



10 June 2024

Freedom of Information Request - Reference: F24-006

[REDACTED]

Thank you for your email of 14 May 2024. We have considered your request under the Freedom of Information Act 2000 (the 'FOI Act').

Request

You requested the following information:

Please can you send me the results/reports of any ground investigations carried out on behalf of the Houses of Parliament Restoration and Renewal Programme since the start of 2023.

Our Response

We hold the information you have requested.

To date, the Delivery Authority's contractor Concept Engineering Consultants LTD has carried out a series of ground investigation surveys at the Palace of Westminster. Fieldwork was carried out in discrete periods from August 2022 to August 2023. The purpose of the investigations was to understand the ground and groundwater conditions at the site and to determine the nature and extent of any ground and groundwater contamination and establish geotechnical parameters for use in design.

A detailed report has been provided to the Delivery Authority following the investigations. Whilst we consider the release of much of this information to be exempt under Section 24 of the FOI Act on the grounds of national security, we are able to provide you with a redacted extract of the same.

In relation to the withheld material we have set out below details on the exemption and why we consider that it applies in this case:

Section 24(1) - National Security

The information you have requested provides vast and intricate details on the ground conditions at the Houses of Parliament. This totals over 1800 pages of information and includes the breakdown of ground conditions by specific co-ordinates. For this reason, we are withholding this information as it could be used by malicious actors to threaten the safety of Parliamentary buildings and their occupiers, in accordance with section 24(1) FOIA National Security.

National Security is a qualified exemption, which means we need to consider whether the public interest in maintaining the exemption outweighs the public interest in its disclosure. I have set out the public interest test considerations below.

Public Interest Test

In favour of disclosure

In favour of disclosing the information requested is the legitimate public interest in the Restoration and Renewal work taking place at the Houses of Parliament.



In favour of withholding information

In favour of withholding the information is the threat that information if disclosed could be used directly by malicious actors to cause harm to occupiers of the Parliamentary Estate and its buildings.

Another factor that favours withholding the information is the possibility of a “mosaic effect”, whereby this information could be combined with other information already in the public domain or obtained from elsewhere, in order to build a more complete picture and used to plan malicious activity or attack.

Outcome

We conclude that disclosure could create a real and significant risk to the Parliamentary Estate and its occupiers. Withholding the information is therefore required for the purposes of safeguarding national security. For these reasons, we have concluded that the balance of the Public Interest tests lies in favour of withholding the requested survey information.

As we are unable to release the full report, if there is specific information you would like to request, or if you are able to refine your request, we would be happy to discuss this further with you to see what information we can provide.

Section 40(2) – Personal Data

The information includes a small amount of third party personal data within the provisions of the UK General Data Protection Regulation (“the UK GDPR”), as supplemented by the Data Protection Act 2018 (“the DPA”). This data relates to the named authors and approvers of the report and their respective signatures.

We consider that disclosure of this information would breach data protection principle (a) (i.e. that data “should be processed lawfully, fairly and in a transparent manner in relation to the data subject”). We consider that this information is exempt from disclosure under section 40(2) of the FOIA.

In reaching this decision we have considered the following three-part test:

1. Legitimate interests test
2. Necessity test
3. Balancing test

We recognise that there is a legitimate interest in transparency. However, we consider that this is met by the disclosure of the information provided. In assessing the necessity of releasing personal data, we consider that it is not reasonably necessary to disclose the personal data of data subjects.

We have therefore concluded that the legitimate interest of third parties is overridden by the rights and freedoms of the data subject(s).

Further Information

Information provided in this response is correct at this time, however work on the Houses of Parliament Restoration & Renewal Programme continues, and any outcomes may ultimately differ from those presented herein.

If you are unhappy with the response or level of service that you have received in relation to your

request, please contact us in the first instance and we will seek to reach an informal resolution. If you remain dissatisfied, then you may ask for an internal review. If you ask for an internal review of the decision, we will acknowledge this request and inform you of the date by which you might expect to be told the outcome. The following outcomes are possible:

- The original decision is upheld; or
- The original decision is reversed or modified.

If you wish to exercise your right to an internal review then you should contact us within two months of the date of this letter. There is no statutory deadline for undertaking internal reviews and the timescale will depend upon the complexity of the matter.

We would normally endeavour to complete such reviews within 20 working days of acknowledgement, and exceptionally within 40 working days. We will keep you informed of the progress of the review. If you wish to request a review you should contact foi@r-r.org.uk. If you are not content with the outcome of the internal review, then you may apply directly to the Information Commissioner for a decision.

The Information Commissioner can be contacted via the 'Making a Complaint' section of their website or by phone on 0303 123 1113.

Yours sincerely

The Information Request Team