

17 August 2010

**Our Ref:** R00240

## **Freedom of Information Request – Pagham Harbour Local Nature Reserve**

Thank you for your Freedom of Information Request, dated 27<sup>th</sup> July 2010.  
Your request to SEEDA is:

*Please can you send me the following documents referred to in paragraph 1.1.3 of Mouchel's Interpretive Ground Investigation Report (February 2008) Sidlesham Landfill Site, Pagham Harbour Nature Reserve, West Sussex:*

- *Brief from SEEDA received on 9th February 2007;*
- *Proposal in response to the above referenced brief dated 1st March 2007;*
- *Proposal dated 30th May 2007 to extend the scope of the ground investigation to include 17 hectares of adjacent land;*
- *Proposal dated 14th June 2007 to provide associated ecological assessment and support for the intrusive ground investigation;*
- *Proposal for changes to scope of works, dated 23rd July 2007 and confirmation of Option 4 as the preferred choice, received 31st July 2007.*

### **Information requested**

SEEDA can confirm that we hold the following documentation relevant to your request:

- Brief from SEEDA dated on 9<sup>th</sup> February 2007 and the accompanying cover letter;
- Proposal by Mouchel Parkman in response to the above referenced brief dated 1<sup>st</sup> March 2007;
- Proposal by Mouchel Parkman dated 30<sup>th</sup> May 2007 to extend the scope of the ground investigation to include 17 hectares of adjacent land;
- Proposal by Mouchel Parkman dated 14<sup>th</sup> June 2007 to provide associated ecological assessment and support for the intrusive ground investigation;
- Proposal by Mouchel Parkman for changes to the scope of ground investigation works dated 23<sup>rd</sup> July 2007.

SEEDA does not hold copies of any correspondence confirming that Option 4, as identified in Mouchel Parkman's proposal dated 23<sup>rd</sup> July 2007, was selected as the preferred choice. You may wish to contact West Sussex County Council to determine if they hold this information.

### **Process Followed**

We have reviewed all requested material, and applied Public Interest Tests to all the information subject to the exemptions listed below. To clarify our approach, and ensure it is applied consistently, we have formally defined an Information Disclosure Policy which

is based on SEEDA's Information Charter and FOIA guidance provided by the Information Commissioner.

### Exemptions Considered

The exemptions we have considered are:

- Section 40(2) Personal Data, the release of which is likely to breach the Data Protection Act 1998
- Section 41 Information provided in Confidence
- Section 43(2) Information whose release would be prejudicial to the Commercial Interests of any person

### Information Disclosure Policy

Exemption	Disclosure Policy and Rationale
<p><b>Section 40(2)</b> Names, email addresses and other Personal Data</p>	<p>SEEDA's Policy is that is not in the public interest to disclose the names of individuals unless they are Senior SEEDA Staff, who are asked for their consent, or individuals who are already well known in the public domain. No other Personal Data will be disclosed without consent. In this case all personal information contained in the disclosed documents has been redacted.</p>
<p><b>Section 41</b> Confidential Information</p>	<p>The brief that SEEDA provided to the consultant Mouchel Parkman is marked as confidential. However, we believe that since the contract was carried out more than a year ago, there are no grounds to withhold the information at present time. We have also considered whether the proposals submitted by Mouchel Parkman contain confidential information. We have concluded that given the passage of time it is unlikely that any of the information included possess the necessary quality of confidentiality any longer.</p>
<p><b>Section 43(2)</b> Commercial Information</p>	<p>The proposal by Mouchel Parkman dated 23<sup>rd</sup> July 2007 contains some commercially sensitive information, in particular names and price offers of organisations who were unsuccessful in securing the tender for Ground Investigations. Following a Public Interest Test considering disclosure of the information we have concluded that it should be withheld under Section 43(2). Nevertheless, we have disclosed information regarding the winner of the tender and the value of their offer on the basis that it is in the public interest to see how public money is spent.</p>

### Implementation of Information Disclosure Policy

The Disclosure Policy has been implemented by printing a hard copy, manually redacting exempt information using a black redacting pen and rescanning the document.

The resulting documents have been provided as separate Appendices to this letter.

## **Important Notes**

The correspondence reflects views that were recorded at the time and may not reflect the current position of the parties involved.

The information we have supplied to you may contain intellectual property rights. Your use of this information must be strictly in accordance with the Copyright Designs and Patents Act 1988 (as amended), or other applicable legislation. If you would like to re-use this information for any commercial purpose please contact the SEEDA Information Team at [FOI@SEEDA.co.uk](mailto:FOI@SEEDA.co.uk).

## **Appendices:**

Appendix 1: Cover Letter – Brief from SEEDA dated 09 February 2007

Appendix 2: Brief from SEEDA dated 09 February 2007

Appendix 3: Proposal by Mouchel Parkman dated 01 March 2007

Appendix 4: Proposal by Mouchel Parkman dated 30 May 2007

Appendix 5: Proposal by Mouchel Parkman dated 14 June 2007

Appendix 6: Proposal by Mouchel Parkman dated 23 July 2007