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Olympics Governance - Government  
Engagement  
London & Olympics  
Department for Transport  
XXXXXX  
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London  
SW1P 4DR  
Direct Line: XXXXXXXXXXXXX  
GTN No: XXXXXXXXXXXXXXX  
Email: XXXXXXXXXXXXXXX

Web Site: [www.dft.gov.uk](http://www.dft.gov.uk)

Our Ref: F0008328

26 January 2012

Dear XXXXXXXXXXXX,

**FOI Request relating to the London 2012 Games**

Further to your request dated 15<sup>th</sup> November 2011, here is the information in addition to that already supplied on 19<sup>th</sup> December 2011. This response covers:

- Impact or risk assessments examining the affects of the 2012 Olympic Games on transport.
- Copies of any correspondence with the DfT press office generated by this inquiry.
- Any surveys or studies carried out by or commissioned by the DfT examining the effect on transportation of the 2012 Olympic Games.

Your request has been considered under the Freedom of Information Act 2000. Please find below, a list of the documentation provided to answer each question which I am able to release under FOI

*1. Impact or risk assessments examining the effects of the 2012 Olympic Games on transport.*

- A copy of the current risk assessment
- Impact Assessment DFT00097 Olympic Route Network Designation

*2. Copies of any correspondence with the DfT press office generated by this inquiry.*

Please find copies of the correspondence included with this letter

*3. Any surveys or studies carried out by or commissioned by the DfT examining the effect on transportation of the 2012 Olympic Games.*

I am writing to confirm that the Department for Transport does additional information relating to this question, but has decided that some of this information cannot be disclosed for the reasons given below.

The information that we can release are documents that are already published on the Departmental website, and which can be accessed via the following links:

<http://www.dft.gov.uk/publications/traffic-commissioners-olympic-planning/>  
<http://www.dft.gov.uk/publications/london-2012-transport-challenges/>

The information being withheld falls under Exemption 33 Audit Functions and Exemption 35 formulation of Government Policy.

In applying these exemptions we have had to balance the public interest in withholding the information against the public interest in disclosure.

The attached Annex B to this letter sets out the exemptions in full. In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. A copy of this response and the information provided may now be published on our website together with any related information that will provide a key to its wider context.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/01  
Ashdown House  
Sedlescombe Road North  
Hastings  
East Sussex TN37 7GA  
E-mail: [FOI-Advice-Team-DFT@dft.gsi.gov.uk](mailto:FOI-Advice-Team-DFT@dft.gsi.gov.uk)

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact XXXXX XXXXX in the DfT Press Office:

Email: XXXXXXXXXXXXXXXX

Telephone: XXXXXXXXXXXXXXXX

Please remember to quote the case reference number in any future communications.

Yours sincerely,

**XXXXXXXXXXXXX**  
XXXXXXXXXXXXX

**Your right to complain to the Information Commissioner**

You have the right to complain to the Information Commissioner that DfT has failed to properly respond to your request for information under the Freedom of Information Act (FOIA) or the Environmental Information Regulations (EIR) or that DfT is not complying with its Freedom of Information publication scheme.

You can do so by writing to the Information Commissioner addressing your letter:

Section 50 Complaint under FOI/EIR  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

The Information Commissioner has discretion whether or not to determine your complaint. He may choose not to do so in the following circumstances:

- where you have failed to use an internal complaints procedure which complies with

The FOI/EIR Code of Practice provisions on complaints procedures

- where there has been undue delay in making the complaint;
- where the complaint is frivolous or vexatious; or
- where the complaint has been withdrawn or abandoned

The Information Commissioner will notify you of the outcome of your complaint, including any refusal to consider your complaint and the reasons why. Where the Information Commissioner decides that there has been a failure to:

- make FOIA or EIR information available;
- provide confirmation or denial that information exists under FOIA;
- comply with section 11 of FOIA or regulation 6 EIR (means by which communication to be made);
- comply with section 17 of the FOIA or regulation 14 EIR (conditions in relation to refusals of requests for information);
- failed to comply with regulation 11 EIR (failure to comply with a requirements of EIR).

The Commissioner will give notice setting out the steps, which must be taken by DfT to rectify the failure and the period within which those steps must be taken. The notice will also contain information about the right of appeal against the decision taken.

**FOI Section 33: Audit Functions - full text of exemption**

1. This section applies to any public authority which has functions in relation to:
  - (a) the audit of the accounts of other public authorities, or
  - (b) the examination of the economy, efficiency and effectiveness with which other public authorities use their resources in discharging their functions.
2. Information held by a public authority to which this section applies is exempt information if its disclosure would, or would be likely to, prejudice the exercise of any of the authority's functions in relation to any of the matters referred to in subsection (1).
3. The duty to confirm or deny does not arise in relation to a public authority to which this section applies if, or to the extent that, compliance with section 1(1)(a) would, or would be likely to, prejudice the exercise of any of the authority's functions in relation to any of the matters referred to in subsection (1).

## FOI Section 35: Formulation of Government Policy - full text of exemption

1. Information held by a government department or by the National Assembly for Wales is exempt information if it relates to:
  - (a) the formulation or development of government policy
  - (b) Ministerial communications
  - (c) the provision of advice by any of the Law Officers or any request for the provision of such advice, or
  - (d) the operation of any Ministerial private office.
2. Once a decision as to government policy has been taken, any statistical information used to provide an informed background to the taking of the decision is not to be regarded:
  - (a) for the purposes of subsection (1)(a), as relating to the formulation or development of government policy, or
  - (b) for the purposes of subsection (1)(b), as relating to Ministerial communications.
3. The duty to confirm or deny does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1).
4. In making any determination required by section 2(1)(b) or (2)(b) in relation to information which is exempt information by virtue of subsection (1)(a), regard shall be had to the particular public interest in the disclosure of factual information which has been used, or is intended to be used, to provide an informed background to decision-taking.
5. In this section:

**"government policy"** includes the policy of the Executive Committee of the Northern Ireland Assembly and the policy of the National Assembly for Wales;

**"the Law Officers"** means the Attorney General, the Solicitor General, the Advocate General for Scotland, the Lord Advocate, the Solicitor General for Scotland and the Attorney General for Northern Ireland;

**"Ministerial communications"** means any communications:

  - (a) between Ministers of the Crown,
  - (b) between Northern Ireland Ministers, including Northern Ireland junior Ministers, or
  - (c) between Assembly Secretaries, including the Assembly First Secretary,

and includes, in particular, proceedings of the Cabinet or of any committee of the Cabinet, proceedings of the Executive Committee of the Northern Ireland

Assembly, and proceedings of the executive committee of the National Assembly for Wales;

**"Ministerial private office"** means any part of a government department which provides personal administrative support to a Minister of the Crown, to a Northern Ireland Minister or a Northern Ireland junior Minister or any part of the administration of the National Assembly for Wales providing personal administrative support to the Assembly First Secretary or an Assembly Secretary;

**"Northern Ireland junior Minister"** means a member of the Northern Ireland Assembly appointed as a junior Minister under section 19 of the Northern Ireland Act 1998.