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Date as email

Dear Andrew Shirley

FOI-22-4618

Thank you for your information request which was received on 12 April 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

For ease of reference, I have numbered your questions below:

- 1. To ask tHS2ltd, for the number of cases in which compensation has been paid out to landowners for land taken before HS2ltd has taken ownership of the site?**
- 2. To ask HS2ltd if they have an assessment on the average number of days it takes for HS2ltd to pay compensation on land taken for the schemes?**
- 3. To ask tHS2ltd if they have a total figure for Injurious Affection claims that have been settled, and how many landowners are still awaiting compensation?**
- 4. Has HS2ltd carried out any research into the impact on affected businesses that delayed payment of compensation has caused, and how this might be remedied?**

RESPONSE

Our data is not organised in a way which would allow us to easily provide the information you request. Therefore, in accordance with Regulation 12(4)(b) we are refusing your request for information because it 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.

In determining your request was manifestly unreasonable, we conducted a preliminary search, to ascertain whether we could comply with your request. This search showed that, while it is likely that we hold the data it is recorded in a way that would require the examination of raw data relating to approximately 4,000 claims in order to calculate the information requested. Each claim would need to be individually interrogated to see if it is captured by the request and then any relevant data extracted from it.

If we work on the basis that there are 4,000 claims relevant to this request, we estimate it would take at least 333 hours to review. This estimation is based on the following calculation:

$$4000 \text{ Claims} \times 5 \text{ minutes per case} = 20000 \text{ minutes or } 333 \text{ hours}$$

Therefore, complying with this request would place a disproportionate burden on HS2 Ltd and would therefore be deemed manifestly unreasonable as defined by the Regulations.

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". Please see Annex A for full details of our considerations.

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.

Unfortunately, considering the size of the material caught by this request, I am unable to suggest any practical way in which your request may be narrowed within the terms of the Regulations. However, I am willing to consider any revised request which narrows the scope of the information captured. You may wish to consider focusing on specific aspects that are of interest to you.

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-22-4618** 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