



Department for Transport

Department for Transport
Great Minster House
33 Horseferry Road
London
SW1P 4DR
Tel: 0300 330 3000

Mr Joe Rukin

[By email: request-311536-d70f3f05@whatdotheyknow.com]

Web Site: www.gov.uk/dft

Our Ref: F0013243

Freedom of Information Act Request – Ref: F0013243

16th February 2016

Dear Mr Rukin,

Thank you for your email received on 19th January 2016, within which you requested the following information:

“As such I wish to know:

- 1) How the HS2 project was split up for purposes of MPA review and reports in 2015.***
- 2) The dates each review/report took place.***
- 3) The overall delivery confidence assessment or traffic light rating given in each of these reports.***
- 4) The recommendations made in each of these reports.***
- 5) The feedback given by HS2 Ltd regarding any such recommendations.***
- 6) The actual reports.”***

Whilst you have requested this information under the EIR regime, the Department's view is that the information contained in the 2015 HS2 MPA reports is non-environmental in nature and therefore falls to be handled under the Freedom of Information Act 2000 (“the FOI Act”).

In regard to your request, the FOI Act obliges us to respond to requests promptly, in any case no later than 20 working days after receiving the request; we are contacting you today to meet this obligation. However, when a qualified exemption applies to the information, the public interest test needs to be considered. While the Department does hold information you are seeking, in this instance we require more time to complete public interest test considerations.

We do, of course, aim to make all decisions within 20 working days, including in cases where we need to consider where the public interest lies in respect of a request for exempt information. Your request, raises some complex public interest considerations which must be analysed before we can come to a decision.

The qualified exemption that we consider applies to the information you requested is section 35(1)(a) which exempts information held by a Government Department if it relates to the formulation or development of government policy.

Due to the cross-departmental nature of the considerations arising from your request I am writing to you today to explain that we need to extend our response time limit by a further 20 working days in order to assess whether it is in the public interest to disclose or withhold the information. Therefore, we plan to let you have a response by 15th March 2016.

If there is a need for any further extension beyond this we will keep you informed. 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 details of DfT's complaints procedure and your right to complain to the Information Commissioner.

Yours sincerely,

Alex Kent

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 DfT 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

