



Neil P
request-148426-f231befe@whatdotheyknow.com

2nd Floor
Eland House
Bressenden Place
London SW1E 5DU

4th March 2013

REQUEST FOR INFORMATION

Reference: FOI(P2) 13-07

Dear Neil P,

I am writing regarding your request for information received 4th February 2013. Your request has been considered under the Environmental Information Regulations (EIR) 2004.

In your email you requested the following information:

1. Were HS2 Ltd employees ever at Broxtowe's Foster Road offices, and on what dates?

HS2 Ltd employees have attended one meeting at Broxtowe Council's offices, on 19th July 2011.

2. Has HS2 Ltd consulted with, or entered into non-disclosure agreements with Peveril Homes or Broxtowe Borough, and what are the dates, times, duration, attendees of any such meetings.

Yes, for meetings before the announcement, our approach was generally to ask participants to sign confidentiality agreements. Please see Annex A for a redacted version of our confidentiality agreement.

Details of the meetings are as follows. We do hold further information about the attendees of these meetings however provision of this would contravene the principles of the Data Protection Act (DPA) 1998. Accordingly, I advise that an exemption is applicable under section 40(3)(i) of the FOIA. Annex B sets out the exemption in full.

19th July 2011 – meeting at Broxtowe Council Office (9.30 – not recorded) – representatives from Broxtowe Borough Council

25th June 2012 – Secretary of State East Midlands listening event (13.30 – 15.30, Loughborough Town Hall) – Broxtowe attendees – Cllr Pat Lally (Leader), Ruth Hyde (Chief Executive)

5th February 2012 – Meeting with Broxtowe Borough Council and Peveril Homes (11.00 – 12.30, Eland House) – representatives from Broxtowe and Peveril Homes

15th February 2012 – Line of route briefing for affected Nottinghamshire local authorities – (10.00 – 11.30, Nottingham City Council, Loxley House, Station Street, Nottingham) – representatives from Broxtowe

3. Now that a route has been announced, please release any minutes and agreements?

19th July 2011 – there is no minute of this meeting

25th June 2012 – there is no minute of this meeting

5th February 2012 – please see Annex C

15th February 2012 – please see Annex D

Regarding confidentiality agreements, please see above and Annex A.

4. What alternative routes were considered for the access road? eg. access road through peveril homes? circular road through dogfood factory in hill cutaway?

In terms of the access road at Toton station we considered the two options below. These were considered at high level and not assessed in any great detail.

- 1) An access off Toton Lane approaching the station from the east. Given the current congestion at the A52/Toton Lane junction it was considered better to have direct access of the A52 to avoid all HS2 station traffic from the Derby and M1 to the west having to pass through that junction. It would also have been a longer road and required more land take.
- 2) An alternative from the south side from Nottingham Rd was also considered. Compared to a link from the A52 it would be a long way round from Derby and the M1 and have impact on traffic at Long Eaton. This could never be more than as a secondary means of highway access.

The access road to the station from the A52 was chosen in order to minimise the station footprint and land take to the east of the station. At this stage a junction on the A52 is proposed, but the exact location and nature of the junction with the A52 will be developed further in conjunction with the local authority and the Highways Agency.

5. How much parking is provided at the station? If none, can I suggest they use the nice big car park at the tram stop instead, and forget the roundabout?



The current station design allows for a car park with approximately 1400 parking spaces, arranged in a multi storey configuration. Please note this is an early stage in the design and further work will be done to confirm passenger demand for parking, and also develop parking strategy in conjunction with the overall transport plans for the region. We note your suggestion about using the Park and Ride car park on Toton Lane.

6. Will HS2 pay to rehome my frogs and toads?

At this stage in designing an initial preferred scheme no surveys have been undertaken. The route is still subject to change through public consultation later in the year and further detailed engineering and environmental assessment will be carried out.

7. Why did we have to find out about this on the internet, before we'd received your letter?

We were not able to send letters to those directly affected by the initial preferred route until the route had been presented to Parliament. As the Ministerial Code (para 9.1) states, "When Parliament is in session, the most important announcements of Government policy should be made, in the first instance, in Parliament".

8. Why did no-one come round to discuss alternatives?

The route published on 28th January is an initial preferred route, not a final decision. A national public consultation exercise will launch in 2013. We will publish detailed environmental, technical and other information about the route and stations to ensure that all interested parties can submit informed responses. We anticipate running a substantial programme of consultation events along the length of the proposed routes, at which people will be able to talk to a range of experts.

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 above address. 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 **FOI(P2) 13-07** in any future communication relating to this request.

Yours sincerely,

Josh Russell
Freedom of Information



Dear All,

As you know, HS2 is keen to engage with delivery partners in its identification and appraisal of high speed rail options from the West Midlands to Leeds and Manchester. As such we recognise your particular role and interests.

Whilst we recognise the need to consult all relevant parties to ensure our final report is supported by accurate and up to date information, we also have a very clear responsibility to avoid causing unnecessary blight. We therefore need to ensure that all our communications are treated in the strictest of confidence.

Therefore I should be grateful if you would confirm your agreement to the following terms in respect of all communications with the HS2 team and its consultants. I would ask you to:

- i. treat the information supplied by HS2 as strictly confidential and sensitive and apply no lesser security measures to it than you apply to your own confidential information; and
- ii. not disclose it to any third party or circulate it within your organisation other than on a strictly 'need to know' basis and only where you would be certain of the same rules of confidentiality being applied and respected.

It is important to note the requirements of the Freedom of Information Act 2000 and Environmental Information Regulations 2004, and it would be important to consult with HS2 Ltd should you receive any queries to disclose information we have shared with you before deciding on such requests for information. In this respect, the public interest test will be a critical consideration and one which HS2 Ltd takes very seriously in deciding whether to disclose or withhold sensitive or location-specific information, given the above mentioned concern to minimise causing unnecessary blight.

I hope you are able to agree to these requirements for the period from the date of this letter until Royal Assent for the bill dealing with the relevant area. I should be grateful if you would confirm this to me by return of email or by letter, or by signing below.

Should this cause you any concern, or you require any clarification, please do not hesitate to contact me.

Yours sincerely,

High Speed Two (HS2) Limited, registered in England.
Registration number 06791686. Registered office 55 Victoria Street, London, SW1H 0EU

ANNEX 1: Freedom of Information Act 2000

Absolute Exemption: Section 40 - Personal data

To the extent that the information requested includes personal data of which the applicant is not the data subject and as respects which either the first or second condition below is satisfied, a public authority shall not disclose the personal data.

(2) The first condition is—

(a) in a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 1998, that the disclosure of the information to a member of the public otherwise than under these Regulations would contravene—

(i) any of the data protection principles; or

(ii) section 10 of that Act (right to prevent processing likely to cause damage or distress) and in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it; and

(b) in any other case, that the disclosure of the information to a member of the public otherwise than under these Regulations would contravene any of the data protection principles if the exemptions in section 33A(1) of the Data Protection Act 1998 (which relate to manual data held by public authorities) were disregarded.

(3) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 1998 the information is exempt from section 7(1) of that Act and, in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing it.

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| Document Number: | |
| Meeting date: | 5 th February 2013 |
| Meeting Location: | HS2 Boardroom, Eland House |
| Meeting Type: | Developer and local authority |
| Zone/Area References | LMH |
| GIS/Land Registry Ref. (if known) | |
| HS2 Contact Person or Group: | xxxx |
| Stakeholder: | Peveril Homes, Broxtowe Borough Council |
| Topic Keywords: | Toton |

| | |
|--|--|
| Attendees: | |
| xxxx – Head of Planning and Building Control, Broxtowe Council | |
| xxxx – Regional Director, Signet Planning | |
| xxxx – Managing Director, Peveril Homes | |
| xxxx – Director, Peveril Homes | |
| xxxx – Managing Director, UKPP | |
| xxxx – Head of Route Engineering, HS2 Ltd | |
| xxxx – Senior Environmental Manager, HS2 Ltd | |
| xxxx – Route Engineer, HS2 Ltd | |
| xxxx – Environmental Manager, HS2 Ltd | |
| xxxx – Engagement Adviser, HS2 Ltd | |
| xxxx – Engagement Adviser, HS2 Ltd | |
| xxxx – Senior Land and Property Consultant, HS2 Ltd | |
| Meeting notes (key topics) | |
| <p>Description of initial preferred scheme</p> <ul style="list-style-type: none"> Route and East Midlands Hub station (Toton) <p>Broxtowe Borough Council Core Strategy</p> <ul style="list-style-type: none"> Working with other councils – Greater Nottingham Aligned Core Strategy Neighbouring site had been promoted for Green Belt release through Core Strategy process but later withdrawn Post HS2 announcement, opportunity to reconsider Delayed submission of Core Strategy in order to reconsult on site's inclusion Broxtowe generally supportive of HS2 and Toton station Request for briefing elected members <p>Current planning application</p> <ul style="list-style-type: none"> Submitted despite withdrawal of site from CS process Strategic location for growth, sustainable, good tram connection Expect to be able to go to committee within months Outline application | |

- Does not want to prejudice access for station

Timescales

- For development – 6 year phased build programme from early 2014
- For HS2

Access

- Key issue – need to ensure site masterplan allows for station access, but HS2 assumptions currently indicative pending further discussions with highway authorities
- Peveril / UKPP prepared to be flexible if necessary

Planning status of announced route

- Initial preference rather than final decision
- Not safeguarded
- Treatment in land searches
- Would appreciate sight of potentially conflicting applications but no statutory basis to object
- Request for GIS shapefiles

Other issues

- EHS / property compensation
- Parking
- Service pattern
- General discussion on development near stations – case by case basis

ACTIONS

- HS2 Ltd – consider interaction between site masterplan and access requirements
- HS2 Ltd – confirm planning status of route re: searches and current planning applications
- Broxtowe – inform HS2 Ltd of potentially conflicting planning applications
- HS2 Ltd / Broxtowe – arrange briefing of elected members
- HS2 Ltd – send GIS shapefiles to Broxtowe BC

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|---|---|
| Document Number: | |
| Meeting date: | 15 th February 2013 |
| Meeting Location: | Nottingham City Council, Loxley House, Nottingham |
| Meeting Type: | Local authority line of route briefing |
| Zone/Area References | LMH |
| GIS/Land Registry Ref. (if known) | |
| HS2 Contact Person or Group: | xxxx |
| Stakeholder: | Nottinghamshire councils |
| Topic Keywords: | Nottinghamshire, line of route |
| Attendees: | |
| xxxx – Transport Strategy Manager, Nottingham City Council | |
| xxxx – Rail Officer, Nottinghamshire County Council | |
| xxxx – Local Transport Plan Team Manager, Nottinghamshire County | |
| xxxx – Planning Policy Manager, Broxtowe Borough Council | |
| xxxx – Nottingham City Council xxxx – Highway Manager, Nottinghamshire County Council xxxx – Group Planning Manager, Nottinghamshire County Council xxxx – Head of Partnership and Performance, Rushcliffe Borough Ian Jordan – LMH Director, HS2 Ltd xxxx – Head of Route Engineering, HS2 Ltd xxxx – Senior Environmental Manager, HS2 Ltd xxxx – Engagement Adviser, HS2 Ltd xxxx – Community and Stakeholder Manager, HS2 Ltd | |
| Meeting notes (key topics) | |
| <p>Context</p> <ul style="list-style-type: none"> • Remit and overview of initial preferred scheme • Informal engagement – MPs, local authorities • Consultation <p>HS2 in your area</p> <ul style="list-style-type: none"> • Line of route through Nottinghamshire • East Midlands Hub station (Toton) <p>Issues raised</p> <ul style="list-style-type: none"> • Mechanism for engaging with NR work on released capacity / classic services • A52 junction – previous difficulties in securing HA support in context of plans for rail freight terminal • Core Strategy – want to treat neighbouring development site positively but need to account for space required for access etc • (non) provision of connecting spur to MML / Nottingham – likely to lobby for this • Recent planning permission granted for restoration of Bentinck Tip | |

- Status of initial preferred route with regards to land searches / planning applications
- Request for GIS shapefiles
- Briefing elected members – view taken best to wait until after election for County Councillors, but Broxtowe Borough more urgent due to Core Strategy consultation

ACTIONS

- HS2 Ltd – share GIS shapefiles
- HS2 Ltd – confirm planning status of route re: searches and current planning applications
- HS2 Ltd / Broxtowe BC – arrange elected member briefing

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