
Ealing Council

Harry Carnegie
request-289295-9b5b2907@whatdotheyknow.com

Ealing Council
Freedom of Information
5th Floor, North East
Perceval House
14-16 Uxbridge Road
London W5 2HL
Tel: (020) 8825 5000
Email: foirequests@ealing.gov.uk

Your ref:

Our ref:

Extension:

Date:

15/1196

0208 825 8367

23rd October 2015

Dear Harry Carnegie,

ENVIRONMENTAL INFORMATION REGULATIONS 2004 – INTERNAL REVIEW

Thank you for your request for an internal review the Council on 29th September 2015. Your initial request was received on 1st September 2015 and we responded on 29th September 2015.

You requested:

Please could you provide a data download of all of the trees which are currently owned / maintained by Ealing Borough Council.

It would be helpful if you could include the following data:

- * the co-ordinates for each data point, either in lat/long or Easting/Northing.**
- * all data fields held by the council for each tree, such as species, common name, height, condition, age and site / street (if applicable).**

The preferred format would be either a GIS shapefile (zipped file containing .shp .dbf .shx & .prj files) or .xlsx / .csv

We refused your request under Section 43, commercial interests. Some supporting information was provided to explain the reasons for refusal.

I have taken the time to review your request and our response. I believe your request should have been considered under the Environmental Information Regulations and not the Freedom of Information Act. As the information relates to the environment, the request should have been considered under EIR. Please accept my apologies for this oversight.

I can confirm that the council is currently in the process of tendering for works in relation to trees in the borough. Whilst the information would not normally be considered sensitive, at this point in time it is commercially sensitive. Providing this information could give an advantage in the tender opportunity. Therefore, I am refusing to provide the information under *regulation 12(5)(e), confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest.*

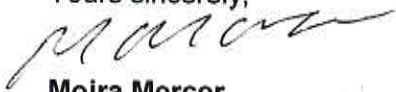
However, the information can be made available when the tender/contract award has been concluded.

Therefore, in order for the council to ensure that the tendering process is fair, it is in the public interest to retain the information requested.

If you remain dissatisfied by the outcome of the Internal Review you have the right to submit your complaint to the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Yours sincerely,



Moira Mercer
Head of Communications