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FOR IMMEDIATE PUBLICATION

The secret East West Rail Economic Growth Board deciding your future

The [National Audit Office report on EWR](#) revealed the existence of an HM Treasury officer-led EWR economic growth board. But the public is not allowed to see who is on the board nor are we allowed to see their meeting minutes. Secrecy rarely leads to good decisions, and this unaccountable board and its meetings are deciding the fate of our region.

A recent HM Treasury Freedom of Information request raised by Cambridge Approaches (below) has confirmed that the EWR Economic Growth Board will operate in secrecy. They justified the secrecy stating that being open and honest about the EWR Project justification would "prevent officials from conducting rigorous and candid assessments of the options available to them, and that disclosure would risk closing off discussions and the development of better options now and in the future."

Candid robust discussions should be welcomed in any democracy, so why hide them?

Spokesman for BFARe Mike Barlow comments "EWR boast of transparency and working with local communities which we know is just PR posturing. Then they hold meetings in secret like this without openness or accountability. They hide environmental evidence and cost information stating 'not in the public interest'. This is our environment. This is taxpayers' money. Have they learned nothing from HS2, Horizon and other scandals based on civil service and government opacity?"

The shocking fact is that we are meant to trust a secret board with £ 8 billion of taxpayer money to justify the building of East West Rail.

It is well documented that the costs of building East West Rail far outweigh any claimed benefits to be achieved.

William Harrold of Cambridge Approaches said "There has already been interest and raised eyebrows from many thousands of people about this FOI refusal on social media. Our democracy works best where there is consensus about how to spend public money. Where projects are controversial like EWR, where there is every indication that a project is either a complete waste of public money or involves urbanisation on a huge scale; then transparency is even more important. Instead, we have a group of entitled, un-elected and nameless officials advancing their agenda to advise one minister after another. This is Britain in 2024."

The NAO on East West Rail also stated "Improved communication and joint working between central government and local bodies are needed to overcome barriers to progress and achieve the goals of the project over the long term." How are we to know whether the joint-working is being achieved if we do not know who is representing local interests on this board? And the decisions this board is taking on our behalf?

Julia Virdee from Protect Poets said "This is another example of the Government's blatant disregard for the general public, taxpayers who are not only funding this project but are also bearing the cost in terms of having their lives turned upside down. What exactly are they trying to hide? They are clearly not listening to the recommendations of the NAO report. Ministers refuse to meet residents, fail to reply to concerns and have gone so far as to say they will not look again at the project if the majority of Consultation responses are opposed (Huw Merriman Westminster Hall Debate June 2023). We didn't think they could continue to shock us with their underhanded tactics and disregard for residents, but they have hit a new low."

We are reminded of another strategically important railway. The HS2 overspend of public money is a portend of British infrastructure project doom. Those impacted by poor East West Rail project management and route choice are very wise to this fact.

For further information

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Ref: FOI2023/20856

Dear William Harrold,

Freedom of Information Act 2000

Thank you for your enquiry of 15 December 2023, which we have considered under the terms of the Freedom of Information Act 2000 (the FOI Act).

You asked for the following information:

"Dear HM Treasury,

*The recent National Audit Office report "Investigation into the East West Rail Project (Oxford - Cambridge) ([*Please could I have a copy of the minutes of this first meeting in September and those of any subsequent meetings to date?"*](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.nao.org.uk%2Fwp-content%2Fuploads%2F2023%2F12%2Finvestigation-into-the-east-west-rail-project.pdf&data=05%7C02%7Cfoirequests%40hmtreasury.gov.uk%7C737d079141a144075d2b08dbfd85d3f4%7Ced1644c505e049e6bc39fcf7ac51c18c%7C0%7C0%7C638382523586215255%7CUnknown%7CTWFpbGZsb3d8eyJWljoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&data=92RHL33qeLD39oYowfxczTftQMRaJe%2B45YlWnJ%2Fu8q4%3D&reserved=0) makes reference to a meeting of the East West Rail Economic Growth Board which met for the first time in September 2023. (see p.8, para. 15)</i></p></div><div data-bbox=)*

We have considered your request under both the Environmental Information Regulations 2004 (the EIRs) and the Freedom of Information Act 2000 (the FOI Act), on the basis that the information in scope of your request includes information which falls within the definition of 'environmental information' as stated in the EIRs, as well as information which does not fall within this definition.

Following a search of our records, we can confirm that HM Treasury does hold information in scope of your request.

However, we have identified information in scope which engages the exemptions and exceptions provided for by the FOI Act and EIRs. These have been considered separately in relation to environmental information and non-environmental information, as below.

Non-environmental information

We consider that the information that we have identified engages the exemption at section 35(1)(a) - development of Government policy - under the FOI Act. This is a qualified exemption, and we are required to balance the public interest between disclosure and non-disclosure.

In relation to the release of the information, which relates to East West Rail benefits realisation policy, we recognise that there is an inherent public interest in transparency and accountability of public authorities. We also recognise the broad public interest in furthering public understanding of the issues which public authorities deal with. There is a clear public interest in the work of Government Departments being transparent and open to scrutiny to increase diligence.

Balanced against this is the public interest in protecting the Government's ability to discuss and develop policies and to reach well-formed conclusions. The Information Commissioner has recognised that policy development needs some degree of freedom to enable the process to work effectively and we consider that there is a strong public interest in protecting information where release would be likely to have a detrimental impact on the ongoing formulation of policy. There is a strong public interest in protecting against encroachment on the ability of ministers and/or officials to formulate and develop policy options freely and frankly.

In this case, we consider that disclosing the information held which relates to an area of live policy development would be likely to prevent officials conducting rigorous and candid assessments of the options available to them, and that disclosure would risk closing-off discussions and the development of better options now and in the future.

On balance, we consider that the public interest in withholding the information outweighs the public interest in disclosure.

Environmental information

Certain information that you have requested engages the exception at Regulation 12(4)(e) of the EIRs, an exception from the duty to disclose environmental information if it would involve the disclosure of internal communications. Regulation 12(4)(e) is a qualified exemption and we have considered below whether the balance of public interest favours releasing or withholding this information.

As stated previously, HM Treasury recognises the general public interest in disclosure of information and that openness in the Government's work may increase public trust in and engagement with the Government. This public interest must be weighed against a strong public interest that policy making, and its implementation are of the highest quality and informed by a full consideration of all the options. Officials must be able to discuss policy freely and frankly, exchange views on available options and understand their possible implications. The candour of all involved would be affected by their assessment of whether the content of the discussions will be disclosed. If such discussions were routinely made public, there is a risk that officials may feel inhibited from being frank and candid with one another, causing a chilling effect. As a result, the quality of debate underlying policy formulation and development would decline, leading to worse informed and poorer decision making, which would not be in the public interest.

We conclude that the public interest in withholding the information outweighs the public interest in disclosing it.