



Community R4C
c/o Jon Scott, Chair of Community R4C
Email: Jon@communityR4C.com

Paul Blacker
Director of Finance
Gloucestershire County Council
Email: paul.blacker@gloucestershire.gov.uk

4 January 2021

Dear Mr Blacker,

Further to our letter of 3 December forwarded to you by Siobhan Baillie, MP, we have now received the attached court summons. This had been delayed in the post.

Can you please consider the Council position on this with a view to dropping the demand for payment of GCC costs in the procurement case. As we pointed out in our previous letter we have no funds to pay GCC so this will simply lead to Community R4C being wound up.

As you will know our legal case was brought solely in the public interest to further the possibility of an illegal State Aid rebate for GCC, and to ensure effective accountability of the Council to the public. Until December 2018 GCC had been withholding details of the 2016 UBB contract from the public and Councillors, despite rulings from the ICO that this should be in the public domain, and despite the Council's stated commitment to openness and democratic accountability. We cannot see how it can now be in the public interest to put an environment-focussed community benefit society out of business as "punishment" for its efforts to bring into the open an evident breach of procurement law.

We note that the recent draft provisional views from auditors Grant Thornton now include a proposed 'report in the public interest' about breaches in procurement law. This report suggests that the Council failed to follow necessary process in awarding the 2016 contract to UBB without competitive tender and on terms which were £163m (36%) more expensive than the 2013 contract. It vindicates our 2017 complaint under the 2014 audit act and shows that this is an important matter of public interest. Had such a report been available at the time it is likely that we would not have been forced to go to court.

We believe that it is important that the Council is now seen as committed to openness and accountability. Community R4C would like to reassure you of our desire and commitment to work with the Council to :

- Improve waste treatment
- Dramatically reduce carbon emissions

- Reduce the cost of future waste treatment to the Council by at least £10m pa
- Recover any illegal State Aid payments from UBB, which may be in the order of £10m's

We hope that following the GT report and the ending of our procurement challenge GCC feels able to use the expertise and work of this Community group to benefit the Council and all who live here.

Please can you confirm GCC's position by close of business on Friday 8 January 2021.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Jon Scott', written over a horizontal line.

Jon Scott
Chair of CommunityR4C