

Denise Wheeler

request-830668-57407fd6@whatdotheyknow.com

Dear Denise Wheeler,

FOI-22-4539

Thank you for your information request which was received on 10 February 2022. I have processed your request under the Environmental Information Regulations ('EIR') 2004 ('the Regulations') because the information you have requested concerns work affecting the environment according to the definition in Regulation 2. Section 39 of the Freedom of Information Act ('FOI') 2000 ('the Act') exempts environmental information from the Act but requires us to consider it under the Regulations.

REQUEST

Could you please provide me with updated information on HS2 phase 1 property lots for end of Feb 2022.

a) The total area of property permanently required, the number of lots in that area & the estimated cost?

b) The total area of property temporarily required & the number of lots in that area?

c) The total number, area & costs of lots where the purchase has been fully completed?

d) The total number, area & estimated cost of lots where an offer has been made & the purchase is in progress?

e) The total number & area of lots which have been taken under schedule 16 for use on a temporary basis?

f) The total number, area & estimated costs of lots which have been taken under schedule 16 that under current design will be required on a permanent basis?

RESPONSE

Our data is not organised in a way that allows us to easily provide the requested information. Regulation 12(4)(b) of the Regulations allows public authorities to refuse a request for information where the cost or burden of dealing with the request would be too great.

With regard to the separate costs you have requested, HS2 Ltd do not hold these to the level of granularity you require, partly because under compulsory purchase we do not make an offer and complete a purchase as such. We take possession and then settle compensation afterwards.

As a consequence of this, and the nature of the property acquisition process, to provide the costs you require for questions a), c), d), and f), would require individual analysis of the properties captured by the request, and this involves examining approximately 6,000 land parcels (lots).

To provide the data requested each land parcel (lot) would need to be individually analysed, currently we estimate it would take approximately 5 minutes to analyse one land parcel (plot).

6,000 plots x 5 minutes = 500 hours

Therefore, in this case responding to this request would place a disproportionate burden on HS2 Ltd. Please see Regulation 12(4)(b) - Manifestly unreasonable requests below for more detail.

OFFER TO ASSIST

When refusing a request for environmental information under Regulation 12(4)(b) on the grounds of cost or burden; public authorities are required to provide advice and assistance to help requesters refine their requests and bring them within the cost limit.

Therefore, I would like to explore with you how HS2 Ltd may best assist you to request relevant information which we hold.

Following discussions with the relevant business area we have identified parts of your request which we would be able to respond to within the cost limit. At this time HS2 Ltd would be able to respond to your questions posed if the separate cost elements were removed.

For clarity this means we could respond to the following questions:

- a) The total area of property permanently required and the number of lots in that area?***
- b) The total area of property temporarily required and the number of lots in that area?***
- c) The total number and area of lots where the purchase has been fully completed?***
- d) The total number and area of lots where an offer has been made & the purchase is in progress?***
- e) The total number & area of lots which have been taken under schedule 16 for use on a temporary basis?***
- f) The total number and area of lots which have been taken under schedule 16 that under current design will be required on a permanent basis?***

Please note that any reformulated request we receive will be treated as a new request and we cannot guarantee that any other relevant exceptions under the Regulations will not apply to a revised request.

REGULATION 12(4)(b)

Regulation 12(4)(b) sets out that a public authority may refuse to disclose information to the extent that the request for information is 'manifestly unreasonable'. A request may be manifestly unreasonable if dealing with the request would create unreasonable costs or involve an unreasonable diversion of resources.

All exceptions under the Regulations are subject to a Public Interest Test (PIT) which means that we need to consider whether "in all circumstances of the case, the public interest in maintaining the exception outweighs the public interest in disclosing the information". Having weighed up the benefits to the public of releasing the information against the factors for not releasing it. We consider that the factors for not releasing the information outweigh those for disclosure. Please see Annex A for full details of our considerations.

Right to Review

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. Please find below details of HS2 Ltd's complaints procedure which includes your right to complain to the Information Commissioner.

Please remember to quote reference number **FOI-22-4539** in any future communication relating to this request.

Yours sincerely,

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 40 working days of the date of this response 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