

3 August 2022



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Dear [REDACTED]

Re: Freedom of Information request ref CA178

Thank you for your request for information received on 6 July 2022. The response is given below:

Request

In 2020 the £79,600,000 was awarded to Cambridgeshire Combined authority for Green Homes Grant Local Authority Delivery, Phase 2. I would like to see a detailed spending report of this grant.

Response

Information on the Green Homes Grant Local Authority Delivery can be found on the BEIS website and the CPCA website. Links are given below:

The Department for Business, Energy & Industrial Strategy (BEIS) have the responsibility to publish the scheme statistics and they are accessible on the gov.uk website. Link: [Green Homes Grant Local Authority Delivery \(LAD\) release, July 2022 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/news/green-homes-grant-local-authority-delivery-lad-release-july-2022)

CPCA publish accounts as part of normal operations and they are published on the Combined Authority website: [Finance Library - Cambridgeshire & Peterborough Combined Authority \(cambridgeshirepeterborough-ca.gov.uk\)](https://www.cambridgeshirepeterborough-ca.gov.uk/finance-library)

Further detailed information is held by the Cambridgeshire and Peterborough Combined Authority but it is felt that some of the information is classed as commercial sensitivity and disclosure of the information would severely prejudice the commercial interests of the company. The Combined Authority are operating a tender process for appointment of suppliers into the successor Sustainable Warmth scheme and there will be a transfer of eligible applications from one scheme to another.

The Information Commissioner's guidance on the commercial interests is below:

[Section 43 - Commercial interests | ICO](#)

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

- *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 would be likely to prejudice the commercial interests of both the Authority and the individual operators in the procurement process.

Were the Authority to disclose the information requested it could affect its ability to contract services at a competitive rate in the future by making potential bidders reluctant to engage with procurement exercises for fear of any commercially sensitive information provided in their bid being disclosed to their competitors. Parties who were well placed to submit competitive bids in future procurement exercises might therefore decide not to do so thereby undermining the Authority’s ability to procure goods and services at competitive rates and prejudicing its commercial interests.

The information requested contains commercially sensitive information about the individual participants’ business models, pricing and methodologies for providing the required service.

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 public bodies being able to procure goods and services effectively without potential bidders being reluctant to participate for fear of their commercially sensitive information being disclosed to competitors.

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.

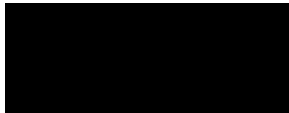
Your request for information is therefore refused on the basis that the information requested is exempt from disclosure under Section 43 of the Act.

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 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

