

24 March 2023



**CAMBRIDGESHIRE
& PETERBOROUGH**
COMBINED AUTHORITY

Dear [REDACTED]

Re: Freedom of Information request ref CA208

Thank you for your request for information received on 13 February 2023. Please accept our apologies for the late response. The response is given below:

Question

Please could you also provide a copy of any CPCA correspondence (including mail and meeting minutes) from June 2022 to present relating to the provision of the bus service between Cambourne and St Neots.

Response

This information is held. There are 12 email trails. The emails found that fall within the scope of this request are attached and the subject titles are given below.

- Bedford timetable changes
- FW_Cambourne stop on the 905
- FW_Details of bus routes from October 30th
- RE_Cambourne 905 and beyond
- RE_Details of bus routes from October 30th
- RE_Details of bus routes from October 30th
- RE_FW_Cambridge to Cambourne bus service – reintroduce the Cambourne stop on the 905
- Re_New Bus Services – 905
- RE_URGENT feedback and enquiries re Service 18_St Neots to Cambourne
- FW_New submission on HubSpot Form_Public Transport Contact Us_
- Contact Us submission for your team
- FW_Contact Us submission for your team

In relation to emails from external sources, the following exemption applies:

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

[information-provided-in-confidence-section-41.pdf \(ico.org.uk\)](#)

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. Consent has not been given to share this information to a third party so the Combined Authority will breach confidence if it discloses the information.

Article 5(1)(a) of the General Data Protection Regulation [GDPR] requires personal data to be processed lawfully, fairly and in a transparent manner in relation to the data subject.

In order for processing to be lawful, one of the lawful bases listed in Article 6(1) of the GDPR must apply to the processing, which must also be generally lawful. In the absence of [REDACTED] basis is Article 6(1)(f) which states:

"... processing is necessary for the purposes of legitimate interests pursued by the controller or by the third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require the protection of personal data, in particular where the data subject is a child".

This information is withheld and has been redacted.

Names of junior members of staff of Cambridgeshire and Peterborough Combined Authority and all personal email addresses have been redacted. Section 40 of the Freedom of Information Act 2000 [“the Act”] includes the following:

Section 40 exemption

Section 40 of the Act provides that:

40.— Personal information

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

The Information Commissioner’s guidance on the requests for personal data about public authority employees is available at:

[s40 Personal information \(section 40 and regulation 13\) version2.3 \(ico.org.uk\)](#)

The guidance confirms that it covers data which can identify individual employees.

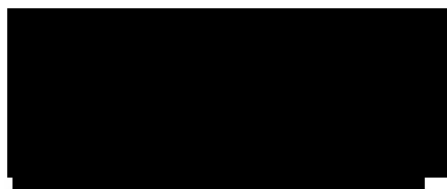
The above exemptions are *absolute*. This means that there is no public interest test to consider when applying the exemption.

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, 2nd Floor, Pathfinder House, St Mary’s Street, Huntingdon, Cambs PE29 3TN 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/>

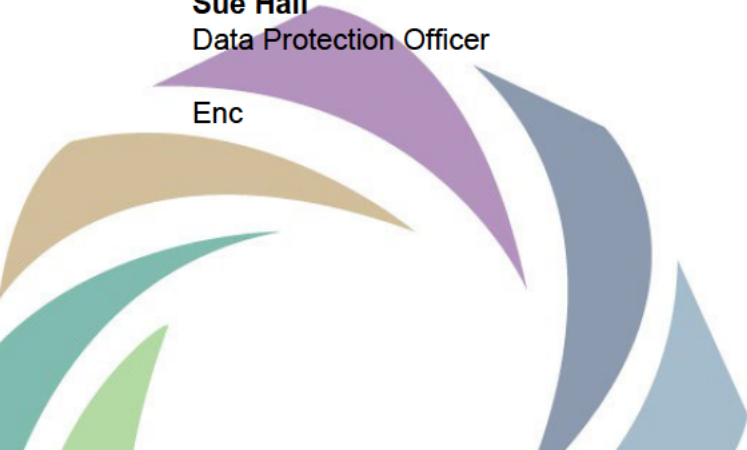
Generally, the ICO will not undertake a review or make a decision on a request until the internal review process has been completed.

Yours sincerely



Sue Hall
Data Protection Officer

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2nd Floor
Pathfinder House
St Mary’s Street
Huntingdon
Cambs
PE29 3TN