this correspondence constitutes a notice under section 38(1)(b) advising that SPT will not be disclosing this information.

Please note that the other information redacted from the body of the text in the attachment has been removed because it is unrelated to your request.

SPT holds information on the tenders submitted, but considers that this information is exempt from disclosure under section 33(1)(b) of FOISA, being of a commercially sensitive nature. SPT considers that disclosure of this information would, or would be likely to, prejudice the commercial interests of both SPT and the suppliers involved.

As this exemption is conditional, SPT has considered the public interest in disclosing the information, and weighed that against the public interest in maintaining the exemption to release in the legislation. Having weighed the issues in favour of maintaining the exemption against the issues in favour of disclosing the information, SPT is of the view that the former outweigh the latter.

Accordingly, this correspondence constitutes a notice under section 33(1)(b) advising that SPT will not be disclosing this information at this time.

Please note that the information provided in response to your request is the copyright of SPT. It is supplied to you in terms of FOISA. Any further use by you of this information must comply with the terms of the Copyright, Designs and Patents Act 1988 as amended and/or the Copyright and Rights in Database Regulations 1997.

In particular, any commercial use or re-use of this information not in accordance with the Non-Commercial Government Licence (available at <http://www.nationalarchives.gov.uk/doc/non-commercial-government-licence/version/2/>) requires the prior written consent of SPT.

Requests for such consent should be addressed to Legal and Property, Strathclyde Partnership for Transport, 131 St Vincent Street, Glasgow, G2 5JF, or sent by e-mail to foi@spt.co.uk

Some or all of the information may be subject to third party copyright, in which case the permission of the third party copyright holder may be required. No claim is made in respect of third party copyright.

I hope this information is of assistance to you.

If you are dissatisfied with the way in which SPT has dealt with your request, you are entitled to ask SPT to review its decision. Please note that for a review to take place you must:

- Lodge a written requirement for a review within 40 working days of the date of this letter;
- Include a correspondence address and a description of the original request and the reason why you are dissatisfied.

Any request for review should be addressed to:

Valerie Davidson, Assistant Chief Executive
Strathclyde Partnership for Transport
131 St Vincent Street
Glasgow G2 5JF

E-mail: foi@spt.co.uk

You will receive notice of the results of the review within 20 working days of receipt of your request. The notice will state the decision reached by the reviewing officer as well as details of how to appeal to the Scottish Information Commissioner if you are still dissatisfied with SPT's response.

You must request an internal review by SPT before a complaint can be directed to the Scottish Information Commissioner.

If you have any further queries regarding this process, please do not hesitate to contact me.

Yours faithfully



Karen Millar
Paralegal