



Assistant Project
 Manager Highways
 England
 3 Piccadilly Place
 Manchester
 M1 3BN

By email to
@whatdotheyknow.com

Tel: 0300 123 5000

18 September 2020

Dear

A5036 Port of Liverpool access scheme – distribution of newsletters – EIR 101406

Thank you for your email dated 10 September 2020 concerning the distribution of newsletters and mail shots relating to the A5036 Port of Liverpool access scheme.

I am writing to advise you that we do hold some of the information relevant to your request, but regret to inform you of my decision not to disclose this information.

The information you requested is being withheld in reliance on the exceptions in regulations [12\(3\)](#), [12\(4\)\(a\)](#), [12\(4\)\(b\)](#) and [12\(4\)\(e\)](#) of the [Environmental Information Regulations 2004](#). In applying these 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 are set out in the table below.

<i>Factors supporting disclosure</i>	<i>Factors supporting non-disclosure</i>
<p>There is a clear public interest in the work of government being closely examined to encourage the discharging of public functions in the most efficient and effective way.</p> <p>There is an important public interest in the work of public bodies being transparent and open to scrutiny to increase diligence and to protect the public purse.</p> <p>There is a presumption in favour of disclosure within the legislation.</p>	<p>Reg. 12(3): distribution lists contain personal information. Releasing them would be likely to put Highways England in breach of reg. 13 and GDPR obligations without heavy redaction that would render the information practically valueless.</p> <p>Reg. 12(4)(a): neither minutes of meetings relating to production of newsletters, nor a list of schools to which bundles of newsletters were sent, exist. We therefore do not hold that information.</p> <p>Reg. 12(4)(b): the request is manifestly unreasonable on the grounds that it is vexatious. Complying with the request would place a considerable burden on Highways England. There is no discernible purpose or value to the request, other than to disrupt HE's work, and there is no obvious overriding public interest in releasing it.</p>

	Reg. 12(4)(e): meeting the request would involve extensive disclosure of internal communications. Releasing the documents requested would add nothing to public knowledge about the scheme, but would interfere with Highways England's need for 'a private thinking space' about external communications.
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Some of the requests listed in your email (parameters, numbers, delivery methods) are not requests for documents, so would be better handled under our normal business processes, rather than as an environmental information request. If you would like us to consider those points separately, please let me know. I can be contacted via the scheme inbox: A5036PortofLiverpool@highwaysengland.co.uk

If you are unhappy with the way we have handled your request you may ask for an internal review. 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 letter, please contact me. Please remember to quote reference number **EIR 101406** in any future communications.

Yours sincerely

Regional Investment Programme (RIP)
North, Assistant Project Manager