

Our ref: CRS 575959

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[Name and address removed under
the Data Protection Act]

Tel:

25 March 2008

FREEDOM OF INFORMATION REQUEST: DURHAM GREEN DEVELOPMENT

You spoke last week with one of our officials about your Freedom of Information request of 1 March 2008 and our response.

I have dealt with your request under the Environmental Information Regulations 2004. This is because the information requested concerns measures and activities affecting or likely to affect elements of the environment or affect factors such as noise, pollution discharges and other releases into the environment.

I have arranged for the disk containing details of the 200 e-mails and letters between the Highways Agency's consultants and the developer's consultants - which you specifically asked for - to be couriered down to you today to your [Address removed under the Data Protection Act]. Details of information released under a previous Access to Information request on this subject from November 2007 is on the Highways Agency website - www.highways.gov.uk. You can access this by searching under Freedom of Information, then requests and responses, and then under November 2007- it is third on the list under CRS 561489. I have not included information on press releases or written Parliamentary Questions which are already in the public domain, but can let you have details of these if you wish.

There was no further correspondence on the subject during 2007, other than a number of e-mails and internal documents which we consider to fall under "internal communications" (Regulation 12(4)(e)) or which "may adversely effect the interests of a third party where that third party was under no legal obligation to supply the information" (Regulation 12(5)(f)). These will be subject to a Public Interest test. This gives us twenty days to assess these documents and you should get a response by 22 April, but I will let you have the decision as soon as possible.

The Highways Agency aims to be as helpful as possible in the way it deals with requests under the Freedom of Information Act 2000, and the Environmental Information Regulations 2004. If however you are not satisfied with the way in which your request has been handled or the outcome, information about HA review procedures, and how to apply for an internal review of your case is contained in the attached document. This also explains your right to apply directly to the Information Commissioner for a decision in the event that you remain dissatisfied following the authority's review.

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. We will, therefore, be simultaneously releasing to the public the information you requested, together with any related information that will provide a key to its wider context via our website:
<http://www.highways.gov.uk/>

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 any non-commercial research you are doing and for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

Yours sincerely,

Gill Stevens
Head of Communications