



Department for Transport

Information & Security Division
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Rod King

11 March 2019

By e-mail: request-534968-05ecee58@whatdotheyknow.com

Dear Mr King

Re: FOI Request F0016747 Internal Review

I am writing with regard to your information request which you originally made to the Department for Transport on 25 November 2018. You requested communications regarding the 20mph evaluation report and associated technical appendices.

The Department responded to your request on 21 December 2018. The response release information to you but informed you that the technical appendices being withheld in reliance on section 22(1) of the Freedom of Information Act 2000.

On 18 February you wrote to complain about the Department's handling of your request, stating that three months had elapsed since the publication of the report, and that you did not find the delay in publishing the technical appendices reasonable.

As a member of the Department's Information and Security Unit who was not involved in the handling of the original request, I have conducted an independent Internal Review.

The information you have requested has now been published at:

<https://www.gov.uk/government/publications/20-mph-speed-limits-on-roads>

together with the original report. I trust that this satisfies your concerns about this matter.

Nonetheless for thoroughness I have also examined the Department's handling of your request. When engaging the section 22 exemption, the Information Commissioner requires that a 'settled expectation to publish' exists at the time of the request. The Commissioner does not require the publication date to be 'reasonable', or even to be set – but does require that it be 'reasonable in the circumstances' to withhold the requested information. I have established that this settled expectation existed at the time of your request, and that in my opinion it was reasonable at the time of your request to withhold the information requested. At the time of your complaint, the 'reasonableness to withhold' may have been significantly eroded, but this is a moot point now that the information has been published.

Appeals Process

If you are not content with the outcome of this 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

Yours sincerely,

Eamonn Maloney
Information and Security Division