

Freedom of Information Act 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

The three tenders for the lease on the former Phoenix Arts in Newarke Street presented to the Council in summer 2009 by Stride, Leicester College and an un-named dance organisation.

ANSWER: Please find attached the tenders from Stride & Leicester College.

I can confirm that there is some personal information and individual's names contained within these tenders. However we are withholding that information since we consider that to be an absolute exemption under section 40(2) (personal data), and this therefore constitutes a refusal under section 17 of the Freedom of information Act 2000.

The Council has also consulted with the un-named dance organisation, but they have raised concerns about the information they submitted being commercially sensitive. They had no expectation that their commercially sensitive company information would be released into the public domain, and could impact on their future ability to win tenders, or allow rival bidder to steal ideas and work which has cost them time and money to put together. To release this information could therefore potentially place the Council at risk of a breach of confidence claim.

For your information this letter constitutes a refusal notice under Section 17.1 of the Freedom of Information Act 2000 because an exemption under Section 41 of the Act is being applied as this information was submitted in confidence.

This therefore acts as the statutory refusal notice required by section 17.1 of the Freedom of Information Act 2000 because of the reasons contained in FOIA S43.2 – the disclosure of this information would, or would be likely to, prejudice the commercial interests of any person (including the authority holding it).

The legislation allows you to use the information supplied for your own personal use, or for journalistic purposes. If the information is a dataset (which does not relate to the environment), you may also use the information for commercial re-use under an [Open Government Licence](#).

If you are dissatisfied with the handling of your request please write to:

**Information Governance Manager
Information and Support
Leicester City Council
FREEPOST (LE985/33)
New Walk Centre
LEICESTER LE1 6ZG**

e-mail: info.requests@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You may also seek independent advice from the Information Commissioner at:

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow SK9 5AF

Telephone: 01625 545 700

www.informationcommissioner.gov.uk

Please be aware that the Information Commissioner does not normally consider requests until the internal appeals process of the Council has been exhausted. You are therefore advised to appeal to the Information Governance Manager before contacting the Commissioner.