



Ref: EIR / 2013

04 September 2018

Mr

Dear Mr

Environmental Information Regulations 2004 Request Black Bin and Bulky Waste

I refer to your EIR request and respond as follows:

Request:

- Under the current Black Bin Residual/Bulky Contract for the Collection, Processing and Treatment of your Council Waste can you confirm that payment is broken down into three parts – 10% for the Collection of Waste, 40% for the Processing and the remaining 50% for the disposal of the Waste to a Thermal Treatment Plan or similar that allows you to meet your current EU Targets (if the percentages are not correct can you please let me know what the actual percentages are from the current Tender Documentation?)
 - **Councils reserve the right to make part payments where evidence that only the following aspects of the service has been fully provided: -**

Collection	10%
Processing	40%
End Market	50%
- What tonnage of 'Black Bin' has been sent for processing during 2017 / 2018?
 - **Please treat the below as a refusal under Regulation 14(1) for this query for the following reasons:**
 - This information is not yet complete and Council therefore exempt this query under Regulation 12(4)(d) which covers material in the course of completion, unfinished documents and incomplete data.
 - Council also exempt this query under Regulation 10 which states:
10. (1) Where a public authority that receives a request for environmental information does not hold the information requested but believes that another public authority holds the information, the

public authority supplies the applicant with the contact details of that authority.

Derry

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I advise therefore that provisional figures are freely available at <https://www.daera-ni.gov.uk/articles/northern-ireland-local-authority-collected-municipal-waste-management-statistics>

- What tonnage of 'Black Bin' has been sent for processing from April 2018 – 31st July 2018?
 - **Please treat the below as a refusal under Regulation 14(1) for this query for the above reasons.**

- How much of this 'Processed Waste' was sent for Thermal Treatment during these periods belonging to your Council and is there confirmation of this (this confirmation applies solely to your Council and not others)?
 - **Please treat the below as a refusal under Regulation 14(1) for this query for the above reasons:**
 - **Finalised data can be accessed at available at <https://www.daera-ni.gov.uk/articles/northern-ireland-local-authority-collected-municipal-waste-management-statistics>**

- The above questions also apply to Bulky Waste collected at CA sites in your Council area?
 - **Council does not collect Bulky Waste at CA's sites, can you please clarify the request for specific materials? Please note however that information relating to materials collected by Council at CA's is freely available using the links detailed above.**

- Have you or any of your Council Officers inspected the Contractors sites to satisfy yourselves that the waste is being treated in accordance with the Tender requirements?
 - **Yes**

- Are you satisfied that NO processed waste has been baled for Thermal Treatment in accordance with the Tender Documentation has not been landfilled?
 - **Please treat the below as a refusal under Regulation 14(1) for this query for the following reasons:**
 - This query is outside the remit of the Environmental Information Regulations which are for information which Council currently holds.

- Are you satisfied that 'Black Bin' or 'Bulky Waste' collected by the Contractor / Council was not disposed of directly into landfill?
 - **Please treat the below as a refusal under Regulation 14(1) for this query for the following reasons:**
 - This query is outside the remit of the Environmental Information Regulations which are for information which Council currently holds.

- Have any payments been withheld at any time for failure to fulfil any part of the current Black Bin / Bulky Waste Residual Contract?
 - **No**

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes.

Firstly our internal review procedure is available by contacting:

John Kelpie

Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN
Tel 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF
Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

I would advise however, the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

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