



West
Yorkshire
Combined
Authority

Tracy
Brabin
Mayor of
West Yorkshire

Our Reference: 2449

22/01/2026

Freedom of Information Act 2000 Enquiry: Contract Documentation – Bus Franchising

Thank you for contacting West Yorkshire Combined Authority ('the Combined Authority') with your request for information, which was received on 24 November 2025.

Your request was:

"You have recently made available to dynamic market participants two separate invitations to tender and related contract documents. I believe under the Procurement Act 2023 certain document is to be made available publicly. Please advise where I can access those documents without a condition of registering as an interested participant in the procurements concerned."

You further clarified this request on 09/01/2026 to:

"...three invitations to tender covering Tiers A, B and C. Please provide the ITT documents for each tier and related franchising agreement and lease documents for each tier. Please also confirm that these and other documents relating to the overall procurement exercise are to be made available without any requirement for registration as an interested tenderer as mentioned in my original request and what process needs to be followed to access the documentation."

This request was handled under the Freedom of Information Act 2000 (FoIA, The Act), and I can confirm that the Combined Authority holds the information covered by your request.

However, we are withholding the information under Section 43(2) of the FoIA, which exempts from the general duty to release information which would, or would be likely to, prejudice the commercial interests of any entity, including the public authority holding the information.



Section 43 is a qualified exemption, and as such, we are required to assess the public interest in withholding this information against that of its release, which is outlined below:

The Combined Authority is committed to openness and transparency and recognises the public interest in local government spending and activities, and its responsibilities under the Procurement Act 2023, and we have taken into consideration the following:

- Contracts are awarded with public monies, thus meeting the Act's 'Public Right to Know' requirements, ensuring transparency in terms of public expenditure.
- Disclosure could promote a better understanding of how the organisation makes use of public resources and how this is reflected in its terms of spending.
- Contractors are aware that commercial information is subject to FOI.
- We intend to publish the contracts at the end of the procurement process, in accordance with The Procurement Act 2023.

However, we also consider that this information is commercially sensitive as:

- Disclosure during an ongoing procurement process would likely impact the procurement of contracted services for this project, adversely affecting our ability to negotiate with operators who may incorrectly perceive the disclosure as finalising our position.
- Disclosure at this stage would put potentially misleading information into the public domain. Potential bidders for future rounds would have access to the Combined Authority's terms at the time of writing, which are likely to change during the franchising process. This, in turn, may deter operators from bidding, thus affecting our ability as a public body to obtain value for money during future tendering processes. We recognise a public interest in being able to obtain value for money with regard to the use of public funds.
- Publishing the information requested within the public domain at this stage would likely compromise the Combined Authority's ongoing relationships with the operators identified therein. We consider that this disclosure would, in turn, have a detrimental effect on both the Combined Authority's and the operators' ability to operate in a commercial environment.

For these reasons above, we consider that on balance, the public interest in maintaining the exemption outweighs that of disclosure.



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If you believe that your request for information has not been handled properly, you can ask for an internal review of our decision. Internal review requests should be submitted within two months of the date of receipt of this letter.

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

Telephone: 0303 123 1113

Website: www.ico.gov.uk

For your information, there is no charge for making an appeal.

Yours sincerely,

Information Governance Officer

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