



Hampshire County Council

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Enquiries to

Information Governance Team

My reference

EIR – 17546 IR

Direct Line

Your reference

Date

27 July 2020

E-mail

foi@hants.gov.uk

Dear Mr Cowan

Information Request

I have carried out an internal review of the response to your Environmental Information request EIR 17546. I work in the Information Governance Team within Corporate Services at Hampshire County Council, and I can confirm that I was not involved in producing the original response.

You submitted an information request on 8 June 2020 requesting the following

I would like to request any simulations or estimated improvements in traffic flow as a result of your proposed A30 Brighton Hill Roundabout Scheme. Please provide this as a comparison against current flow, as well as the method used to achieve the estimates/simulations.

I would also like information regarding the impact of removing the subways on the vehicle traffic flow and pedestrian/cyclist safety through the roundabout. Additionally the cost implications of retaining the subways vs removing them and filling them in.

The Economy Transport and Environment Team sent a response on 22 June 2020 explaining that the requested information was withheld. Your request was considered under the Freedom of Information Act 2000 providing you with the traffic modelling document for the Brighton Hill Roundabout improvement scheme and advising that it would take over the 18 hours to provide the additional information you requested.

Barbara Beardwell MA Solicitor

Head of Law & Governance and Monitoring Officer

John Coughlan CBE

Chief Executive

You responded on 26 June 2020 stating

The response failed to give any information regarding the potential reduction in safety through removing the subways on the Brighton hill roundabout. It is unclear as to whether a proper assessment has been done on this change to the proposed scheme, as the question regarding costs was also dismissed without a response.

As part of this review, I have liaised with the Head of Implementation - Transport and considered the Information Commissioner's Office (ICO) guidance on relevant exceptions which can found on the ICO's website <https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/refusing-a-request/>

My investigation has found that the County Council failed to advise you that your request was being responded to under Environmental Information Regulations 2004 (EIR). EIR is broadly similar to the Freedom of Information Act, but specifically applies to environmental information. The County Council also failed to apply the Regulation to refuse your request and to explain in detail why the information was not being provided to you.

The County Council should have applied Regulation 12(4)(B) as the officer considered it was manifestly unreasonable to provide the information within the estimated cost of one person spending 18 hours in determining whether the County Council holds the information, locating, retrieving and extracting the information.

My investigation has established that this exception had been incorrectly applied and officer failed to provide a comprehensive response to you.

Following my discussions with the Head of Implementation – Transport, he has provided the following response and appendix in relation to your original request.

Junction simulation modelling

This was provided to you in an earlier reply.

Safety impacts to pedestrians and cyclists through the removal of the subways

The proposals for the junction including the pedestrian and cycle infrastructure have been developed to accord with national and local design guidance. A road safety audit has been undertaken on the preliminary design which includes the provision of surface level signalised crossing facilities for pedestrians and cyclists. The findings of the audit have been considered within the development of the design and these aspects along with removal of the subways will undergo further safety reviews as the design progresses. These future audits will be made available on request.

The cost implication for retaining the subways

The estimated costs associated with this change have been developed over the last year as the knowledge and information available about the existing structures, the construction requirements and the impact to adjacent utility services has been better understood. The initial May 2019 estimated cost of retaining four subways was £25.400m, compared to November 2019 estimates for the removal and provision of service level only crossings of £20.885m and the November estimate for the retention of only two subways of £27.475m. All three estimate allow for design fees and

Summary

In summary I have concluded that the County Council's response did not provide adequate information to you and incorrectly applied Regulation 12 (4) (B) – manifestly unreasonable to your response.

Accordingly, I uphold your complaint and trust that the information provided answers your original request.

Please accept my apologies for the delay to your response. I was originally advised that the officers would need to obtain consent from third parties to release information to you. However, I have now been advised that this information was not requested by you in your request and therefore consent no longer needs to be sought.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner at the following address. Information Commissioners Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

Yours sincerely



Amanda Godridge
Senior Information Governance Officer