

### **Regulation 12(4)(b) - Manifestly unreasonable requests**

Regulation 12(4)(b) of the Environmental Information Regulations 2004 (the 'Regulations') 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. Please refer to the below link which sets out the legislation in full:

<http://www.legislation.gov.uk/uksi/2004/3391/regulation/12/made>.

### **Public interest in disclosure**

- Disclosure of information would provide greater transparency, visibility and accountability of public bodies.

### **Public interest in maintaining the exception**

- The information requested cannot be easily identified and a preliminary search has found we would need to examine around 4,000 claims as the information is not stored in a way that allows the requested information to be easily identified.
- Due to the volume of documentation which we would be required to review, any further search for the information would necessitate a diversion of staff from core duties.
- There is a strong public interest in ensuring that public funds are expended proportionately, therefore the diversion of resources and the cost to comply with the request exceed that which is reasonable.

### **Conclusion**

The issues of transparency and accountability are noted. However, on balance it is considered that the public interest in maintaining the information is outweighed by the potential impact searching and extracting relevant information would have on the resources available to HS2 Ltd.

There is a strong public interest in ensuring HS2 Ltd can secure the best value outcome for the taxpayer and that all resources are used appropriately.

Therefore, it is considered that in this instance, at this time, to extract and present the information in the format requested, would place a disproportionate burden of HS2 Ltd. Accordingly, your request for information has been refused.

I encourage you to work with HS2 Ltd to identify a relevant search that would not place a disproportionate burden on HS2 Ltd's resources.