CITY OF WOLVERHAMPTON COUNCIL

Response to Request for Information

Reference FOI 003238
Date 11 January 2019

Compton Organ

Request:

Under the Freedom of Information Act 2000 I would like all the documentation + emails created in the past 6 months about the disposal of the Compton Organ in the Civic Hall, including the mandatory asbestos certification and disposal approvals; the costs involved to the council in removal, details of the winning contractor for the disposal, the location it was disposed at and the record of council approval for this senseless destruction.

In response to your question regarding e-mails created in the past 6 months, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:

Section 1(1) (a) is to confirm or deny whether the information specified in a request is held.

The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

In respect of this part of your question, it has been established after careful consideration that the Council does not hold the above information as this information is held between Faithful+Gould and Shaylors.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

Question 2 - including the mandatory asbestos certification and disposal approvals

In response to your question regarding mandatory asbestos certification, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:

Section 1(1) (a) is to confirm or deny whether the information specified in a request is held.

The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

In respect of this part of your question, it has been established after careful consideration that the Council does not hold the above information as this full certification for the building and all disposal of asbestos will be available to the Council at the completion of the asbestos removal works.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

Question 3 - the costs involved to the council in removal,

£47,950.00 + VAT

This cost excludes the temporary works, attendances by the contractor and scaffolding to facilitate the works.

Question 4 - details of the winning contractor for the disposal

In response to your question regarding the winning contractor for the disposal, Section 1 of the Freedom of Information Act 2000 places two duties on public authorities. Unless exemptions apply, the first duty at:

Section 1(1) (a) is to confirm or deny whether the information specified in a request is held.

The second duty at Section 1(1)(b) is to disclose information that has been confirmed as being held.

In respect of this part of your question, it has been established after careful consideration that the Council does not hold the above information as this information is held by Shaylors. The procurement was undertaken by Shaylors as part of their contract with the Council so will be held by them and has not been disclosed as the contract is not open book.

Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

Question 5 - the location it was disposed at

The asbestos was disposed of at a licenced waste management site in Rugby approved to handle asbestos containing materials.

Question 6 - and the record of council approval for this senseless destruction.

There was not a requirement for the Council to approve the actions, as such a decision is not made by the Council as a whole.
We did require Listed Building Consent for the removal of the organ from the building from Historic England, and we consulted them prior to the removal about whether there was any possibility of funding for its cleaning and repair. They stated that asbestos contamination rendered any fund raising for the future repair and reinstatement/re-use of the organ unachievable, and they did not object to the removal.

A PDF of the Listed Building Consent list entry has been provided. This can also be found on the Historic England website:

https://historicengland.org.uk/listing/the-list/list-entry/1207355