

Dr James Conboy
Email: HS2@chilternsociety.org.uk

Date as email

Dear Dr Conboy,

FOI-23-5493

Thank you for your information request, which was received on 09 March 2024. I have processed your request under the Environmental Information Regulations ('EIR') 2004 ('the Regulations') because the information you have requested concerns work affecting the environment according to the definition in Regulation 2. Section 39 of the Freedom of Information Act ('FOI') 2000 ('the Act') exempts environmental information from the Act but requires us to consider it under the Regulations.

REQUEST

- 1. What is meant by 'convey excess flows downstream' ? There is no existing stream at this location.***
- 2. The siltbusters currently discharge water into the drainage ditch beside the A413, which in turn discharges water directly to the river Misbourne via a culvert. What future measures will be taken to prevent drainage from the N. Portal (which may be contaminated by railway operations) from following the same path to the Misbourne ?***
- 3. The figure claims that the ponds are designed for a hundred year storm + 40%. Your reply to question 2 confirms that the siltbusters discharge when the pond freeboard decreases, and question 3 states that the S. Heath culvert is not yet in operation. Why has the pond freeboard decreased, in the absence of a 100 year storm, and before the S H Culvert is providing additional input from the portal ?***
- 4. Might the pond level be allowed to increase, or might the overflow be removed by tanker, to avoid contributing to the flood and***

groundwater levels downstream from Amersham, and the pollution incident in the Chalfonts ?

RESPONSE

I would like to apologise for the delay in sending this response.

We address each of your questions in turn for ease of reference.

1. What is meant by 'convey excess flows downstream' ? There is no existing stream at this location.

In this instance, the words mean that any excess water will be carried downhill by gravity.

2. The siltbusters currently discharge water into the drainage ditch beside the A413, which in turn discharges water directly to the river Misbourne via a culvert. What future measures will be taken to prevent drainage from the N. Portal (which may be contaminated by railway operations) from following the same path to the Misbourne ?

We hold no information for this part of the request, as the design for this has yet to be produced.

3. The figure claims that the ponds are designed for a hundred year storm + 40%. Your reply to question 2 confirms that the siltbusters discharge when the pond freeboard decreases, and question 3 states that the S. Heath culvert is not yet in operation. Why has the pond freeboard decreased, in the absence of a 100 year storm, and before the S H Culvert is providing additional input from the portal ?

There appears to be a misunderstanding with regard to the previous response.

The answer provided for Q2 of FOI-24-5446 relates to the temporary work ponds that are currently in place.

The 110-year + 40% design statement refers to the permanent works that are yet to be installed.

4. Might the pond level be allowed to increase, or might the overflow be removed by tanker, to avoid contributing to the flood and groundwater levels downstream from Amersham, and the pollution incident in the Chalfonts ?

There are no recorded plans to remove any overflow by tanker.

Regulation 12(4)(a) - No information

Where we have stated that we do not hold the information we are relying on EIR exception 12(4)(a) which is subject to a public interest test. However, the Information Commissioner's Office recognises that it can be impossible to do a meaningful public interest test (PIT) if the information is not held. As such, a PIT has not been carried out. The following link sets out regulation 12(4)(a) in full: <https://www.legislation.gov.uk/ukxi/2004/3391/regulation/12/made>.

Right to Review

If you are unhappy with the way we have handled your request or with the decisions made in relation to your request, you may complain in writing to HS2 Ltd. Please find below details of HS2 Ltd's complaints procedure which includes your right to complain to the Information Commissioner.

Please remember to quote reference number **FOI-23-5493** in any future communication relating to this request.

Yours sincerely

Briefings, Correspondence and FOI Adviser

High Speed Two (HS2) Limited

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Your right to complain to HS2 Ltd and the Information Commissioner

You have the right to complain to HS2 Ltd within 40 working days of the date of this response 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.

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