

By Email only

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My Ref: L/CW/651/106

Date: 4 July 2017

Dear Mr Burton

EIR Review – Procurement of maintenance services for parks and open spaces
Review of Decision

I have been asked by the London Borough of Merton to carry out a review of the response you received on 13 February 2017 to your request of 16 January 2017.

Your request asked for a copy of the full specification for the procurement of maintenance services for parks and open spaces in Merton and Sutton from Id verde UK signed in January 2017. This was to include all schedules and appendices.

You may recall that I dealt with the internal review in February 2016 of your first request for the specification, which ultimately went to the ICO. On that occasion, in September 2016, the ICO upheld Merton's decision that the EIR exception provided by reg 12(4)(d) applied.

Shortly after your second EIR request was received I went on extended sick leave following an operation and I was not available to carry out the second review, requested by you on 13 February 2017.

I am the main person that carries out reviews and I have taken this matter back. I apologise that due to resource issues this matter has not progressed in the way that it should.

I have read the response you received to your most recent request and I would agree with you that matters have moved on. As the contract has been signed and Id verde are now operating the contract then reg 12(4)(d) is no longer an applicable exception.

Paul Evans

Assistant Director of Corporate Governance London Borough of Merton

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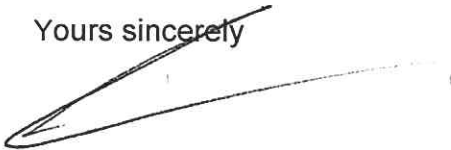
I understand that you already have a number of documents, or they are now in the public domain, that fall within the scope of your request.

However you have requested copies of all the schedules and appendices. I understand that there are over 100 appendices and a number of these contain both commercial data (including that of a third party Sutton Council as this was a joint procurement) and personal data which may need to be redacted.

I have been informed that the appendices which do not contain such information are being collated and will be released to you shortly. Regarding the other documents I have agreed to look at these once redacted to satisfy myself, as reviewer, that any redactions satisfy relevant exceptions. Then if you disagree the ICO will investigate this.

I would normally end my review with the ICO details if you are dissatisfied, however in this case I note that you have appealed to the ICO (FER 0675503) and so I have copied in the case worker.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Chris Warner', written over the 'Yours sincerely' text.

Mr Chris Warner
for Assistant Director Corporate Governance

E-mail: chris.warner@merton.gov.uk

cc ICO case worker FER 0675503)