



Joe Rukin  
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19/1/2015

Dear Joe Rukin,

I refer to your request where you asked:

"In an answer to the House of Commons Governance Committee, Chair of HS2 Ltd Sir David Higgins said:

"I have got a review underway at the moment at High Speed 2 by the Major Projects Association. I had a meeting with them yesterday and the initial report said, 'There are 75 different complex questions that we have been asked to address.' I said, 'There are probably only 10 things today on this project that you need to understand and take judgment on, to see whether we are on track or not.' The key is to identify what those 10 things are, setting the options out and taking them to the key politicians and decision makers and saying, 'These are the options'."

I have asked HS2 Ltd what these 75 issues are, but they say the information is the property of the Cabinet Office:

[https://www.whatdotheyknow.com/request/what\\_are\\_the\\_75\\_issues#followup](https://www.whatdotheyknow.com/request/what_are_the_75_issues#followup)

This suggests to me that Sir David meant 'Authority', when he said 'Association' as above. **Can you firstly clarify that this is the case, and secondly I would like to know what these 75 questions are."**

I can confirm that Sir David Higgins was referring to the Major Projects Authority (MPA) within the Cabinet Office rather than a membership organisation, the Major Projects Association.

The 75 questions Sir David referred to are part of the Terms of Reference for the PAR review and they are included in the resulting MPA PAR report. I am writing to advise you that following a search of our paper and electronic records, I have established that the information you requested is held by the Cabinet Office as follows.

- PAR Report – 24<sup>th</sup> November to 5<sup>th</sup> December 2014

The following exemptions in the Freedom of Information Act 2000 (the Act) apply in relation to the information held:

Section 33(1)(b) and (2) and section 35(1)(a).

Section 33 applies because the Cabinet Office, through assessment of major programmes, examines the economy, efficiency and effectiveness with which public authorities use their resources. Section 35 applies because at the time the information was created, the government's policy on HS2 was still under development.

As these are qualified exemptions, the Cabinet Office is required to balance the public interest in disclosing the information against the public interest in maintaining the exemption.

When applying the test, the public authority is simply deciding whether, in all the circumstances of the case, it serves the interest of the public better to withhold or to disclose the requested information.

The public interest considerations favouring disclosure are:

- There is a considerable public interest in both understanding government Programmes and projects, and also ensuring their success. In this context, we note the considerable public interest in ensuring successful delivery, to ensure maximum benefits can be realised so that there is value for public money.
- There is a public interest in transparency and accountability so that there can be public scrutiny of whether the Assurance process is effective, particularly in high-risk projects and programmes like HS2.
- With regard to information relating to the formulation or development of government policy, there is a general public interest in disclosure in that greater transparency makes the government more accountable and increases trust.

The public interest considerations favouring non-disclosure are:

- The 75 questions are an intrinsic part of PAR review into the HS2 project, which relates to the development of Government policy. There is therefore a need for safe space for consideration of policy options, and the need for Ministers to be given full and frank advice.
- A key consideration in the balancing exercise was the clear public interest in maintaining the integrity of the Assurance process as an effective and prompt peer review process producing reports based on candid interviews for the benefit of Senior Responsible Owners and which has led to demonstrable vfm gains.
- It is in the public interest that officials are able to freely consider and assess aspects of policies and programmes without the fear that proposals and recommendations will be disclosed.

After weighing up the competing public interest considerations we have determined that, in all the circumstances of the case, on balance, disclosure of the information is not in the public interest.

If you have any queries about this letter, please contact the FOI team. Please remember to quote the reference number above in any future communications.

If you are unhappy with the service you have received in relation to your request or wish to request an internal review, you should write to:

Roger Smethurst  
Head of Knowledge and Information Management  
Cabinet Office  
1 Horse Guards Road  
London  
SW1A 2HQ

email: [foi.team@cabinet-office.gsi.gov.uk](mailto:foi.team@cabinet-office.gsi.gov.uk)

You should note that the Cabinet Office will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision. Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by Cabinet Office. The Information Commissioner can be contacted at:

The Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Yours sincerely

A handwritten signature in grey ink, appearing to read 'R Smethurst', is written over a faint, light-grey rectangular background.

**FOI Team  
Cabinet Office**