

31 March 2022

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]



**CAMBRIDGESHIRE  
& PETERBOROUGH**  
COMBINED AUTHORITY

Dear [REDACTED]

**Re: Freedom of Information request ref CA156**

Thank you for your request for information received on 3 March 2022. The response is given below:

***Request – Question 1***

*I would like all correspondence between the combined authority and east cambridgeshire district council in respect of the application for market towns funding.*

**Response – Question 1**

Your request has been considered and is refused under section 12 of the Act "Requests where the cost of compliance exceeds the appropriate limit".

Link to the ICO document: [costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf \(ico.org.uk\)](#)

This is because the cost of locating and retrieving the information exceeds the "appropriate limit" of £450 as stated in the Freedom of Information Act.

To access this information, it would be necessary to search in excess of 300 emails. At an estimated 15 minutes per record this would take 75 hours of officer time. At £25 per hour we estimate that it would cost approximately £1,850 to comply with this question.

**Request – Question 2**

*Specifically I would like details of the application for £325,000 made by East Cambs Council in respect of funding for a business centre for Viva Arts. I have a copy of the appraisal of the bid considered by the combined authority board but I request an actual copy of the bid itself (it seems only sensible since the appraisal report now in the public domain makes little sense without the business plan it was evaluating).*

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

## Response – Question 2

The Combined Authority does hold the information you have requested. Viva Arts has been consulted on the disclosure of their information. The bid is attached but Viva Arts felt that some of the information within the bid is classified as commercially sensitive and disclosure of the information would severely prejudice the commercial interests of the company. The company objects to disclosure on the grounds set out in Section 43 of the 2000 Act, therefore, a section on page 16 has been redacted.

The Authority has also considered the application of the exemption at Section 43 of the Act.

Section 43(2) of the Freedom of Information Act 2000 [“the Act”] provides that:

*(2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it)*

The Information Commissioner’s guidance on the commercial interests exemption at Section 43 is available at:

<https://ico.org.uk/for-organisations/section-43-commercial-interests/>

In order for this exemption to be engaged the following criteria must be met:

- *the actual harm which the public authority alleges would, or would be likely to, occur if the withheld information was disclosed has to relate to the applicable interests within the relevant exemption;*
- *the public authority must be able to demonstrate that some causal relationship exists between the potential disclosure of the information being withheld and the prejudice which the exemption is designed to protect. Furthermore, the resultant prejudice which is alleged must be real, actual or of substance; and*
- *it is necessary to establish whether the level of likelihood of prejudice being relied upon by the public authority is met – ie disclosure ‘would be likely’ to result in prejudice or disclosure ‘would’ result in prejudice.*

The guidance explains that:

*“would...prejudice” means that prejudice is more probable than not, ie that there is a more than 50% chance of the disclosure causing the prejudice, even though it is not absolutely certain that it would do so. “Would be likely to prejudice” is a lower threshold. It means that there must be more than a hypothetical or remote possibility of prejudice occurring; there must be a real and significant risk of prejudice, even though the probability of prejudice occurring is less than 50%.*

And defines “commercial interest” as follows:

*“...a commercial interest relates to a person’s ability to participate competitively in a commercial activity, i.e. the purchase and sale of goods or services.”*

Section 43(2) is a qualified exemption and is therefore subject to public interest considerations.

It is the Combined Authority’s view that disclosure of the financial details in the funding application form submitted for the Soham Station Business Centre project submitted by Viva Arts and Community Group would be likely to prejudice the commercial interests of both the Authority and Viva Arts and Community Group, for the reasons given above.

The information requested contains commercially sensitive information about the individual participants’ financial details which is required for providing the funding.

The Section 43(2) exemption is therefore engaged. The Combined Authority must therefore consider the balance of public interest in deciding whether to disclose the information.

There is clearly a general public interest in public bodies being open, transparent and accountable particularly in the context of the expenditure of public funds.

However, there is also a public interest in third parties who are seeking funding having confidence in commercial information that they provide as part of the funding relationship being treated confidentially, given that it may provide a competitor advantage to know that information.

On balance the Combined Authority takes the view that the public interest arguments in favour of maintaining the exemption and withholding the information, in particular the arguments about the likely prejudice to both the Authority’s and participants’ commercial interests, outweigh the public interest arguments in favour of disclosure.

The bid is attached but some information is redacted and is therefore refused on the basis that the information requested is exempt from disclosure under Section 43 of the Act.

### ***Request Question 3***

*Who submitted the bid, when was it made, and copies of the bid application and all related correspondence.*

### **Response Question 3**

The bid was submitted by East Cambs District Council on behalf of Viva Arts and Community Group on 15 December 2021. The deadline for receipts of the bids was w/c 20 December. A copy of the redacted bid (as per Question 2) is attached.

Your request for all related correspondence has been considered and is refused under section 12 of the Act “Requests where the cost of compliance exceeds the appropriate limit”.

Link to the ICO document: [costs\\_of\\_compliance\\_exceeds\\_appropriate\\_limit.pdf \(ico.org.uk\)](https://ico.org.uk/your-data-matters/understanding-your-rights/requests-where-the-cost-of-compliance-exceeds-the-appropriate-limit/)

This is because the cost of locating and retrieving the information exceeds the "appropriate limit" of £450 as stated in the Freedom of Information Act.

To access this information, it would be necessary to search in excess of 300 emails. At an estimated 15 minutes per record this would take 75 hours of officer time. At £25 per hour we estimate that it would cost approximately £1,850 to comply with this question.

I hope this information is helpful 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: [democratic.services@cambridgeshirepeterborough-ca.gov.uk](mailto:democratic.services@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



**Sue Hall**  
Governance Assistant

## CPCA MARKET TOWNS PROGRAMME FUNDING APPLICATION FORM

APPLICANT DETAILS			
<b>Project Title</b>	SOHAM STATION BUSINESS CENTRE		
<b>Market Town</b>	SOHAM.		
<b>Lead Authority</b>	Viva Arts and Community Group		
<b>UK Registered Address</b>	The Viva Theatre Spencer Drove Soham Cambs CB7 6EE		
<b>Contact Person</b> <small>(please include job title and project role)</small>	Mr Daniel Schumann		
<b>Contact Telephone</b>	07974 303 464		
<b>Contact Email</b>	<a href="mailto:ds@danielschumann.co.uk">ds@danielschumann.co.uk</a>		
<b>VAT Registration Number</b>	TBC	<b>Companies House Registration Number</b>	06448490
<b>Number of Employees</b>			
<b>Key Documents in Place</b>	Equal Opportunities/Diversity Policy	Yes	
	Modern Slavery Policy	Yes	
	Health & Safety Policy	Yes	
<b>We do not require copies of these policies at this stage, please circle as appropriate</b>			

## PROJECT DETAILS

**Project Description – please provide details of the project and what specifically will be delivered (please refer to the Investment Prospectus and Guidance)**

**SOHAM STATION BUSINESS & COMMUNITY CENTRE – “SPENCER MILL”**

**CAPITAL GRANT APPLICATION FOR £325,000**

### **ADDITIONAL BUSINESS COMMUNITY SPACE WITH EXCELLENT LOCATION**

Spencer Mill is a three-storey former mill building, dating from the late 19th century and stands in an area of the town where milling took place for centuries. The site was closed in the 1980's and became derelict. It is an important remnant of Soham's industrial heritage and one that has now been stylishly renovated into a new community facility and theatre. It is one of six projects across the Midlands and East of England which drive diversity, inclusion and wellbeing in local areas. The project received Heritage funding support.

This is an opportunity for Soham to further develop a much-needed state-of-the-art community hub and business facility, with a strategic location next to Soham's new railway station and close to the town.

The recent £2.4M investment at Spencer Mill completed the **first phase** of the project. It is now an operational theatre and with some additional facilities, could expand its function as a working and/or learning environment. The ultimate vision is to be an integral place within Soham for business, education and the arts community.

A successful funding bid would see the **second phase**, including; 1) an extension to the top floor (shown in red on plans) to be used for co-working space. This optimises the entire top floor allowing the present meeting room to be better utilised. 2) the installation of external office-pods to the rear of the site. This adds more flexible office space, makes the office rental offering visible to passers-by, and gives better returns than its current use as the end of the overflow car park. 3) the creation of a conservatory style space on the ground floor (shown in blue on the plans). This creates a multipurpose area for meetings or receptions depending on the requirement. Overall these three additions triple the actual area of flexible work space, and enhance the functionality and facilities of all three floors.

A later **third phase** could see an additional extension to the main building, offering a large open plan training space and an additional external office pod.

Flexible building space allows for varying clientele; from theatre goers, training providers, to business organisations. This flexibility also helps to secure a daytime income stream as opposed to solely an evening one, effectively doubling the economic pull.

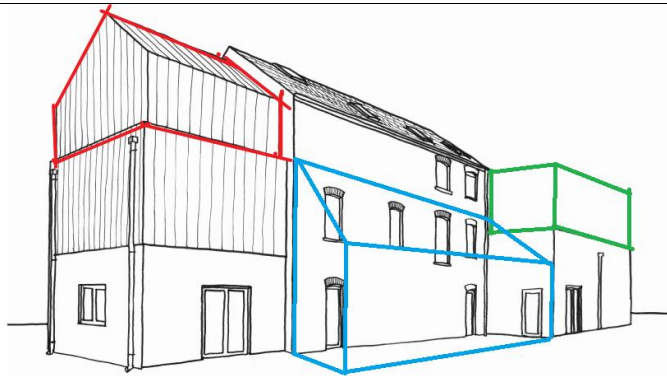
**The completed vision for the site, once all three phases are complete, is to be a thriving, well-connected business community and training hub, operating throughout the day and alongside the existing community hub and theatre that extends into the evening and weekend economy.**

Viva Arts and Community makes this bid with the full support of East Cambs District Council

New Spencer Mill Theatre





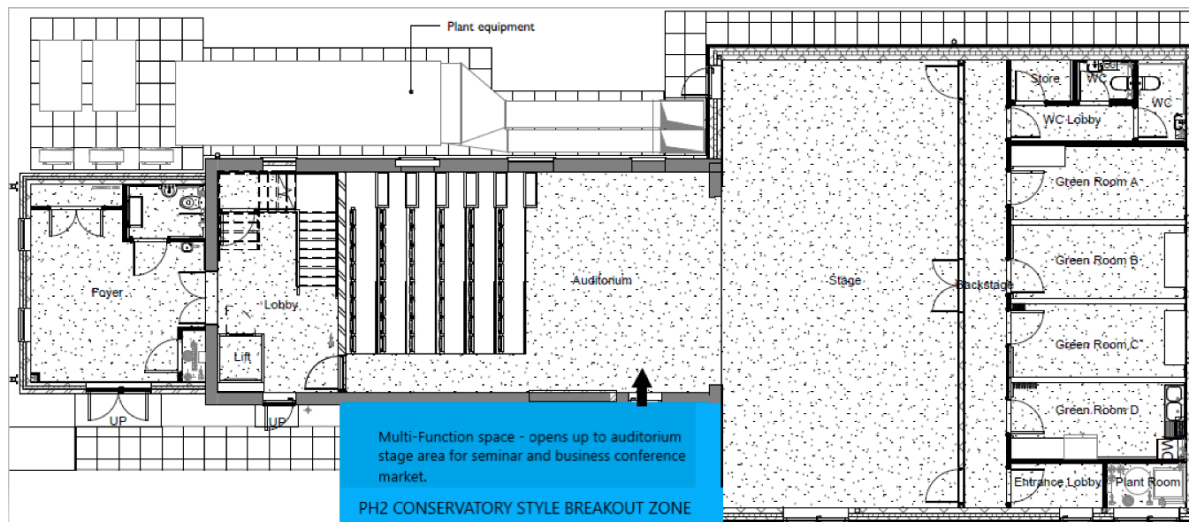
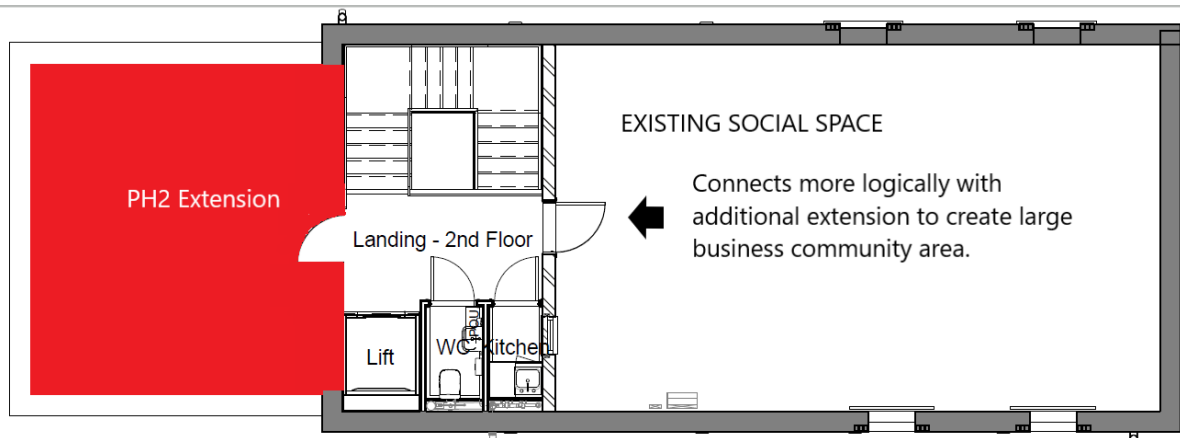


**Proposed Sketch View**  
Proposed view from south-east at ground floor level  
Not to scale

Phase 2 Second floor extension  
(red outline)

Phase 2 Conservatory style  
extension (blue outline)

Future Skills outreach extension  
(green outline)







**Ph 2 Eco Pod (W 9.71m x D 3.91m x H 2.5m)**



**Project Partners - please list any key partners in the project and the engagement on the project to date**

VIVA Arts and Community Group, ECDC.

**Proposed project Start date**

Q4 2021/22

**Proposed project Completion date**

By Q4 2022/23

(Please note: CPCA Market Towns funding must be spent by the project delivery body by 31 March 2022)

**Key Milestones – please detail project phasing to delivery**

Activity	Estimated Start	Estimated Completion
Bid approved		28.01.2022
Planning Application	28.02.2022	01.06.2022
Procurement	01.03.2022	15.08.2022
Construction	15.07.2022	01.12.2022
Opening	Dec 2022	

**PROJECT DELIVERABLES**



**Project Outcomes - please indicate how the project will deliver against job outputs and wider economic outcomes, including any increases in productivity and volumes of trade exports (please refer to the Investment Prospectus and Guidance)**

This bid is to support the deliverables shown in this table.

**Summary of Deliverables (Phase 2)**

	Phase 1 (complete)	Phase 2	Phase 3 (future)
<b>Apprenticeships/Employees</b>	0	2	>5
<b>Training</b>	0	0	TBA (>100 per annum)
<b>Cycle, road &amp; footpath</b>	0	125m	0
<b>Community Space</b>	294 sqm	0	0
<b>Work Pod Space</b>	0	64 sqm	64sqm
<b>'Conservatory' Space</b>	0	50 sqm	0sqm
<b>Office Space</b>	61 sqm	26 sqm	161 sqm
<b>Totals</b>	355 m2	140sqm	225 sqm

- Additional commercial space of 140 sqm
- Construction of an additional second floor space (26msq) which joins with 61sqm of ph1 space to create a flexible business suite (87sqm). This is an important upgrade that makes this area possible to utilise, in a number of configurations for business community use (and also wider community).
- Construction of Ground floor Conservatory style community space connecting to the 70+ seat auditorium. Multi-functional space that connects with theatre/ catering area. Theatre becomes a functional business community destination for conferences, training, seminars or events.
- Construction of External work pod located in Spencer Mills large parking area. Fully connected 64 Sqm pod suited to hybrid use for commuters and for example, local work from home users or organisations.
- Contribution towards the upgrade of approximately 125sqm of pedestrian/cycle and road connection to the station
- Capital funding that allows Viva to progress is community hub vision and a catalyst which encourages further funding to the final phase3. This linked to outreach training facilities within East Cambs.

**Which key sector(s) does this project intend to support?**



Business services, Hospitality, Culture - training	
<b>Is the project part of a wider development/programme/project? If so, please provide details</b>	
This is a standalone project and is not dependent on the completion of any others. However, it complements the reopening of Soham railway station and retains/draw workers into the town. The projects wider ambition is explained above.	
<b>What is the current status of your project (or key elements)?</b>	
<b>E.g. In development, Outline design, Planning approved, Ready to start or Project underway?</b>	
Awaiting decision bid decision and then planning consent application to East Cambs DC, who support this bids application	
<b>Is Planning Permission required? If so, by when is this anticipated?</b>	
Yes 2022	
<b>If the project includes development or redevelopment of land or premises, please indicate whether your organisation has control of the site or when you expect to have control or ownership</b>	YES
Site Controlled by the applicant.	

SITE DETAILS (FOR CONSTRUCTION PROJECTS)	
Location	
Site Ownership	
Current Use	
Proposed Use	
Site Area (ha)	
Existing Built Floorspace (sqm)	
Planning Permissions?	
Section 106 Agreements?	
Existing Land Charges or Restrictions?	

SITE DETAILS (FOR REFURBISHMENT PROJECTS)	
Location	
Site Ownership	
Current Use	
Proposed Use	



<b>Site Area (ha)</b>	
<b>Existing Built Floorspace (sqm)</b>	
<b>Planning Permissions?</b>	
<b>Section 106 Agreements?</b>	
<b>Existing Land Charges or Restrictions?</b>	

PROJECT OUTPUTS 2020/21					
Project Outputs - please indicate how the project will deliver against the outputs below – complete only those that apply to your project.					
<b>Employment &amp; Skills</b>					
Number of permanent jobs to be created	Number of temp jobs to be created	Number of indirect jobs to be created	Number of apprenticeships to be established – Level 1	Number of apprenticeships to be established – Level 2	Number of apprenticeships to be established – Level 3
Area of learning/training space improved (m2)	Area of learning/training floorspace rationalised (m2)	New learners assisted (on courses to full qualification)			
<b>Business &amp; Enterprise</b>					
Number of businesses receiving grant support (high street/town centres)	Number of businesses receiving grant support (wider town)	Number of businesses receiving non-financial support			
<b>Commercial</b>					
Area of commercial floorspace to be created (m2)	Area of commercial floorspace to be refurbished (m2)	Area of public realm / outside space improved or enhanced (m2)	Area of commercial land / floorspace rationalised (m2)	Number of commercial premises with improved broadband access	
<b>Transport</b>					
Length of new cycleway to be created (m)	Length of new footpaths to be created (m)	Number of new public transport services			

Development Sites & Housing					
Area of land to be developed (hectares)	Number of new housing units/dwellings to be created	Number of new housing units/dwellings to be refurbished			
Community					
Area of new community floorspace to be created (m2)	Area of community floorspace to be refurbished (m2)	Area of community floorspace rationalised (m2)	Number of community groups receiving grant support		



PROJECT OUTPUTS 2021/22					
Project Outputs - please indicate how the project will deliver against the outputs below – complete only those that apply to your project.					
<b>Employment &amp; Skills</b>					
Number of permanent jobs to be created	Number of temp jobs to be created	Number of indirect jobs to be created	Number of apprenticeships to be established – Level 1	Number of apprenticeships to be established – Level 2	Number of apprenticeships to be established – Level 3
50 full time equiv.					
Area of learning/training space improved (m2)	Area of learning/training floorspace rationalised (m2)	New learners assisted (on courses to full qualification)			
<b>Business &amp; Enterprise</b>					
Number of businesses receiving grant support (high street/town centres)	Number of businesses receiving grant support (wider town)	Number of businesses receiving non-financial support			
<b>Commercial</b>					
Area of commercial floorspace to be created (m2)	Area of commercial floorspace to be refurbished (m2)	Area of public realm / outside space improved or enhanced (m2)	Area of commercial land / floorspace rationalised (m2)	Number of commercial premises with improved broadband access	
<b>Transport</b>					
Length of new cycleway to be created (m)	Length of new footpaths to be created (m)	Number of new or improved public transport services			

<b>Development Sites &amp; Housing</b>					
Area of land to be developed (hectares)	Number of new housing units/dwellings to be created	Number of new housing units/dwellings to be refurbished			
<b>Community</b>					
Area of new community floorspace to be created (m2)	Area of community floorspace to be refurbished (m2)	Area of community floorspace rationalised (m2)	Number of community groups receiving grant support		

PROJECT OUTPUTS 2022/23 (Onwards)					
Project Outputs - please indicate how the project will deliver against the outputs below – complete only those that apply to your project.					
<b>Employment &amp; Skills</b>					
Number of permanent jobs to be created	Number of temp jobs to be created	Number of indirect jobs to be created	Number of apprenticeships to be established – Level 1	Number of apprenticeships to be established – Level 2	Number of apprenticeships to be established – Level 3
Area of learning/training space improved (m2)	Area of learning/training floorspace rationalised (m2)	New learners assisted (on courses to full qualification)			
<b>Business &amp; Enterprise</b>					
Number of businesses receiving grant support (high street/town centres)	Number of businesses receiving grant support (wider town)	Number of businesses receiving non-financial support			
<b>Commercial</b>					
Area of commercial floorspace to be created (m2)	Area of commercial floorspace to be refurbished (m2)	Area of public realm / outside space improved or enhanced (m2)	Area of commercial land / floorspace rationalised (m2)	Number of commercial premises with improved broadband access	
<b>Transport</b>					
Length of new cycleway to be created (m)	Length of new footpaths to be created (m)	Number of new or improved public transport services			

<b>Development Sites &amp; Housing</b>					
Area of land to be developed (hectares)	Number of new housing units/dwellings to be created	Number of new housing units/dwellings to be refurbished			
<b>Community</b>					
Area of new community floorspace to be created (m2)	Area of community floorspace to be refurbished (m2)	Area of community floorspace rationalised (m2)	Number of community groups receiving grant support		

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Official Document: CPCA Market Town Programme – Application Form (June 2020)

PROJECT RISKS
<b>What are the key risks associated with the project and identified mitigation measures?</b>
<p>Risks associated with planning consent – new planning application required (determination rests with ECDC). Project has been kept relatively simple and considered around maximising planning consent</p> <p>Risks with procurement (working with budgetary quotes) – To be remedied if bid is awarded as per previous successful applications.</p>
<b>Do you have any additional comments/information to support your application?</b>

DECLARATION	
<ul style="list-style-type: none"> <li>I/We certify that to the best of our knowledge the information provided is a true and accurate reflection of our business circumstances. If this is found not to be the case the application will be declined without any further reference to us.</li> <li>I/We authorise Cambridgeshire &amp; Peterborough Combined Authority (CPCA) undertake any searches or other investigations deemed necessary in the assessment of my/our application. CPCA is under no obligation to notify me/us of the nature of these searches.</li> <li>I/We authorise CPCA to notify HM Government Ministry of Housing, Communities &amp; Local Government (MHCLG) and any of its subsidiaries of our application, where, in the opinion of CPCA, alternative and more appropriate sources of funding may be available.</li> <li>I/We confirm that CPCA may make enquiries of any person who may have access to information relevant to my/our application without prior reference to me/us.</li> <li>I/We agree that CPCA may use our company name in conjunction with their marketing activities.</li> <li>I/We agree that CPCA's decision is final.</li> <li>I/We have read and understood the features and eligibility criteria of the Programme.</li> </ul>	
<b>Signature</b>	
<b>Name</b>	Mr Daniel Schumann
<b>Position</b>	Director Viva arts and Community
<b>Date</b>	15.12.21

## APPLICATION CHECKLIST

Please check you have included copies the following with your completed application:

- A completed and signed application form
- A spreadsheet setting out the timeline for drawing down funds against key project milestones
- A project cashflow spreadsheet (setting out all project costs and Market Towns funding)
- A completed Project Plan (template provided)
- A completed Risk Log (template provided)
- Lead organisation Health & Safety Policy
- Lead organisation Anti Slavery Policy
- Lead organisation Equal Opportunity Policy

Please note

- Submissions must be electronic
- Applicants agree to the information contained in this form being processed by Cambridgeshire & Peterborough Combined Authority for the express use of statistical analysis

## COMPLETED APPLICATIONS

Please return completed Application forms to:

[Domenico.Cirillo@cambridgeshirepeterborough-ca.gov.uk](mailto:Domenico.Cirillo@cambridgeshirepeterborough-ca.gov.uk)

If you have any queries, please contact the CPCA on 01480 277180