

16 April 2012

Dear xxxxxxxxx

**Freedom of Information Act request – Humber Bridge Review**

Thank you for your information request of 15 March 2012. You requested the following information:

1. The terms of the settlement reached between central and local government, including relevant correspondence between the parties to confirm the settlement. You were not seeking copies of any correspondence during negotiations.
2. The technical, financial and traffic studies and projections that have informed the settlement and the assumption of sustainability. This relates to the traffic projection study and the financial modelling.

Your request has been considered under the Freedom of Information Act 2000. I am writing to confirm that the Department for Transport (DfT) does hold the information you requested but has decided that some of this information cannot be disclosed for the reasons given overleaf.

The information that is being released is as set out below.

In response to the first part of your request, copies of the letter (with appendix) of 26 February 2012 from the Chairman of the Humber Bridge Board and the leaders of the four Humber area local authorities to the Secretary of State for Transport, the Economic Secretary to the Treasury and the Parliamentary Under-Secretary of State for Transport, and their reply of 29 February 2012. In accordance with the Data Protection Act 1998 all personal signatures have been redacted.

In response to the second part of your request:

- A copy of the *Humber Estuary Transport Model: Local Model Validation Report*, produced by Aecom consultants for the DfT;
- A copy of the presentation *Results from the Humber Estuary Transport Model*, as made to senior officers of the four Humber area local authorities on 26 January 2012;
- A copy of the paper to the Humber Bridge Board's meeting of 15 February 2012 entitled "Humber Bridge Review – Financial Implications", plus appendices.

I enclose the above documents.

The information being withheld is the report *Humber Estuary Transport Model: Forecasting Report and Economic Assessment of Options* produced by Aecom consultants for DfT.

This information is being withheld in reliance on the qualified exemption at section 22 (1) of the Freedom of Information Act 2000, 'information intended for future publication'. In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosure. The attached annex A to this letter sets out the exemption in full.

Publication of the *Forecasting Report and Economic Assessment of Options* is clearly in the public interest. It is DfT's intention to publish this report as soon as possible, with the expectation that this will be in May 2012. The key findings of the study work documented by the report are contained in the presentation *Results from the Humber Estuary Transport Model* which is being released.

Publishing the existing draft version of the report held by the Department now would mean that the information it contains would be publicly available now rather than in May. On the other hand, releasing the draft document, which is incomplete in part, may cause misunderstanding. Given the circumstances, it is considered that the remaining time before publication would be better spent preparing, compiling and arranging for the final report to be published on the Department's website. Therefore on balance the public interest in maintaining the exemption outweighs the public interest in releasing the report now. I will send you a link to the report when it is published.

The information supplied to you continues to be protected by the Copyright, Designs and Patents Act 1988. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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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

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

Yours sincerely

**xxxxxxx xxxxxx**

Yorkshire & Humber, North East and Economic Development  
Local Transport Directorate

## **Annex A**

Freedom of Information Act 2000 Section 22(1):

Information is exempt information if

- a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),
- (b) the information was already held with a view to such publication at the time when the request for information was made, and
- (c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

## **Your right to complain to DfT and the Information Commissioner**

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

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