



Department
for Environment
Food & Rural Affairs

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Lee Wain
By email: request-405668-a264590b@whatdotheyknow.com

Our ref: RFI 9041
7 June 2017

Dear Mr Wain

REQUEST FOR INFORMATION: LIST OF ALL THAMES TIDEWAY TUNNEL PROJECT CONTRACTORS, SUB-CONTRACTORS AND SUPPLIERS

Thank you for your email, which we received on 9 May, requesting an up-to-date list of all sub-contractors, suppliers and consultants that are scheduled to, or have completed, work on the Thames Tideway Tunnel project. As you know, we acknowledged your request under the Environmental Information Regulations 2004 (EIRs). However, on reflection we do not consider such a list would constitute 'environmental information' as defined by the EIRs and consequently we are responding under the Freedom of Information Act 2000 (FOIA).

The Tunnel project is being financed and delivered entirely in the private sector by Bazalgette Tunnel Ltd., trading as 'Tideway'. The Government has agreed to provide a contingent financial support package for certain exceptional and very remote high-impact project risks that the private sector cannot cover at an acceptable cost, if at all. Defra oversees and manages the Government's interests in the project in respect of this support package, and to that end has engaged the following consultants to provide expert commercial advice:

Legal – Freshfields Bruckhaus Deringer LLP (Dec. 2011-Dec. 2013), Ashurst LLP (Dec. 2013 to present);

Financial – Ernst & Young (EY) LLP;

Insurance – Willis Ltd; and

Technical – OTB Engineering Ltd.

Crawford & Company Adjusters (UK) Ltd have been engaged by Defra to provide loss adjusting services as needed.

With regard to sub-contractors, suppliers and consultants engaged by other parties, I should explain that Defra has no requirement for those parties to provide us with information of this type. We want to be as open as possible in answering requests for information. The FOIA itself also requires us to provide reasonable advice and assistance to those seeking to make such a request. Although we may hold some of this information it will be incidental and is likely to be extremely partial and not up-to-date. Furthermore, files on this project date back nearly ten years and a search through these records would

therefore involve a significant cost and diversion of resources from the Department's other work.

Section 12(1) of the FOIA allows us to refuse a request for information if we estimate that the cost of complying with the request would exceed the appropriate limit, which currently stands at £600. On the basis of our estimates, we consider that the cost would exceed this limit and, as such, we are refusing this part of your request.

However, if you were to make a new request for a narrower category of information, it may be that we could comply with that request within the appropriate limit, although we cannot guarantee that this will be the case. You could, for example, consider reducing the time period for which you are requesting the information. Please note that if you modify your request, we will handle it as a new request and so the 20-working-day deadline for responding to requests would then commence from the date that we receive the modified request.

However, I should also advise you that the names of the contractors that are undertaking the main tunnel construction works are posted on Tideway's website at <https://www.tideway.london/about-us/our-delivery-partners/> and by contacting their Helpdesk (Helpdesk@tideway.london), Tideway may be able to provide you directly with the list of the sub-contractors, suppliers and consultants they have engaged on the project.

Similarly, the Environment Agency (enquiries@environment-agency.gov.uk) and the water industry regulator Ofwat (mailbox@ofwat.gsi.gov.uk) may also be able to provide you directly with information on consultants they have engaged for work on the Tunnel project.

We attach an annex giving contact details should you be unhappy with the response you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,

Guy Mawhinney

Information Rights Team

InformationRequests@defra.gsi.gov.uk

Annex

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Nick Teall, Head of Information Rights, Area 4A, Nobel House, 17 Smith Square, London, SW1P 3JR (email: InformationRequests@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

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