



23 April 2021

[REDACTED]

Dear [REDACTED]

Freedom of Information Request – reference CA116

I write with reference to your request for information received on 24 March 2021 (reference CA116) please find the response provided below.

Question:

Please can you provide a copy of all letters received by the mayor/his office from Luke Hall MP in January, February and March 2021?

Answer

The letters found to fall within the scope of this request are itemised below, and accompany this letter.

1. Letter from Luke Hall MP to Members of the Cambridgeshire and Peterborough Combined Authority Board dated 11 March 2021 – Cambridgeshire and Peterborough Affordable Housing Programme.
2. Letter from Luke Hall MP to Council Leaders, Principle Councils in England dated 25 March 2021 – Local Authority Meetings

In relation to that which does not, in particular any letter or correspondence from the Minister to the Mayor of the Cambridgeshire and Peterborough Combined Authority the following exemptions apply:

Section 41 exemption

Section 41(1) of the Act provides that:

41.— Information provided in confidence.

(1) Information is exempt information if—

(a) it was obtained by the public authority from any other person (including another public authority), and

(b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

The Mayor's Office
72 Market Street
Ely
Cambs
CB7 4LS

The Information Commissioner's guidance on the application of this exemption is available at:

<https://ico.org.uk/media/for-organisations/documents/1432163/information-provided-in-confidence-section-41.pdf>

The guidance confirms that:

Information will be covered by Section 41 if:

- *it was obtained by the authority from any other person,*
- *its disclosure would constitute a breach of confidence.*
- *a legal person could bring a court action for that breach of confidence, and*
- *that court action would be likely to succeed*

When determining if disclosure would constitute a breach of confidence, the authority will usually need to consider:

- *whether the information has the quality of confidence,*
- *whether it was imparted in circumstances importing an obligation of confidence, and*
- *whether disclosure would be an unauthorised use of the information to the detriment of the confider.*

[...]

When determining if an action for breach of confidence would be likely to succeed, the authority will need to consider whether there would be a public interest defence to the disclosure.

The exemption is designed to give those who provide information on a confidential basis a degree of assurance that their confidences will continue to be respected, should the information fall within the scope of a freedom of information request, unless and until they provide express permission that it may be disclosed.

In this instance, while officers of the Cambridgeshire and Peterborough Combined Authority have continued to seek the consent of the party to that correspondence (the Minister of state Luke Hall MP) up to the date of this letter, it has not yet been given. Officers will continue to follow up the request for consent.

It is possible that such correspondence is caught by the exemption contained within section 36 of the Act, which provides:

36 - Prejudice to the effective conduct of public affairs

Information is exempt if disclosure would or would be likely to:

- (a) prejudice collective responsibility or the equivalent in Wales and Northern Ireland;
- (b) inhibit the free and frank provision of advice or exchange of views; or
- (c) otherwise prejudice the effective conduct of public affairs.

However, as the information is exempt by virtue of Section 41 of the Act, that exemption takes priority unless and until consent is provided, and the public interest lies in maintaining the exemption. It is important to maintain a forum in correspondence for free and frank

The Mayor's Office
72 Market Street
Ely
Cambs
CB7 4LS

discussion to take place under cover of confidentiality, and to not provide this would prejudice the effective conduct of public affairs.

Aside from those items referred to above and disclosed with this response, your request is therefore refused on the basis that the information requested is exempt from disclosure under Section 41 of the Act.

I hope this response is clear but if you are unhappy with the service you have received in relation to your request and wish to make a complaint or request a review, you should write to us via our contact us email address contactus@cambridgeshirepeterborough-ca.gov.uk or write a letter to Complaints, Cambridgeshire and Peterborough Combined Authority, the Mayor's Office, 72 Market Street, Ely, Cambs CB7 4LS within 40 days of the date of this e-mail.

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, or via their website: <https://ico.org.uk/>

Generally, the ICO will not undertake a review or make a decision on a request until the internal review process has been completed.

Yours sincerely



Governance Assistant



Ministry of Housing,
Communities &
Local Government

Luke Hall MP

Minister for Regional Growth and Local Government

**Ministry of Housing, Communities and Local
Government**

Fry Building
2 Marsham Street
London
SW1P 4DF

Members of the
Cambridgeshire and Peterborough
Combined Authority Board

Tel: 0303 444 3440
Email: Luke.Hall@communities.gov.uk

www.gov.uk/mhclg

11 March 2021

Dear Combined Authority Board Members,

Cambridgeshire and Peterborough Affordable Housing Programme

As you know, my officials have been working with your officers to review progress on the £100m Cambridgeshire and Peterborough Affordable Housing Programme.

I have concluded that the programme has made insufficient delivery progress and that the value for money being achieved is below our expectations. I will not be extending the timeframe or continuing to fund the programme on its current basis.

However, rather than closing the programme at this point, I remain committed to enabling investment in schemes that will deliver further affordable housing, at pace, in Cambridgeshire and Peterborough.

I have confirmed to Mayor Palmer that the Department will, subject to further work on the details, consider making further funding available to CPCA for the delivery of affordable housing by 31 March 2022.

Yours sincerely,

LUKE HALL MP



Ministry of Housing,
Communities &
Local Government

Luke Hall MP

Minister of State for Regional Growth and Local Government

Ministry of Housing, Communities and Local Government

Fry Building
2 Marsham Street
London
SW1P 4DF

Council Leaders
Principal Councils in England

Tel: 0303 444 3440

Email: luke.hall@communities.gov.uk

www.gov.uk/mhclg

25 March 2021

Dear Colleague,

LOCAL AUTHORITY MEETINGS

It is just over a year to the day since the Prime Minister asked us all to stay at home, and local authorities across England have risen magnificently to the challenges of this period. There has been a dramatic shift in your day-to-day operations, alongside new difficulties and demands, and I commend the efforts of all councillors and officers in supporting your communities and ensuring vital business continues during these unprecedented times.

As you will be aware, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 do not apply to meetings on or after 7 May 2021.

Extending the regulations to meetings beyond May 7 would require primary legislation. The Government has considered the case for legislation very carefully, including the significant impact it would have on the Government's legislative programme which is already under severe pressure in these unprecedented times. We are also mindful of the excellent progress that has been made on our vaccination programme and the announcement of the Government's roadmap for lifting Covid-19 restrictions. Given this context, the Government has concluded that it is not possible to bring forward emergency legislation on this issue at this time.

As outlined in the Government's Spring 2021 Covid-19 Response, our aim is for everyone aged 50 and over and people with underlying health conditions to have been offered a first dose of the Covid-19 vaccine by 15 April, and a second dose by mid-July. While local authorities have been able to hold meetings in person at any time during the pandemic with appropriate measures in place, the successful rollout of the vaccine and the reduction in cases of Covid-19 should result in a significant reduction in risk for local authority members meeting in person from May 7, as reflected in the Government's plan to ease Covid-19 restrictions over the coming months.

I recognise there may be concerns about holding face-to-face meetings. Ultimately it is for local authorities to apply the Covid-19 guidance to ensure meetings take place safely, but we have updated our guidance on the safe use of council buildings to highlight ways in which you can, if necessary, minimise the risk of face-to-face meetings, and we will work with

sector representative bodies to ensure that local authorities understand the guidance and are aware of the full range of options available to them.

You can find the updated guidance here: www.gov.uk/government/publications/covid-19-guidance-for-the-safe-use-of-council-buildings/covid-19-guidance-for-the-safe-use-of-council-buildings.

These options would include use of your existing powers to delegate decision making to key individuals such as the Head of Paid Service, as these could be used these to minimise the number of meetings you need to hold if deemed necessary. Additionally, some of you will be able to rely on single member decision making without the need for cabinet meetings if your constitution allows.

While I appreciate that a greater number of authorities will be subject to elections this year due to the postponement of the 2020 elections, those councils who are not subject to elections could also consider conducting their annual meetings prior to 7 May, and therefore do so remotely while the express provision in current regulations apply. As you will know, councils who are subject to elections are statutorily required to hold their annual meeting within 21 days of the elections. The Government's roadmap proposes that organised indoor meetings (e.g. performances, conferences) are permitted from 17 May, subject to Covid secure guidelines and capacity rules. On this basis, councils should consider the extent to which their annual meetings (and any other meetings) can operate on the same basis as other local institutions in their area, taking into account their individual circumstances and requirements.

If your council is concerned about holding physical meetings you may want to consider resuming these after 17 May, at which point it is anticipated that a much greater range of indoor activity can resume in line with the Roadmap, such as allowing up to 1,000 people to attend performances or sporting events in indoor venues, or up to half-capacity (whichever is lower).

Finally, while you do have a legal obligation to ensure that the members of the public can access most of your meetings, I would encourage you to continue to provide remote access to minimise the need for the public to attend meetings physically until at least 21 June, at which point it is anticipated that all restrictions on indoor gatherings will have been lifted in line with the Roadmap. However, it is for individual local authorities to satisfy themselves that they have met the requirements for public access.

I am grateful for the efforts that local authorities have made to allow remote meetings in their area and recognise that there has been a considerable investment of time, training and technology to enable these meetings to take place, and I am aware that some authorities, though by no means all, have made calls for the Government to make express provision for remote meetings beyond the scope of the pandemic. I am today launching a call for evidence on the use of current arrangements and to gather views on the question of whether there should be permanent arrangements and if so, for which meetings. There are many issues to consider and opinions on the detailed questions vary considerably. This will establish a clearer evidence base of opinion and enable all the areas to be considered before further decisions are made. The Government will consider all responses carefully before deciding to how to proceed on this issue.

I am copying this letter to the Mayor of London, the chairs of the Local Government Association and the National Association of Local Councils, as well as the Home Secretary and the Secretary of State for the Environment, Food and Rural Affairs in respect of other authorities covered by the current meetings regulations, including fire and rescue authorities, police and crime panels, national park authorities, the Broads Authority, and conservation boards.

Yours sincerely,



LUKE HALL MP

Cc. Rt Hon Priti Patel MP, Home Secretary
Rt. Hon. George Eustice MP, Environment Secretary
Sadiq Khan, Mayor of London
Cllr. James Jamieson, LGA Chairman
Cllr. Sue Baxter, NALC Chairman