

Our ref: EIR 101106

Mr Matt Turner

By email only

A52 Nottingham Junctions Project
Team
Regional Investment Programme
Midlands
Floor 5, Two Colmore Square
38 Colmore Circus
Birmingham B4 6BN

11 June 2020

Dear Mr Turner

**A52 Nottingham Junctions
Environmental Information Regulations 2004**

Thank you for your email of 16 May 2020 requesting a copy of the Business Case for our A52 Nottingham Junctions project.

Regrettably, in reliance on the exception in regulation 12(4)(d) of the Environmental Information Regulations 2004, we have decided not to disclose the Business Case. In applying this exception we have had to balance the public interest in withholding the information against the public interest in disclosure. The key public interest factors for and against disclosure are attached. We hope this explains the reasons for our decision.

We are planning a series of properly managed and timely engagement activities to ensure that we provide easy-to-understand, relevant, timely and accessible information on the A52 Nottingham Junctions project to all stakeholders. Because we are still working on traffic-related modelling information and updating the economic, commercial and management case for the project, we believe that to release the information now could give our customers an inaccurate and misleading view of the project and may in turn divert our project resources to respond to a disproportionate volume of enquiries.

If you are unhappy with the way we have handled your request, you may ask for an internal review. Our internal review process is available at <https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a printed copy of our decision, please ring our Customer Contact Centre on 0300 123 5000 or email them at info@highwaysengland.co.uk. You should contact me via our A52 inbox at A52NottinghamJunctions@highwaysengland.co.uk if you wish to complain.

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

If you have any queries about this letter, please contact us via our A52 inbox at A52NottinghamJunctions@highwaysengland.co.uk. Please quote reference EIR 101106 in any future communications.

Yours sincerely

A52 Nottingham Junctions Project Team

Request for Business Case for A52 Nottingham Junctions project

Environmental Information Regulation 12(4)(d): Material in the course of completion, unfinished documents and incomplete data

<i>Factors supporting disclosure</i>	<i>Factors supporting non-disclosure</i>
<ul style="list-style-type: none">• There is an important public interest in the work of Highways England being transparent and open to scrutiny to increase diligence and to protect the public purse.• There is a presumption in favour of release of the information.• Draft Business Case would provide details of our priorities for the local communities and help to bring support or challenge.• Release of the information could help to build public confidence and increase support for the A52 Nottingham Junctions project.	<ul style="list-style-type: none">• Traffic related modelling information is still being worked on, therefore the current information could be misleading with regard to the overall economic case to be delivered from the project.• The current commercial and management case is being updated in line with the phased delivery model being adopted for the junctions along A52, and therefore disclosure at this stage would provide a misleading view of the project.• We are still in commercial discussions with delivery partners and therefore the commercial case is to be updated following this. Disclosure at this stage would likely prove to be inaccurate.• A series of properly managed and timely engagement activities are planned to ensure that we provide easy to understand, relevant, timely and accessible information to all stakeholders.
Conclusion: there are compelling arguments which support withholding the information which outweigh those supporting release. In this case therefore Exception 12(4)(d) is engaged.	