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James Allenden  
By email:

Network Rail  
Freedom of Information  
The Quadrant  
Elder Gate  
Milton Keynes  
MK9 1EN

T 01908 782405  
E FOI@networkrail.co.uk

25 August 2020

Dear Mr Allenden

**Information request**

**Reference number:** FOI2020/00856

Thank you for your email of 27 July 2020, in which you requested the following information:

*“Please would you provide me with a list, including address with postcode of all light (maintenance delivery units) and heavy (trains &OTM) maintenance facilities both owned and operated by NR and 3rd party facilities that are involved in maintenance of the Railway.”*

I have processed your request under the terms of the Freedom of Information Act 2000 (FOIA) and I can confirm that we hold some of the information you have requested.

I have consulted with our experts and can advise that we hold the list and postal addresses of all Network Rail owned light maintenance depots. However, we are withholding this information as we believe that this information about our maintenance depots is exempt from disclosure under Section 31(1)(a) of the FOIA. This exemption is applicable, where the disclosure would or would be likely to prejudice the prevention or detection of crime. In this instance our view is disclosure would be likely to have this effect. I will provide further details of this below.

Please note, we only designate our depots as light, so do not have any ‘heavy maintenance facilities’. This is in accordance with the definition in the Railways Act. Additionally, we only hold information on light maintenance facilities that are owned by Network Rail. We do not hold a list of 3<sup>rd</sup> party facilities that are in private ownership.

We have reached this decision as our depot sites are part of the Critical National Infrastructure and vital for the operation of the rail network. Within our maintenance depots, we have delivery units which enable access to the railway and where we store valuable equipment for use in maintenance; we have already experienced a number of criminal activities at these units. In consequence, we believe that the disclosure of the specific addresses and postcodes would aid criminals in being able to plan more efficiently and be more targeted in their actions, as even the names of the individual depots alone provides sufficient information for them to be readily located using online maps.

When assessing the harm that a disclosure would be likely to cause, it is necessary to take into account the fact that disclosures made under the FOIA and the EIRs are public disclosures which are made to the 'world at large'; any information disclosed is released into the wider public domain rather than simply to the person making the request. Because of this, we have to consider the wider impact of making a piece of information available to 'the world' and whether any individual who might see it could then use the information to cause harm.

#### Public Interest Test

This exemption also requires us to consider whether the public interest in disclosure outweighs the public interest in maintaining the exemption, or vice versa. There is a general presumption in favour of disclosure as providing information relating to our activities improves transparency and the accountability of public funds. One of the underlying principles of the Act is the need for openness and transparency, and disclosure in this case would support this by placing accurate information into the public domain.

Set against this, however, is an inherent public interest in the prevention of all crimes. In this instance, disclosure of this information would be likely to lead to an increase in criminal activity at our depot units, as criminals could utilise the location information for malicious intent by being more targeted in their approach. It is in the public interest, wherever possible, to avoid the drain on public resources. As such, it is sensible to avoid creating new vulnerabilities where possible, which would then result in increased costs on security and increased burdens on police resources.

Whilst we recognise the strength of the arguments in favour of disclosure we have concluded that the balance of the public interest lies in favour of maintaining the exemption and we are therefore withholding the information you have requested under Section 31(1)(a) of the FOIA.

Whilst I could not provide the information on this occasion, I hope this response is helpful to explain the reasons why. If you have any enquiries about this response, please contact me in the first instance at [FOI@networkrail.co.uk](mailto:FOI@networkrail.co.uk) or on 01908 782405. Details of your appeal rights are below. Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely

**Najea Begum**  
**Information Officer**

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### **Appeal rights**

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of Freedom of Information at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at [FOI@networkrail.co.uk](mailto:FOI@networkrail.co.uk). Your request must be submitted within 40 working days of receipt of this letter.

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 (ICO) can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or you can contact the ICO through the 'Make a Complaint' section of their website on this link: <https://ico.org.uk/make-a-complaint/>

The relevant section to select will be "Official or Public Information".