



Department  
for Transport

Department for Transport

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Website: [www.dft.gov.uk](http://www.dft.gov.uk)

Our Ref: F0014743

17<sup>th</sup> May 2017

Dr Paul Thornton  
(By email: [request-399771-b3e1ab4e@whatdotheyknow.com](mailto:request-399771-b3e1ab4e@whatdotheyknow.com))

### **Freedom of Information Act Request – F0014743**

Dear Dr Thornton,

Thank you for your patience in awaiting this response. On 7<sup>th</sup> April 2017, you requested the following information:

**“I refer to the Hansard accounts that are cited in the recent article at this link; <https://beleben.wordpress.com/2017/02/28/hs2-speed-and-capacity-loss/>”**

**The article asserts that Sir David Higgins repeatedly misled parliament by claiming that there was a direct association between train speed and line capacity. In fact, increased train speed diminishes overall line capacity. Faster trains have to be more widely spaced to allow for the increased emergency stopping distance.**

**I have made an enquiry in this regard to HS2 Ltd. The entirety of that exchange is on line at this link.  
[https://www.whatdotheyknow.com/request/misleading\\_parliament\\_a\\_ny\\_correc](https://www.whatdotheyknow.com/request/misleading_parliament_a_ny_correc)**

**HS2 Ltd have advised that they do not hold information falling under the terms of that request. I am therefore writing to make a parallel enquiry in respect of the information that might be held by the DfT.**

**Under the provisions of the Environmental Information Regulations, please provide the information contained in 1. copies of any communications sent subsequently by DfT to either or both of the select committees with regard to the relationship between train speed and line capacity. This would include any apology, clarification or correction in respect of Sir David's oral evidence.**

2. **copies of the correspondence received, or press coverage held, that would determine when DfT Ltd was first made aware, by external commentary, of this flaw in Sir David's evidence.**
3. **copies of any communications between HS2 Ltd and DfT that references or relates to this evidence to parliament submitted by Sir David."**

**Question 1-3** of your request has been considered under the Freedom of Information Act 2000.

In **Question 1** you asked for **"copies of any communications sent subsequently by DfT to either or both of the select committees with regard to the relationship between train speed and line capacity. This would include any apology, clarification or correction in respect of Sir David's oral evidence."**

In response to your first question, having made a search of our records around the time of the two select committee hearings, we do not believe that any communication was sent by the Department for Transport ("the Department"), either to the House of Commons Transport Select Committee, or to the House of Lords Economic Affairs Select Committee, with regard to the relationship between train speed and line capacity, following Sir David Higgin's oral evidence on this issue given to the two committees on 17th November 2014 and 13th January 2015 respectively.

In **Question 2** you asked for **"copies of the correspondence received, or press coverage held, that would determine when DfT Ltd was first made aware, by external commentary, of this flaw in Sir David's evidence."**

The Department was made aware of Sir David's evidence to both the Select Committees on the day he was interviewed, as a matter of routine. However, we have found no correspondence following these Select Committee appearances, either to, from or within the Department, regarding the evidence Sir David gave in respect of the relationship between train speed and line capacity.

In **Question 3** you asked for **"copies of any communications between HS2 Ltd and DfT that references or relates to this evidence to parliament submitted by Sir David."**

Our searches have found an email from Andy Taylor, Head of Public Affairs in HS2 Ltd, to several officials in the Department, including the Director General for High Speed Rail, David Prout, summarising the evidence given to the Transport Select Committee on 17<sup>th</sup> November 2014. A copy of this email of 17<sup>th</sup> November 2014 20:38 is attached.

Please note that the names of more junior staff have been redacted from the document in reliance on the third party personal information exemption in section 40(2) of the FOI Act. These individuals are below Director level within HS2 Ltd and below Senior Civil Servant grade in the Department and are not

in public facing roles therefore have a reasonable expectation that their name will not be placed into the public domain. To do so would be unfair and would contravene the first data protection principle of fairness. Redactions of these staff names would also be made under Regulation 13 of the Environmental Information Regulations.

In terms of the 17<sup>th</sup> November 2014 session of the House of Commons Transport Select Committee please see the website at the below link:

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/inquiries/parliament-2010/hs2-update/?type=Oral#pnlPublicationFilter>

Further information on any correspondence relating to the House of Commons Transport Select Committee would be found at:

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/publications/?type=&session=26&sort=false&inquiry=all>

In relation to the 13<sup>th</sup> January 2015 session of the House of Lords Select Committee on Economic Affairs, please see the website:

<http://www.parliament.uk/business/committees/committees-a-z/lords-select/economic-affairs-committee/publications/?type=&session=26&sort=false&inquiry=1789>

Further to all the above, from the Department's perspective, the case for a high speed railway was made in the October 2013 Strategic Case for HS2.

(<https://www.gov.uk/government/collections/the-strategic-case-for-hs2> ) and our position in that respect remains unchanged. For example, in Clause 49 of the Executive Summary, it states:

*“If we are to build a new railway, there is a choice between a conventional railway and a new high speed line. A new high speed line would cost 9% more than a conventional railway and, in certain respects, would have higher environmental costs, but the difference in price and the relatively higher environmental impact is more than outweighed by the economic benefits to be gained from radically reducing journey times and improving connectivity between our main cities. Given the scale of the investment, therefore, and in terms of the future wellbeing of the country as a whole, a high speed line would be preferable to a conventional one.”*

And in Clause 9 in the Executive Summary of the Supplement to the October 2013 Strategic Case for HS2 (<https://www.gov.uk/government/publications/hs2-supplement-to-the-october-2013-strategic-case>), it states:

*“Whilst providing more capacity and improving reliability are the driving needs for HS2, the benefits that it will bring are much broader. By significantly reducing journey times between our major cities, HS2 will bring people and businesses closer together giving the prospect of a much wider national economic benefit, including supporting the Northern Powerhouse.”*

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's FOI Advice Team at:

Zone D/04  
Ashdown House  
Sedlescombe Road North  
Hastings  
East Sussex TN37 7GA  
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please send or copy any follow-up correspondence relating to this request to the FOI Advice Team to help ensure that it receives prompt attention. Please also remember to quote the reference number above in any future communications.

Please see attached at [Annex A](#) details of DfT's complaints procedure and your right to complain to the Information Commissioner.

Yours sincerely

David Coles, CEng, FICE  
Deputy Director, Technical Strategy  
High Speed Rail Group  
Zone 3/13  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

## **Annex A**

### **Your right to complain to DfT and the Information Commissioner**

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that Department has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF