

Network Rail
Freedom of Information
The Quadrant
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Regulation 12(4)(d) – Material in the course of completion

Regulation 12(4)(d) of the EIR states:

‘a public authority may refuse to disclose information to the extent that (d) the request relates to material which is still in the course of completion, to unfinished documents or to incomplete data’

The Information Commissioner’s Office (ICO), has provided the following guidance on the application of Regulation 12(4)(d):

‘Regulation 12(4)(d) is engaged when the request relates to material that is still in the course of completion, unfinished documents or incomplete data... [M]aterial which is still in the course of completion can include information created as part of the process of formulating and developing policy, where the process is not complete...’⁴

The detailed plans for these resignaling works are still in the early stages of being designed. As such, our internal experts are still developing firm plans and these are therefore work that is still in the course of completion.

The public interest test

I am content we have demonstrated that the exception at 12(4)(d) is engaged. However, in order to withhold the information we must also show that the greatest public interest lies in doing so. There is always a general presumption in favour of transparency and accountability in relation to public spending. We understand the importance of promoting openness where public funds are concerned and aim to disclose information in response to FOI and EIR requests.

One of the key purposes of the EIR is that people should have access to information to help inform public debate about environmental decisions. We recognise that providing information on future re-signalling works would support the public’s capacity to engage in environmental decision making locally.

information” includes any information relating to measures or activities affecting, or likely to affect, the environment. For the full text of the EIR, see: http://www.legislation.gov.uk/uksi/2004/3391/pdfs/uksi_20043391_en.pdf

⁴ Paragraph 4 of the ICO’s guidance on Regulation 12(4)(d) of the EIRs. See https://ico.org.uk/media/for-organisations/documents/1637/eir_material_in_the_course_of_completion.pdf for the full text.

Set against this is the fact that, to ensure we reach appropriate decisions and deliver necessary infrastructure upgrades to the best of our abilities, we need a 'safe space' in which to work. It is very much in the public interest to allow our experts the space to carry out their work without external pressure, as this will lead to better results overall for the for rail passengers.

Having weighed up these arguments. I do understand that there is some interest in the detailed re-signalling plans at this stage. However, we believe that disclosure of this information would ultimately be detrimental, as it would jeopardise the safe space needed to further develop this proposal. Additionally, the summary information I am providing to you below I believe satisfies the public interest at this time.

I have been provided with a brief summary of the works our signalling engineer compiled which he thought may be of interest to you. These are all subject to change based on the final detailed plans which are still being compiled.

Harrogate – Poppleton

There are works planned in the Harrogate Signal Box area.

We are currently planning to extend the life of the existing signalling assets through the renewal of life expired and obsolete signal assets which, once complete are intended to maintain the current reliability levels as a minimum. The control of the signalling equipment is to remain at Harrogate SB. The geographic boundaries of this work are between mileages 18m 60ch and 20m 38ch on the Engineers Line Reference HAY2.⁵ This work is a "like for like" renewal as there are no planned enhancements as part of this work.

Selby & Gascoigne Wood

In the current business plans, there is a plan to "re-signal" the current Selby SB area where it will be re-controlled to the York Route Operations Centre (ROC) as part of this scheme. It is planned as a like for like renewal and is not an enhancement project. As with many of our projects they will interface with any enhancement projects in the area. For this project (Selby Re-signalling) there is collaboration with the Transpennine Route Upgrade project. The boundaries of the works (Selby SB Area) are:

HUL1⁶ 21m 10ch – 30m 40ch

⁵ Engineers Line Reference HAY is the line from Harrogate to York with HAY2 being Starbeck North Junction to Harrogate Station

⁶ Hull to Selby Station

HUL2 ⁷	30m 40ch – 31m 12ch
HUL3 ⁸	0m 0ch – 3m 18ch
SEC ⁹	0m 0ch – 0m 32ch
TCW1 ¹⁰	170m 70ch – 174M 11ch

Currently this project is in its infancy and the details of the work are currently in the process of being written up into the Contract Requirements – Technical (CRT)

There is a plan to rationalise the signalling in the Gascoigne Wood area. This is to facilitate Harworth Estates (HE), who are the owners of the sidings, to be able to develop from a freight perspective. Network Rail and HE are currently resolving legacy issues over the site which we hope will be concluded shortly. Once completed this will enable the works as agreed between both parties to commence. These works will retain Gascoigne Wood signal box. The boundaries of this work are:

HUL3	5m 7ch – 6m 50ch
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We also have a plan to re-control Gascoigne Wood signal box to York ROC, which is proposed to commission in early Control Period 7 (CP7) (2024-2029) with the work due to start on the remitting side in the next year. The boundaries are:

HUL3	5m 7ch – 9m 25ch
SHG ¹¹	13m 70ch – 14m 17ch

I hope this is useful. If you have any enquiries about this response, please contact me in the first instance at xxx@xxxxxxxxxx.xx.xx or on 01908 782405. Details of your appeal rights are below.

Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely

Joanne West
Information Officer

⁷ Selby to Selby South Junction

⁸ Selby South June to Micklefield

⁹ Selby Canal Goods Curve

¹⁰ Temple Hirst Junction to Selby South Junction

¹¹ Sherburn Curve

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Appeal rights

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of Freedom of Information at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at xxx@xxxxxxxxxxx.xx.xx Your request must be submitted within 40 working days of receipt of this letter.

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 (ICO) can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or you can contact the ICO through the 'Make a Complaint' section of their website on this link: <https://ico.org.uk/make-a-complaint/>

The relevant section to select will be "Official or Public Information".