

Our Reference: FOI-620

14 May 2019

Email

Victoria Stringer
request-564975-d3833f8d@whatdotheyknow.com

Dear Mrs Stringer,

**FREEDOM OF INFORMATION ENQUIRY: HALIFAX BUS STATION OJEU NOTICE
2018/S 208-475012**

Thank you for your email of 29 March 2019 requesting the following information.

"On the 21st December 2018 you awarded a contract for the Halifax Bus Station - OJEU Notice 2018/S 208-475012.

Please can you provide a copy of the winning bidder's quality submission only? Please exclude any business sensitive information such as commercial / financial information or personnel information."

This request is being handled under the Freedom of Information Act 2000 ("The Act"). Further to our previous email, I can confirm that West Yorkshire Combined Authority ("The Combined Authority") does hold information covered by your request, which is attached.

Please note that some information has been redacted under Section 40(2) of the FOI Act which provides for the protection of personal information. Section 40 prohibits a public body from disclosing personally identifiable information as doing so would contravene data protection principles. Section 40(2) is an absolute exemption and therefore not subject to the public interest test when considering disclosure of information.

In addition, we have also redacted information deemed to be commercially sensitive under Section 43(2) of the FOI Act, which exempts from the general duty to release information which would, or would be likely to, prejudice the commercial interests of any entity, including the public authority holding the information.

Section 43 is a qualified exemption and as such, we are required to assess the public interest in withholding this information against that of its release, which is outlined below.

The Combined Authority is committed to openness and transparency and recognises a general public interest in local government spending and activities.

However, we also take into account that this information is commercially sensitive as if this information was to be released into the public domain, it would give competitors an unfair advantage in any future tendering processes of a similar nature. This weakens both the commercial position of third party organisations in future tendering activities as well as the ability of public authorities to obtain value for money with regards to the use of public funds, as said tendering processes would likely be compromised.

For these reasons, we consider that the public interest in maintaining the exemption outweighs that of disclosure.

I trust the above is to your satisfaction. However, if you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to me.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Telephone: 0303 123 1113/01625 545745

Website: www.ico.gov.uk

For your information, there is no charge for making an appeal.

Yours sincerely,

A Grindrod
Information Governance Officer
freedom.info@westyorks-ca.gov.uk