

13 August 2020
Our ref: 6495136

Thank you for your request received on 11 August 2020, for the following information:

Can I request a list of all the current suppliers for the SEN transport tender on behalf of the council?

Also, can I request their total number of allocated routes?

We have processed this request under the Freedom of Information Act 2000.

Response

Can I request a list of all the current suppliers for the SEN transport tender on behalf of the council?

LBB Hired Passenger Transport Contract

Name of Supplier Date of Expiry

Brent Couriers 04/09/21

B&L Coaches 04/09/21

Metro Cars / Paradrive 04/09/21

Signature Transfers Cars 04/09/21

Bittacy Cars 04/09/21

Rasmi Services 04/09/21

Chequers Ltd 04/09/21

Cavendish Cars 04/09/21

Also, can I request their total number of allocated routes?

This information is commercial in confidence, see Refusal Notice below.

Refusal Notice

We consider that the qualified exemption set out in Section 43 (Prejudicial to commercial interests) subsection 2 applies to the information requested. Therefore, we have decided to withhold the information.

Section 43(2) is a qualified exemption and we are required to conduct a public interest test when applying any qualified exemption. This means that after it has been decided that the exemption is engaged, the public interest in releasing the information must be considered. If the public interest in disclosing the information outweighs the public interest in withholding it then the exemption does not apply and must be released.

In the FOI Act there is a presumption that information should be released unless there are compelling reasons to withhold it.

In applying this exemption, we have had to balance the public interest in withholding the information against the interest in favour of disclosure.

Factors in favour of disclosure

- commitment to openness and transparency in its commercial activities, to allow public scrutiny and to demonstrate that public funds are being used in an efficient and effective way.
- Furthermore private sector companies engaging in commercial activities with the public sector must expect some information about those activities to be disclosed.

Factors against disclosure

- the recognition that disclosure may cause damage to an unsuccessful supplier's reputation, affecting the supplier's competitive position in their respective market and confidence that its customers, suppliers or investors may have in its commercial operations.
- Disclosure would be likely to deter potential bidders for future contracts from competing and sharing commercially sensitive information with us, which would negatively impact upon the quality and quantity of Councils' supplier base. The London Borough of Barnet must retain commercial confidence of third party bidders when they choose to engage in commercial activities with us. The release of this information may jeopardise this commercial confidence.

In all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.