**Freedom of Information Act / Environmental Information Regulations Request**

Reference: ECC14457220 03 23
Response: 20 March 2023

**Question 1****. Please treat this as an EIR/FOI for the information behind the comment.**

The comment was made based on the result of the **speed survey data**, that was supplied as requested under **ECC14347502 03 23**.

The officer who carried out the scheme validation has unfortunately left Essex Highways. I have attached the scheme validation form, which unfortunately only has limited information as the speed data showed average speeds below 50mph.

Having checked with colleagues a blanket 50mph speed limit would not be supported by Essex Highways, however an alternative scheme has been put forward for validation.

You will notice that some information has been withheld (redacted) this is due to an exception in the Environmental Information Regulations.

The exception applicable to the information is:

**EIR Regulation 12(3) & Regulation 13** - Personal data of third parties is exempt if disclosure would breach the principles of the Data Protection Act 2018.  We believe that providing you with the information would breach the following Data Protection principles:

1. Data shall be fairly, lawfully and transparently processed
2. Data shall be collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes

We are applying this exemption because

1. we do not have the consent of the person who is the subject of the information to disclose it to you,
2. disclosure does not meet any of the Article 6 or 9 conditions that would make it “necessary”, and
3. disclosure of the information to you would not be connected to the purpose for which we have collected and are holding the information.

We further believe that the release of the requested information would cause unwarranted interference to the rights and freedoms and legitimate interests of the data subject(s). Such a disclosure would in our view constitute a breach of Article 8 in the Human Rights Act (the right to privacy and family life).

In accordance with the Regulations this letter acts as a refusal notice.

**Your Right to Know**

Democracy and Transparency

Essex County Council

Telephone: 033301 38989

Email: YourRight.ToKnow@essex.gov.uk | [www.essex.gov.uk](http://www.essex.gov.uk)