

Our ref: 100,537

Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6HA

17 December 2019

Dear Dr Fielden

Environmental Information Regulations request: A303 Stonehenge

Thank you for your information request of 19 November relating to the A303 Stonehenge scheme. As your request concerns the proposals for a new road scheme I have dealt with it under the terms of the Environmental Information Regulations 2004.

You have requested:

1) All drill logs, drilling data, groundwater measurements and test data from all boreholes drilled for the project, subsequent to the last release of information in the December 2017 Final Report from Structural Soils (Report No. 731823; Vs.3). This report was released via the British Geological Survey Secure Database in March 2018 and is the last complete record that I have been given of such data by Highways England

We are going to send you by post a USB stick with ground investigation reports containing drilling and testing geological, geotechnical and hydrogeological data from continuing field and drilling investigations up to July 2019. Due to the large volume of data I am afraid we are unable to send this information via email.

Subsequent data has been dealt with under point 3 below.

2) All original ground investigation data (drilling records, borehole logs, geophysical logs, unpublished groundwater testing data) which support the published "Groundwater Reports". The first drafts of these reports that were made available contained little if any of the original field and supporting data; the only versions of these reports, now on the A303 Stonehenge Examination website were reissued to the Examination on 4th June 2019 as "Tracked Changed" documents. Much basic field investigation data has still not been made available relevant to the work reported in these documents

This information is held by Highways England however it is being withheld as it falls under the exception in regulation 12(5)(e) of the Environmental Information Regulations regarding confidentiality of commercial or industrial information. This is because the data will be provided to bidders when they accept the 'Invitation To Participate in Dialogue' and it would therefore be damaging to the procurement process for this data to be released ahead of the start of this process.

In applying this exception we have balanced the public interest in withholding the information against the public interest in disclosure. The key public interest factor in favour of disclosure was that it could support organisational openness and transparency.

The key public interest factor against disclosure ahead of this was that the scheme is following OJEU procurement procedures and the initial pre-selection process has not yet been finalised. Releasing the requested information before the shortlisted contractors have received an Invitation to Participate in Dialogue could compromise the competitiveness and effectiveness of the procurement process and result in increased cost to the taxpayer.

The information will be made available at the same time that it is released to bidders.

3) All drilling and testing geological, geotechnical and hydrogeological data from continuing field and drilling investigations commenced in May/June this year, up to and subsequent to the announced Project Tender date of 15th July 2019

As the data we currently hold is incomplete, the information you have requested is being withheld in reliance on the exemption in regulation(s) 12(4)(d) of the Environmental Information Regulations 2004.

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 in favour of disclosure included that it could support organisational transparency and that it could provide a better public understanding of the geology and hydrology of the local area.

However, the key public interest factors against disclosure were that, incomplete, unprocessed and unvalidated data is not in a format that could be readily understood or interpreted accurately by the public, and that the data could therefore be misinterpreted, which in turn could create confusion when the full validated set of data is published in the future.

We will be publishing this data once it is complete and has been processed and validated.

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 email 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 100,500 in any future communications.

Yours sincerely


Derek Parody
Project Director for A303 Stonehenge
Major Projects Complex Infrastructure Programme