



GORING-ON-THAMES PARISH COUNCIL

Gardiner Pavilion • Upper Red Cross Road • Goring • Reading • RG8 9BD

Phone: 01491 874444 • Clerk@goringparishcouncil.gov.uk • www.goringparishcouncil.gov.uk

7th Feb 2023

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Via e-mail

Dear []

RE: FOI Request, dated 17th January 2023

I am writing further to my e-mail of 18th January 2023 regarding your requests for:

A Please provide the names of all businesses and individuals from whom you requested a quotation for removing the Himalayan Balsam.

B Please identify those which provided quotations [I note that the quoted Minute refers to plural quotations] detailing the prices quoted and any Conditions associated with those quotations. I presume that this detail will have been provided to councillors in written form so please supply a copy of that document.

C If the Council's final choice of contractor did not submit the lowest quotation, please identify the reasons for not choosing that lowest quotation.

D Please identify which Councillor or council employee was nominated to oversee the execution of the contract and approve payment on completion: and the steps which that individual took in order to discharge that function, with dates of any inspections and copies of any reports on the situation.

Your request has been handled as a request for information under the Freedom of Information Act 2000. We supply the information, or details as to why we will not be providing it, below.

A Please provide the names of all businesses and individuals from whom you requested a quotation for removing the Himalayan Balsam.

- Cormac Ltd
- Japanese Knotweed Control
- Nimrod Ltd
- Goring-in-Bloom
- Complete Weed Control
- Invasive Weed Management
- Weed Free
- Japanese Knotweed Solutions

B Please identify those which provided quotations [I note that the quoted Minute refers to plural quotations] detailing the prices quoted and any Conditions associated with those quotations. I presume that this detail will have been provided to councillors in written form so please supply a copy of that document.

We confirm that we hold this information.

We have considered your request and are issuing a refusal notice for this item, on the grounds of:

Goring-on-Thames Parish Council (GPC) has declined to provide you with the information requested under exemption 43, section (2) of the Freedom of Information Act 2000, which states that:

2) Information is exempt information if its disclosure under this Act would, or would be likely to, prejudice the commercial interests of any person (including the public authority holding it).

In this instance GPC considers that it would compromise the companies concerned. We outline below the factors which have led the us to this conclusion. The Information Commissioner's guidance explains:

You may be involved in the purchase of goods and services, including services outsourced to private companies, to be delivered on your behalf. If so, you will hold a wide range of commercial information relating to the procurement process. This can include:

- *information provided during a tendering process about both successful and unsuccessful bids;*
- *details of the contract agreed with the successful bidder;*
- *future procurement plans; and*
- *performance information about a contractor.*

It is for the reasons above this information was shared with the Councillors in a closed session of the Council meeting from which the public and press were excluded. This is allowed for by Public Bodies (Admission to Meetings) Act 1960 s1(2) and Local Government Act 1972 s106.

C If the Council's final choice of contractor did not submit the lowest quotation, please identify the reasons for not choosing that lowest quotation.

The quotations received were within 10% of each other. The quotation chosen was the only one which offered a fixed price regardless of the amount of treatment during the contract period and offered surety of cost to the public purse.

As per Parish Council Financial Regulations, available on our website:

10.1.i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.

D Please identify which Councillor or council employee was nominated to oversee the execution of the contract and approve payment on completion: and the steps which that individual took in order to discharge that function, with dates of any inspections and copies of any reports on the situation.

As per Parish Council Financial Regulations, available on our website:

4. Banking arrangements and authorisation of payments

4.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

At the time of the signing of the contract, this was our former RFO, Mrs L White; going forwards this is the current RFO, Mrs S Edmunds. As you know we are a very small Council with few employees, as such the Role of RFO is combined with that of Clerk. The Council has no need to specifically nominate people to monitor contracts, as it is the Clerk's role as proper officer to manage all administration of the Council's decisions.

We can confirm that prior to payment of the first instalment of this work, Mrs S Edmunds

- Visited the Site
- Inspected and photographed the site for all visual remains of Himalayan Balsam over the area of the site that our Contractor was required to clear.
- Confirmed that the contractor had met the requirements of the contract before paying.

We can confirm we hold no reports on the situation, you have already been provided with the photos previously on Friday 07th October 2022.

If you are unhappy with the way your request has been dealt with you may request an internal review. This will be carried out within 20 working days of the request for a review being received. If you remain unhappy with the result of the review you can ask the Information Commissioner to look at your concerns. We will provide you with details of the internal review process when you request it. The process will vary depending on the type of request and who is available to review the process within the timescales.

Yours Faithfully

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For and on Behalf of Goring-on-Thames Parish Council

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Clerk to the Council.