

Ref: EIR / 6321

18 May 2026

Email:

Dear

Environmental Information Regulations Request - Recycling Information

I refer to your EIR request and respond as follows:

1. A breakdown of the recycled materials making up the reported 13.5% recycling rate (5,358 / 39,597 tonnes) attributed to recycling from Local Authority Collected (LAC) residual waste for the year ended 31 March 2025, as published by the Department of Agriculture, Environment and Rural Affairs (DAERA).
Please provide this breakdown by material type (for example, glass, metals, plastics, paper/cardboard, etc.).
- Derry and Strabane District Council considers that the information requested in point 1 is exempt under section 43(2) of the Freedom of Information Act 2000 and / or Regulation 12(5)(e) of the Environmental Information Regulations 2004.

The Council considers that to disclose the information you have requested, at this stage, would prejudice the commercial interests of the parties concerned and this information is therefore exempt from disclosure under section 43 of the Act. This information is commercially sensitive to prospective tenderers, and it is important to their competitiveness that they are able to remain as a participant in the market.

With regards to the Council's commercial interest, if the Council disclosed this type of information, it would adversely affect our ability to source suppliers in a competitive environment.

Where the Council decides that the information requested is exempt from disclosure under section 43 of the Freedom of Information Act, it must then apply what is known as a "public interest test". This requires the Council to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing information.

In applying the public interest test the Council gave careful consideration to the arguments for and against disclosure.

When considering factors which would favour disclosing the information, the Council had to assess whether disclosure of the information would:

- Allow for more informed debate on the issue;
- Promote accountability and transparency for our decisions and in our spending of public money; and
- Assist the public to understand and challenge our decisions.

Against these considerations the Council had to balance the likelihood of disclosure having an adverse effect on the commercial interest of the tenderers concerned and the Council itself.

Having taken into account the arguments for and against disclosure, the Council decided that the public interest in this case is best served by maintaining the exemption and by not disclosing the information requested, at this stage. The Council considers that the possible benefits of disclosure are outweighed by the real risk of causing prejudice to the commercial interests of the tenderers concerned and the Council itself. In this case there is an overriding public interest in ensuring that companies are able to compete fairly and in ensuring there is competition for public sector contracts.

2. Confirmation of whether this reported recycling rate, arising from a residual (non-recyclable) waste stream, is considered unusually high when compared with typical performance across the United Kingdom.
 - Derry and Strabane District Council does not hold the information requested.

3. Details of how this recycling rate was achieved, including:
 - (a) a description of the processes, technologies, or treatment methods used; and
 - (b) confirmation of whether any specific or unusual processes are utilised by the Council or its appointed contractors to extract recyclable materials from residual waste.
 - Derry and Strabane District Council acquired and appointed their waste contractor through a competitive tender process. Therefore, Council has an obligation to the contractor to protect commercially sensitive information. Disclosure of this information would prejudice the contractors' commercial interests and hence should be withheld under section 43(2) of the Freedom of Information Act 2000 and / or Regulation 12(5)(e) of the Environmental Information Regulations 2004.
4. Confirmation as to whether the full 5,358 tonnes of material reported as recycled from LAC residual waste was derived exclusively from waste collected or received by Derry City and Strabane District Council through its own LAC residual waste collection services.
 - Derry and Strabane District Council does not hold the information requested

If you are dissatisfied with our response, you have rights of review and appeal; these rights consist of two review processes.

Firstly our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN
Tel: 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner

Wycliffe House

Water Lane

Wilmslow

CHESHIRE SK9 5AF

Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

I would advise however, the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

Conor Canning

Head of Environment & Building Control