

Our ref: EIR 768 483

[REDACTED]
[REDACTED]
Strategy and Planning Directorate
8 City Walk
Leeds
LS11 9AT

13th February 2019

via Email: [REDACTED]

Dear [REDACTED]

Request for Information under the Environmental Information Regulations 2004.

Thank you for your request for information dated 16 January 2018.

Your request has been dealt with under the Environment Information Regulations 2004. This is because the information requested concerns measures and activities affecting or likely to affect elements of the environment.

In your request you stated:

I am seeking information under the Freedom of Information Act 2000 in relation to Highways England's dealings with Heathrow Airport Ltd in relation to the project to build a third runway over the M25 motorway.

In particular, could you provide me with:

- 1) Any assessment or feasibility study carried out by Highways England into Heathrow's preferred option for the future alignment of the M25. This was set out on p23 of the following consultation document published in January 2018 when it stated that "our current thinking is to re-position the M25 carriageway approximately 150 metres to the west, lower it by approximately 7 metres into a tunnel and raise the runway height by 3 to 5 metres so that it passes over the M25 between J14a and J15. The motorway will then re-join its current route". <https://www.heathrowconsultation.com/wp-content/uploads/2018/01/Expansion-Consultation-Document.pdf>***
- 2) Any assessment or feasibility study carried out by Highways England into other Heathrow Airport Ltd proposals in relation to M25. This includes options to bridge the runway over the existing M25, to tunnel the M25 under the runway (the design concept submitted to the Airports Commission) or divert the M25 around the west end of the runway.***
- 3) The minutes of any meetings / telephone calls and emails that Highways England has had with Heathrow Airport Ltd in which the subject of the future alignment of the M25 was discussed at any point since January 2017.***

We have completed our search for the information. I can confirm that we do hold the information you requested.

The information we hold related to your request is listed below and is attached to my covering e-mail. This information has been shared with Highways England as part of pre-application discussions with Heathrow Airport Ltd in relation to the proposed expansion of Heathrow Airport. We understand that Heathrow Airport Ltd is continuing to progress the development of its proposals, and will take account of views of statutory consultees and other parties as part of this work. The information below reflects development at a point in time and we understand that it will be superseded by information in Heathrow Airport Ltd's next public consultation.

In relation to Questions 1 and 2 of your request:

- M25 Heathrow Tunnels Deliverability Report December 2017
- All information relevant to your request within the following documents:
 - Highways England's response to Heathrow Airport Expansion Consultation - 28 March 2018
 - Highways England's response to Heathrow Expansion Masterplan Options - 29 June 2018
 - Highways England's response to Heathrow Expansion Masterplan Options - 30th October 2018

Note that information which is not relevant to your request has been removed from these documents.

In relation to Question 3 all information relevant to your request within the following:

- 18th July 2017 Heathrow Expansion Programme Highways England Workshop Minutes
- 9th January 2018 - Pre-CON1 material presentation to HE minutes
- 27th February 2018 Environment Technical Working Group minutes
- 7th March 2018 Road Design & Safety Technical Working Group minutes
- 16th April 2018 Road Design & Safety Technical Working Group minutes
- 17th April 2018 Constructability Technical Working Group minutes
- 18th June 2018 Road Design and Safety Technical Working Group minutes
- 17th July 2018 Constructability Technical Working Group minutes
- 5th December 2018 Heathrow Highways Steering group minutes
- Email 11th August 2017 from Highways England to Heathrow
- Email 29th August 2017 from Heathrow to Highways England
- Email 29th August 2017 from Highways England to Heathrow
 - Attachment to above email – Rough sketch drawn in meeting with Heathrow of potential option for M25 Alignment (now superseded and not taken forward in HAL's 2018 consultation).
- Email 29th August 2017 from Heathrow to Highways England
- Email 13th November 2018 from Highways England to Heathrow Airport
- Email 10th December 2018 from Heathrow to Highways England

Note that information which is not relevant to your request has been removed from these documents.

We have decided that some information within the documents listed above cannot be disclosed and has therefore been redacted. The information being withheld falls under the exemption (5) (a) in regulation 12 <http://www.legislation.gov.uk/uksi/2004/3391/regulation/12/made> of the Environmental Information Regulations 2004 because some of the information could potentially compromise Defence, National security or Public Safety.

In applying this exemption, we have had to balance the public interest in withholding the information against the public interest in disclosure. The key public interest factors for and against disclosure are attached in Annex A below.

Please note that personal information has been redacted in accordance with [Section 40 \(13\)](#) of the Environmental Information Regulations.

If you are unhappy with the decisions made by us in relation to your request, you may ask for an internal review. <https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail info@highwaysengland.co.uk. You should contact me if you wish to complain.

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

If you have any queries about this letter, please contact me. Please remember to quote reference number EIR 768 483 in any future communications.

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Annex A

Public Interest Test

Request: 'I am seeking information under the Freedom of Information Act 2000 in relation to Highways England's dealings with Heathrow Airport Ltd in relation to the project to build a third runway over the M25 motorway.'

EIR Exemption (1): International relations, defence, national security or public safety (regulation 12(5)(a))

Factors supporting disclosure

- There is a public interest in ensuring safety concerns are addressed throughout the work of public organisations
- There is a strong public interest in safeguarding national security

Factors supporting non-disclosure

- Release of information could compromise public safety
- Release of sensitive information about primary infrastructure could potentially compromise national security.

Conclusion: there are compelling arguments which support withholding the information which outweigh those supporting release.

PIT Members: [REDACTED]

Date of PIT: 11/02/19