

**Cllr Bethan Waite**

[request-527616-b3dd5af9@whatdotheyknow.com](mailto:request-527616-b3dd5af9@whatdotheyknow.com)

16 November 2018

Dear Cllr Waite

## **FOI18-2156**

Thank you for your information request of 19 October 2018, I have processed your request under the Environmental Information Regulations 2004 ('EIR') as the information requested is environmental according to the definition in regulation 2 of the EIR. Section 39 of the Freedom of Information Act 2000 ('the Act') exempts environmental information from the Act, but requires us to consider it under the EIR.

In your email you requested the following information:

**"At your public engagement event on 19 October at Abbots Bromley Village Hall, you showed the public several detailed maps of the current proposals to power HS2 Phase 2a from a new substation at Parkgate near Newborough. I and others planning to petition Government regarding these proposals request access to these maps, preferably in electronic format. We appreciate that these are DRAFT plans, and understand that they may change. As a public authority, I believe you have a duty to share these maps with local people who may be affected by the draft plans. Requests to photograph the maps at today's "drop in" session were denied, something I feel is completely anti-democratic and absolutely not in the spirit of open public consultation**

I can confirm that HS2 Ltd does hold information in relation to your request. However, this is being withheld under the following grounds:

### **Regulation 12(4)(d) – Material in the course of completion, unfinished documents and incomplete data**

Regulation 12(4)(d) of the EIR provides that a public authority may refuse to disclose information "to the extent that the request relates to material which is still in the course of completion, to unfinished documents or incomplete data". If the information falls into any one of these categories, then the exception is potentially engaged (subject to a consideration of whether the public interest in maintaining the exception outweighs the public interest in disclosing the information).

The withheld documents are part of an ongoing decision making process and are currently being worked on with our contractors. Therefore the information held in the documents is subject to change and review. The conclusions, which will be drawn on completion of these

documents, will be deposited in Parliament in the early part of next year as part of AP2. The documents requested are expected to be published in the New Year.

This exemption is set out in full on the government legislation website:

<http://www.legislation.gov.uk/ukxi/2004/3391/regulation/12/made>

### ***Public Interest Test***

Although the information falls under the above exceptions, they are subject to a public interest test. We have weighed up the benefits to the public of releasing the information against the favour for not releasing it. We consider that the factors for not releasing the information outweighs that for disclosure. Please see **Annex A** for the full details of our consideration.

If you are unhappy with the way we have handled your request or with the decisions made in relation to your request, you may complain in writing to HS2 Ltd at the address below. Please also see attached details of HS2 Ltd's complaints procedure and your right to complain to the Information Commissioner.

Please remember to quote reference number **FOI18-2156** in any future communication relating to this request.

Yours sincerely

**F Woollard**

Briefings, Correspondence and FOI Adviser  
High Speed Two (HS2) Limited

### **Your right to complain to HS2 Ltd and the Information Commissioner**

You have the right to complain to HS2 Ltd 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.

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