### London Borough of Sutton

###### Environment, Housing and Regeneration Directorate

*Your Ref:* **F10459**

*Direct Line:* 020 8770 4084

*E-mail*: scott.funnell@sutton.gov.uk

*Date: 25th July 2017*

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|  | Please reply to:**London Borough of Sutton**24 Denmark RoadCarshaltonSM5 2JGwww.sutton.gov.uk |

Dear Shlomo Dowen,

**Re: Letter providing some but not all requested information**

Thank you for your enquiry on the 28th March 2017 where you requested information about the Transfer and Transport of Waste to Landfill Contract dated 20th March 2012 that London Borough of Kingston operates on behalf of the London Borough of Sutton with Viridor Waste Management Limited.

We have now completed searching for the information you requested and your request has been considered under both the Freedom of Information Act 2000 and the Environmental Information Regulations 2004.

A copy of the information which can be disclosed is enclosed.

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including any non-commercial research you are doing, and for the purposes of news reporting. Any other re-use (for example, commercial publication) would require the permission of the copyright holder. Most documents supplied by this department will have been produced by government officials and will be Crown Copyright. You can find details on the arrangements for re-using Crown copyright at the National Archives website at: [www.nationalarchives.gov.uk](http://www.nationalarchives.gov.uk).

The remainder of the information requested is being withheld as it falls under the exceptions in Regulations 12 and 13 of the Environmental Information Regulations 2004 and Section 43 (2) of the Freedom of Information Act 2000.

In applying these exceptions, we have had to balance the public interest in withholding the information against the public interest in disclosure. The factors we considered in deciding whether public interest lies in disclosing the information are as follows: -

RBK and LBS will be launching a market testing exercise next year. Any disclosure of commercially sensitive information is likely to skew the outcome of the market testing exercise and adversely affect the interests of the Authorities. Furthermore, both Authorities recognise that the redacted information contains sensitive financial information that still remains pertinent to Viridor Waste Management Limited and that any disclosure could adversely affect the commercial interests of Viridor Waste Management Limited.

The remainder of the information that you requested is exempt as it contains Personal Data as defined under the Data Protection Act 1998. The information has been withheld under:

1. Sections 40 (1) (Personal Information) and 43 (2) (Commercial Interests) of the Freedom of Information Act 2000; and

2. Regulation 12 (1) read with Regulation 12 (5) (e) (Exceptions to the duty to disclose Environmental Information) and Regulation 13 (Personal Data) of the Environmental Information Regulations 2004 is therefore withheld.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to foi@sutton.gov.uk or by post to Customer Care and Improvement Team, Civic Offices, St Nicholas Way, Sutton, Surrey, SM1 1EA.

Please remember to quote the reference number above in any future communications.

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.

Yours sincerely,

Scott Funnell

Head of Environment Commissioning