

Our ref: CRS 679,606 [HAIL 13346572]  
Your ref:

**By e-mail:**

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12<sup>th</sup> September 2012

Dear Mr Parkinson

**A556 KNUTSFORD TO BOWDON IMPROVEMENT  
M6 JUNCTION 20 ALTERNATIVE**

I am writing to advise you that we do hold certain, draft information that is relevant to your request of 16<sup>th</sup> August 2012, but regret to inform you of my decision not to disclose this information.

The information you requested is being withheld in reliance on the exception in regulation 12(4)(d) of the Environmental Information Regulations 2004 because the request is for information that is incomplete. This use of this exception is justified here because releasing the initial work done so far would compromise the planned release of the final information within the documents to be included in the application for a Development Consent Order, which is to be made under Section 37 of the Planning Act 2008. We intend to make our application during Winter 2012/2013.

Moreover, the initial work done still needs to be augmented by further types of assessment. This assessment is being carried out in response to the 15<sup>th</sup> April 2012 request from the A556 Lobby Group, who submitted the M6 Junction 20 alternative during formal public consultation, for the Agency to thoroughly investigate the alternative and report publicly on our findings. The release of the preliminary work therefore could lead to the perceptions that the Agency have carried out limited consideration of the alternative, and are not planning to do any more work.

It is our intention therefore to use the statutory and public process of the Planning Act 2008 to facilitate this formal response to the A556 Lobby Group and to our other stakeholders.

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 set out in the attached Annex 1 – the Public Interest Test Results Table - to this letter.

Nonetheless, I can provide you with some information about the type of work the Agency are doing to consider the M6 Junction 20 alternative. Preliminary work done to date still needs to be supplemented by ongoing work to give an adequate response to the A556 Lobby Group's alternative. So far we have carried out a traffic assessment to assess whether improving the motorway junction would provide a viable alternative to improving the A556 route. This used the same traffic models as those developed for the public consultation earlier this year. The traffic assessment looked at four scenarios to simulate differing scales of highway alterations in and around M6 Junction 20. These were:

1. Junction improvements to M6 Junction 20 only
2. Junction improvements + Motorway improvements on M6 and M56
3. Junction improvements + Motorway improvements + A556 Restrictions
4. Junction improvements + A556 restrictions

The aim of these tests was to determine the potential responses of traffic to each improvement scenario. Traffic conditions were measured by comparing traffic flows on key links in the area, as well as comparing journey times along the motorway route and the A556 route. The original "Do Something" scenario (i.e. construct the A556 Scheme) forecasting models for the Baseline Option 0 layout put forward for public consultation were used as a "control" test to demonstrate journey time savings and traffic levels for the A556 Scheme.

The next step is to integrate work on cost assumptions and economic benefit analysis, which has not been completed yet. As a consequence, we are unable to release information yet from our assessment of the M6 Junction 20 alternative. Information about this work will be included in our Consultation Report.

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 <http://www.highways.gov.uk/foiresponses/FOIresponses/8024.aspx>.

If you require a print copy, please phone the Highways Agency Information Line on 0300 123 5000; or e-mail [ha\\_info@highways.gsi.gov.uk](mailto:ha_info@highways.gsi.gov.uk) . You should contact me 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 me. Please remember to quote the reference number above in any future communications.

Yours sincerely



*pp* Ms Anna Pickering  
MP North Manchester  
Email: [anna.pickering@highways.gsi.gov.uk](mailto:anna.pickering@highways.gsi.gov.uk)

## **Annex 1 – Public Interest Test Results Table**

<b><u>Request for Information relating to A556 Scheme</u></b> <b><u>Assessment of M6 Junction 20 alternative</u></b> <b><u>from Matt Parkinson</u></b>	
<b>EIR Exception 12(4)(d) - the request is for information that is incomplete</b> <i>(i.e. 16<sup>th</sup> August 2012 request is for "initial work done")</i>	
<b><i>Factors supporting disclosure</i></b>	<b><i>Factors supporting non-disclosure</i></b>
<ul style="list-style-type: none"> <li>• There is a clear public interest in the work of government and other public bodies being closely examined to encourage the discharging of public functions in the most efficient and effective way;</li> <li>• There is a clear public interest in the value-for-money of this project, as it involves the spending of public funds;</li> <li>• There is a clear local community interest in the route of this scheme, as it will impact private property and local communities;</li> <li>• There is a public interest in disclosing information about assessment processes both within and without the Agency. This would help the public find out more about the methods used and factors taken into account, which would help increase transparency;</li> <li>• As the applicant is a member of the A556 Lobby Group that submitted the M6 Junction 20 alternative, he personally has an understandably significant interest in the Agency's work to consider this alternative, and presumably wants to ensure that the scope and degree of the assessment will be sufficient;</li> <li>• As the public consultation for the project finished in April 2012, there is a strong local interest in the Agency's response to alternatives proposed during consultation. As the application for the Development Consent Order is not planned to be submitted until Winter 2012/13, there is a wish for information to be released before then.</li> </ul>	<ul style="list-style-type: none"> <li>• The information requested is recognised as initial work done, and therefore incomplete. Releasing work done so far would compromise the planned release of the final information. This is to be within the Development Consent Order (DCO) application documents. This application is to be made under Section 37 of the Planning Act 2008. We intend to make our application during Winter 2012/13. Therefore, it is already our intention to release this information at a time when it is complete, using the statutory and public process of the Planning Act 2008 to facilitate a formal response to the A556 Lobby Group and to our other stakeholders;</li> <li>• The DCO application will include a Consultation Report. This will be published on acceptance of the Agency's application (within 28 days of the application if accepted). This report is a statutory document required to detail what feedback was received during consultation and it must explain how we have taken account of consultation responses. The report will cover alternatives put forward at public consultation, and we intend to cover the consideration of the M6 Junction 20 alternative within this Report. Therefore, it is already our intention to release this information within a statutory document whose purpose is to publicise and consider the feedback raised in public consultation;</li> <li>• In scheme update letters the Agency issued to stakeholders on the 20<sup>th</sup> July 2012, the Agency stated about the M6 Junction 20 alternative: "We will publish more information about our findings in the Consultation Report". Therefore, to publish information now on the alternative would contradict our earlier assurances, and would risk leading to</li> </ul>

	<p>confusion about the role and importance of the Consultation Report and other DCO application documents in being the place for the consideration of consultation feedback;</p> <ul style="list-style-type: none"> <li>• The initial work done still needs to be augmented by further types of assessment. This assessment is being carried out in response to the 15<sup>th</sup> April 2012 request from the A556 Lobby Group, who submitted the M6 Junction 20 alternative during formal public consultation, for the Agency to thoroughly investigate the alternative and report publicly on our findings. The release of the preliminary work therefore could lead to the perceptions that the Agency have carried out limited consideration of the alternative, and are not planning to do any more work;</li> <li>• Releasing this information between the end of the formal public consultation and the application for development consent, from which point representations from the public are also invited, may lead to confusion amongst stakeholders about whether or not they are expected to provide feedback, and whether the release of this information forms part of the statutory pre-application consultation or post-application examination process. The Agency would have to commit resource to issue additional information explaining the requested information was not being published as part of any formal feedback-seeking process;</li> <li>• The Agency would have to deal with any criticism of the released information, including articles in the press. Such criticism could relate to the fact that the release of information had not been scheduled previously, or that the Agency were releasing assessment information at a time outside consultation;</li> </ul>
<p><b>Conclusion: there are compelling arguments which support withholding the information which outweigh those supporting release.</b></p> <p><b>PIT Members: Anna Pickering, Arun Sahni</b></p> <p><b>Date of PIT: 06/09/2012</b></p>	