



Department  
for Transport

Channel Tunnel Security Policy  
Land Transport Security  
Department for Transport  
Zone 4/28  
Great Minster House  
33 Horseferry Road  
London SW1P 4DR

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

18 July 2019

Dear Mr Cox,

### Freedom of Information Act Request - F0017541

Thank you for your information request of 25 June 2019. You requested the following information:

*"I would like to request a list of defunct restricted zones (Zones) under the Channel Tunnel Security Order 1994 (The Order). That is, areas which were once designated as "restricted zones" under The Order, but that are no longer designated as such. Please would you also provide for each Zone the date of initial designation and final dedesignation (as well as any intermediate redesignations and dedesignations as appropriate).*

*My intention is that a "restricted zone" encompasses the common name of the Zone, as well as a full definition of the Zone (including maps where they constituted a component of the definition of the Zone). If the area defined by a Zone has changed over time, please would you treat each change to the definition as if it were a designation in its own right.*

*Please also provide a count of the current restricted zones that are in force."*

Your request has been considered under the Freedom of Information Act 2000.

I am writing to confirm that the Department for Transport does hold the information you requested but has decided that some of this information cannot be disclosed for the reasons given below. The information that can be released is as follows:

Defunct Restricted Zones (RZs) under the Channel Tunnel (Security) Order 1994 (CTSO) are as follows:

<b>Location</b>	<b>Initial designation</b>	<b>Revocation</b>
Euro Terminal, Trafford Park	31 March 1999	8 October 2012
Euston Station	9 August 2012	15 July 2019
Mersey Docks and Harbour Co.	1 December 1994	6 April 1999
Mossend	1 May 2006	14 May 2018
North Pole International	12 September 1994	13 November 2007
Waterloo International Terminal	12 September 1994	13 November 2007
Waterloo Station (Catering Unit)	13 November 2007	2 September 2011

In addition,

- during the 2012 Olympic Games the RZ at St Pancras International was temporarily varied to allow for a corridor through the existing RZ to provide a shortcut for passengers using the Southeastern Javelin service to Stratford International. This variation lasted from 18 July to 14 September 2012.
- a variation to an RZ occurred at one of the sites that has been withheld due to the exemptions quoted below, in order for construction works to be conducted, was approved on 2 December 2011 and revoked on 17 January 2018.
- a variation to the RZ at Ashford International station for platform works was approved on 14 December 2017 and revoked on 29 March 2018.

The number of RZs currently in force is 10.

The full definitions of the defunct RZs, including maps, which you requested, constitute information which is being withheld under the qualified exemptions at Section 24(1) (National Security), Section 31(1)(a) (Law Enforcement) and the absolute exemption at Section 41(1) (Information Provided in Confidence) of the Freedom of Information Act 2000.

In applying the qualified exemptions we have had to balance the public interest in withholding the information against the public interest in disclosure. We are applying Section 41(1) of the Act as the plans of Restricted Zones have been provided to the Department for Transport by the operators, such as Eurotunnel and Eurostar, of these sites in strict confidence. This is to ensure that these sites can properly be described in documents pertaining to the safe and secure administration of the site. There is a clear expectation that these will be kept confidential, especially as many RZs are outside routine public view, and not disclosed since disclosing the plans would undermine the security of those areas, as well as endangering staff and the public. If we were to release these documents it would constitute an actionable breach of confidence and our credibility to maintain confidential details would be called into question.

The attached annex A to this letter sets out the exemptions in full and details why on balance the public interest test favours withholding the information.

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.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 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,

Channel Tunnel Security Policy  
Land Transport Security

## **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

<p><b>Exemptions in full</b>  Section 24 (1) (National Security), Section 31 (1)(a) (Law Enforcement) and Section 41 (1) (Information Provided in Confidence)</p>	
<p>24 National security.  (1) Information which does not fall within section 23(1) is exempt information if exemption from section 1(1)(b) is required for the purpose of safeguarding national security.</p> <p>31 Law enforcement.  (1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—  (a) the prevention or detection of crime,</p> <p>41 Information Provided in Confidence  (1) Information is exempt information if —  (a) it was obtained by the public authority from any other person (including another public authority), and,  (b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.</p>	
<p><b>Public interest test factors for disclosure</b></p>	<p><b>Public interest test factors against disclosure</b></p>
<p>Government is open and transparent.</p> <p>All Restricted Zones (RZs) on the property of Channel Tunnel operators are marked with signs stating that access to these areas are controlled and persons may be subject to further security screening; such as being subject to search and staff and visitors requiring security passes. The signs also advise that unauthorised entry may lead to prosecution under the Order. Therefore, one might argue that this information is already publicised in order to ensure that any persons who access the RZ without permission know that they are breaking the law.</p> <p>Gives people confidence that they are being protected.</p>	<p>The Channel Tunnel (Security) Order 1994 (“the Order”) provides the legal basis for protecting the Channel Tunnel, including trains and people using it, from acts of violence (including terrorism), acts which may endanger, or likely endanger the safe operation of a Channel Tunnel train or the safety of the tunnel system. Included within the protective security measures, under the Order, is the fundamental principle of the establishment of RZs designed to prevent unlawful entry and to ensure entry is permitted only after screening.</p> <p>Even though the sites on the above list are no longer RZs as defined by the Order, they are still actively used by the rail industry. Therefore, public access to these sites is restricted and controlled to ensure that only those who have a legitimate purpose gain entry. This is to ensure persons with malign intent are not able to gain easy access and cause damage or</p>

	<p>disruption to operations. Details, including maps and plans, of revoked RZs could still present useful information to terrorists and organised criminal gangs, creating a vulnerability and a possible threat not only to the Channel Tunnel, its infrastructure and users but also to the domestic rail infrastructure in which the revoked RZ is located.</p> <p>Furthermore, in publishing plans we could also be encouraging unauthorised access which may result in persons being injured due to a lack of understanding of the site.</p> <p>Additionally, there is a difference between publicising the RZ through signage at the site and disclosing them which could result in their being placed in the public domain, for example on a website, which could be used for hostile reconnaissance.</p> <p>The Information Commissioner in a previous similar case balanced the public interest in disclosure of information on RZs against the significant public interest in safeguarding national security. She concluded that the public interest in maintaining the exemption was significantly weightier than the public interest in disclosure.</p>
<p><b>Decision</b> That the decision to withhold the information conforms to the Public Interest Test.</p>	