

Annex B – FOI15-1555 Public Interest Test

<p>FOI16-1555:</p>	<p><b>DEMOLITIONS</b></p> <p>Figures taken from your reports list 105 demolitions for Route 1 and our estimates on demolitions indicate 28 additional demolitions in addition to the 212 at the Shimmer Estate in Mexborough total 240 which contradicts the statement by Sir David Higgins "Overall, though, it is expected fewer properties would be need to be demolished" (p.22 Sheffield &amp; South Yorkshire Report)</p> <p><b>NOISE</b></p> <p>Could you confirm if any noise nuisance figures were produced to compare to the 6,200 affected properties on Route 1.</p>	
<p>Date:</p>	<p>7 September 2016</p>	
<p><b>EIR Regulation: Regulation 12(4)(d) Relates to material which is still in the course of completion; unfinished documents; and incomplete data.</b></p>		
<p><b>Factors supporting disclosure</b></p>		<p><b>Factors supporting non-disclosure</b></p>
<ol style="list-style-type: none"> <li>1) Compliance with FOIA and EIR public authority obligations to be transparent, to assist information applicants with their requests for information and to release relevant information to the public in a timely manner as outlined in HS2 Ltd's publication scheme;</li> <li>2) There is also public interest in transparency and accountability to ensure that public funds are being used effectively and that the department is getting value for money in the goods and services it purchases and/or the projects it funds.</li> <li>3) Facilitating public understanding of an important public project and matters of public concern.</li> </ol>		<ol style="list-style-type: none"> <li>1) The information withheld under this section relates to material that is still in the course of completion, and as such the information is likely to be subject to change. There is a public interest in ensuring that public officials have a safe space to work candidly and freely without being concerned that information could be released in a form where it is potentially misleading. It is in the public interest therefore that public officials are allowed a thinking space in which to appraise and assess all available options before making public announcements.</li> <li>2) The information relating to the demolitions and noise in Mexborough, South Yorkshire is still subject to further consideration and has not been finalised. We consider that it is important for the public to know exactly what options are being taken forward for consideration and consulted upon, rather than options or information which may not in the end, be relevant.</li> </ol>

	<p>3) Releasing information which is currently “work-in-progress”, before a decision has been made, runs the risk of misleading public debate. HS2 is a very high profile project which is subject to a high level of public and media scrutiny. While we are aware that we can contextualise such information to highlight any potential inaccuracies we are not confident that this will be sufficient to correct any misleading impressions or confusion that could be created publically if this information were released and used in the national debate surrounding HS2 Ltd.</p> <p>4) There is a public interest in favour of ensuring that a public authority does not have to expend resources on justifying information in early draft or preliminary documents.</p> <p>5) We intend to publish the finalised sustainability report for Phase 2 later this year, alongside the announcement from the Secretary of State, summarising the key potential environmental impacts based on the current level of design.</p>
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**Conclusion:**

The decision to withhold the information is upheld in the light of the arguments against disclosure. The material in question is still in development and final decisions are yet to be made, thus regulation 12(4) (d) is engaged.

The information withheld under this exception forms part of material which is still in the course of completion and HS2 Ltd staff should be allowed a safe space in which to work freely, employing this information. We recognise that there is a strong public interest in releasing information, particularly when it concerns public expenditure on a large-scale project. However there is also a public interest in ensuring that public authorities are given space to compile reports and make informed decisions, without concern that the public debate could be skewed by the early release of unfinished documents.

For these reasons we believe Regulation 12(4)(d) applies and the reasons against disclosure outweigh the public interest in releasing information early.