

Regulation 12(5)(a) – Public Safety

Regulation 12(5)(a) provides an exception from the duty to make environmental information available where disclosure of the requested information would adversely affect public safety. In this instance, the disclosure of the requested information would inform the public about the timing of the planting of saplings. The release of this information would lead to vandalism and other criminality such as theft; this would compromise public safety.

Please refer to the link below for a further explanation of the legislation:

<http://www.legislation.gov.uk/ukxi/2004/3391/regulation/12/made>

Factors supporting disclosure

- Making environmental information available to the public, ultimately promotes the accountability and transparency of public bodies; whilst increasing the public's awareness and understanding of environmental issues.

Factors supporting non-disclosure

- The disclosure of information would provide intelligence, allowing specific locational points to be directly targeted; encouraging the facilitation of intentional sabotage or disturbance by those wanting to disrupt the HS2 Project.
- Disclosure of this information would make sites a target for antisocial behaviour such as vandalism.
- Releasing this information into the public domain would facilitate sites being targeted for theft.

Balance Test

The decision to withhold the information is upheld in the light of the arguments against disclosure. We have concluded that the protection of public safety outweighs the public interest for transparency on environmental issues. Therefore, we are withholding this information at this time.