

09 October 2018

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Information Governance Team  
Corporate Services & Digital  
County Hall  
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Trowbridge  
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Our ref : RFI – ENQ09658-REQ002 Review

Dear Mr Banton,

## **Review of Freedom of Information Request regarding risk assessment**

I write following your complaint relating to the Wiltshire Council response to your recent freedom of information request. On 06 August 2018 you requested the following information;

Section 1 of the "Reasons" document issued in support of the Experimental Traffic Regulation Order LJB/TRO/AMESexp which has closed a number of Byways Open To All Traffic around Stonehenge with metal gates thereby preventing vehicular access to these rights of way, says:

"It is proposed that an experimental traffic regulation order ('ETRO') should be made under the Road Traffic Regulation Act 1984 (RTA 1984) Section 1(a) for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising."

Given that:

- a) these byways were in frequent use by motorists who would pull off the A303 and stop in safety in order to take a photograph of the monument and
- b) motorists wishing to take similar photographs now are pulling over on the grass verges of the A303 Clearway itself, immediately south and southwest of the monument (photographic evidence of at least 6 vehicles parked on both verges of the A303 at 8:15pm in the evening of the 4th August 2018 is available on request) and
- c) the danger to road users and other members of the public has actually increased enormously as a direct consequence of Wiltshire Council's decision.

Please will you provide a copy of the Risk Assessment carried out by Wiltshire Council prior to this ETRO being put in place.

Please will you also state which other agencies and organisations were consulted, and at what dates, in order that the Risk Assessments that they may have carried out prior to their agreeing to Wiltshire Council's plan may be requested from them in turn.

On 30 August 2018 the council responded in the following manner:

I am writing to advise you that, following a search of our records, I have established that the

information you requested is not held by the council.

There is no risk assessment document and no other agencies or organisations were consulted as

the clearway order along this stretch of the A303 prohibits motorists from stopping.

On 30 August 2018 you emailed the council to say:

I am dissatisfied with your response.

You appear to be saying that no risk assessment was carried out as to the likely impact of closing off the only relatively safe places for motorists travelling along the A303 to pull over and take in a view of Stonehenge, and that Wiltshire Council unilaterally decided on this course of action.

Are you absolutely sure that this is the response you want to give me?

Please confirm that this is the final public position of Wiltshire Council on this matter.

I have reviewed the handling of your original request and have concluded that I agree with our original response - There is no risk assessment document and no other agencies or organisations were consulted as the 'clearway order' along this stretch of the A303 prohibits motorists from stopping. Therefore we are maintaining our position and there is no further information we can provide on this matter.

If you are still dissatisfied with the council's response to your request for information you have a right to complain to the Information Commissioner. The Information Commissioners contact details are:

Information Commissioners Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF  
Tel; 0303 123 1113  
[www.ico.org.uk](http://www.ico.org.uk)

Yours sincerely

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