

Somerset Waste Partnership reference: 2017-125
Enquiries relating to NWTF2 Contract
Date of response: 20.06.2017

Dear XXX

NWTF2 Contract (Freedom of Information Request 2017-125)

I write further to your recent request for information from Somerset Waste Partnership, which has been dealt with under the provisions of the Freedom of Information Act 2000 (FOI) & the Environmental Information Regulations 2004 (EIR). As you are aware Somerset Waste Partnership is a partnership of Mendip, Sedgemoor, South Somerset and West Somerset District Councils, Taunton Deane Borough Council and Somerset County Council. This response is therefore on behalf of all of those partner authorities.

I can confirm that we hold the information you request. In response to your questions;

Question - Please can either you or David Oaten therefore confirm the likely timescale for dealing with issues arising from the SWB's decision to award Viridor a 25 year contract from 2020 using a waste transfer station at Dimmer such as negotiations with Kier to ensure that as much waste as possible is taken direct to the Walpole waste transfer station rather than Dimmer to alleviate the amount of HGV traffic coming to Dimmer as reported to the SWB when they made their decision on 24 February 2017 to use a waste transfer station at Dimmer?

Answer - Recycle More has been unanimously agreed by all six Somerset Waste Partnership (SWP) council partners as the preferred model for service change to recycle far more, waste far less and cut costs to keep down council tax. The means by which the new service will be implemented across Somerset is currently under review.

Question A) NWTF (2) Contract signed with Viridor following the decision made by the SWB on 24 February 2017;

Answer - Please find attached a redacted version of the NWTF2 Contract signed by Viridor and sealed by Somerset County Council on the 29th March 2017 – the basis for the redacted sections relate to Sections 41 (Confidentiality) & 43 (Commercial Interests) of the FOI & Regulation 12(5)(e) (Commercial Confidentiality) of the EIR.

Question B) The parts listed below of the following reports to the SWB on the dates indicated which were not included in the public domain at the time:

i) 24 February 2017 – Agenda Item No. 5 - Approval of a New Waste Treatment Facility Contract – Supporting Appendices

Answer – Please find attached a redacted version of the supporting appendix – the basis for the redacted sections relate to Sections 41 (Confidentiality) & 43

(Commercial Interests) of the FOI & Regulation 12(5)(e) (Commercial Confidentiality) of the EIR.

ii) 21 October 2016 – Agenda Item No. 4 - New Task and Finish Group Update - Proposal for a New Waste Treatment Facility Contract with Viridor - Appendix A

Answer – This appendix is not available as disclosure will reveal the price breakdown and place Somerset County Council in a disadvantaged position when procuring services in the future and would compromise Viridor’s pricing mechanism and leave them vulnerable to unfair negotiations when a customer requires their services.

iii) 25 September 2015 – Agenda Item No. 12 – New Project Task and Finish Group Update – Paper G2, including details of the two ‘contract reference’ Waste Transfer Sites [plus a fall-back option]

Answer – Please find attached a redacted version of Paper G2 – the basis for the redacted sections relate to Sections 41 (Confidentiality) & 43 (Commercial Interests) of the FOI & Regulation 12(5)(e) (Commercial Confidentiality) of the EIR.

iv) 19 June 2015 – Agenda Item No. 14 – New Project Task and Finish Group Update – Paper I2

Answer – Please find attached a full version of Paper I2.

v) 20 March 2015 – Agenda Item No. 9 – New Project Task and Finish Group – Update on New Project Approval Process (NPAP) and Consideration of Options – Paper E2.

Answer – Please find attached a redacted version of Paper E2 – the basis for the redacted sections relate to Sections 41 (Confidentiality) & 43 (Commercial Interests) of the FOI & Regulation 12(5)(e) (Commercial Confidentiality) of the EIR.

vi) 19 December 2014 – Agenda Item No. 10 – New Project Task and Finish Group – Quarterly Update and Consideration of the Preliminary Stage Project Approval – Paper G2.

Answer – Please find attached a redacted version of Paper G2 – the basis for the redacted sections relate to Sections 41 (Confidentiality) & 43 (Commercial Interests) of the FOI & Regulation 12(5)(e) (Commercial Confidentiality) of the EIR.

Question - C) To the extent that this information is not available in the documents listed in B) above (or that part of such reports in the public domain), details of alternative waste transfer sites considered by SWB, any cost/benefit analysis, the detail behind any cost comparison to the Dimmer site including the waste transfer station referred to in Devon.

Answer – Appendix 2 of the 24 February 2017 report shows the rationale for opting for Dimmer as the location of the Waste Transfer Station to service the east of the County. This has been attached for ease of reference and whilst it does not show

the detailed costs of operating the facility in this location, for the same FOI & EIR reasons stated above or the costs of our out of county reference facility, withheld in line with Regulation 12 (5)(f) (The interests of the person who provided the information), it does clearly confirm that the Dimmer facility will be operated at significantly lower cost than the potential alternatives.

In answering your questions and in providing the attached documents, the balance of public interest has been considered and Somerset Waste Partnership's decision is to continue to redact and withhold some of the requested information.

If you feel your request has not been answered in sufficient detail or if you wish to clarify the information given, please contact me and I will be happy to try and address the further issues you raise.

If you are not satisfied with the way in which your request has been dealt with, or the information you have received, you can ask for an internal review of Somerset Waste Partnership's decision.

Please send your request to:

Peter Grogan
Information Governance Team
Somerset County Council
County Hall
Taunton
TA1 4DY or email informationgovernance@Somerset.gov.uk

An internal review will then be carried out and we will write to you with the results of the investigation. If you are not content with the outcome of the review, you may then apply directly to the Information Commissioner's Office (<https://ico.org.uk>) for an appeal: The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF Tel: 0303 123 1113

Please quote the reference number FOI 2017-125 in any future correspondence with Somerset Waste Partnership, regarding this request for information.

Yours sincerely