

A27 Designated Funds

From: A27 Designated Funds
Sent: 12 June 2020 12:15
To: [REDACTED]
Cc: A27 Designated Funds
Subject: RE: Freedom of Information Request

Categories: Correspondence

Dear Mr [REDACTED]

I am writing to confirm that we have now completed our search for the information, which you requested on 28 April 2020 about seeing a copy of the Feasibility Study for the Chichester to Emsworth NCN2 [A259] cycle route, prepared for Highways England through its Designated Funds Programme by WSP.

A copy of the study can be found if you follow the [link](#). Please note that the [link](#) will expire on 10 July 2020.

When considering your request, we had to decide whether the commercial information within this study could be released. Under the exceptions in [Regulation 12\(5\)\(e\)](#) of the Environmental Information Regulations 2004 we concluded this information had to be withheld.

In applying the exceptions, 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 can be found in the table that follows.

Request for EIR Information

Exception: Confidentiality of commercial or industrial information (Environmental Information Regulation 12 (5)(e))

Factors supporting disclosure

- There is public interest in the work of government being closely examined to encourage the discharging of public functions in the most efficient and effective way.
- There is public interest in the work of public bodies being transparent and open to scrutiny to increase diligence and to protect the public purse.

Factors supporting non-disclosure

The Information is commercial in nature.

- The information requested contains commercial data as it includes a cost estimate of the project.

Confidentiality is provided by law.

- The information is obtained by a third party.
- It is not trivial and not in the public domain.
- The information shared in circumstances creating an obligation of confidence, as the supplier provided a cost estimate for the project.

The confidentiality is protecting a legitimate economic interest

- The disclosure would cause harm; the commercial information is still current, and the costs are still valid.
- HE is currently in the process of procuring the works and needs to protect its commercial interests.

The confidentiality will be adversely affected by disclosure

- Disclosure of confidential information into the public domain would inevitably harm the confidential nature of that information by making it publicly available and would also harm the legitimate economic interests of Highways England that have already been identified.

Conclusion: The information about costs needs to be withheld for the factors explained above.

PIT Members: Jason Hones (Programme Leader)
Simon Elliot (Programme Manager)
██████████ (Assistant Project Manager)
██████████ (Business Manager)

Date of PIT: Wednesday 20th May 2020

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If you are unhappy with the way we have handled your request you may ask for an internal review within 2 months of the date of this response for Freedom of Information requests and within 40 days for Environmental Information Regulations requests.

Our internal review process is available at:

<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 email, please contact me. Please remember to quote reference number **EIR 101070** in any future communications.

Kind regards

Simon Elliott

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From: [REDACTED]

Sent: 28 April 2020 14:19

To: CCC <info@highwaysengland.co.uk>; Highways England <info@highwaysengland.co.uk>; Main Inbox <info@highwaysengland.co.uk>

Cc: [REDACTED]

Subject: Freedom of Information Request

Dear Sir,

I wish to make a request for information under the Freedom of Information Act. I wish to see a copy of the Feasibility Study for the Chichester to Emsworth NCN2 [A259] cycle route prepared for Highways England through its Designated Funds Programme by WSP. The client manager is Jason Hones, Programme/ Package Leader , Regional Investment Programme, South East.

I make this request on behalf of the Chichester and District Cycle Forum.

I would be grateful if you could acknowledge receipt of this email and wish to see a substantive reply within the 20 working days as set out in the Act,
Regards,

[REDACTED]

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