



Department
for Transport

Mr Craig Welsh
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Mr Frankie Roberto

By email: [\[request-382403-9078ccc8@whatdotheyknow.com\]](mailto:request-382403-9078ccc8@whatdotheyknow.com)

Our Ref: F0014408

13 March 2017

Dear Mr Roberto

Freedom of Information Act Request F0014408

I am writing further to my letter of 13 February 2017 about your request for:

You ran a consultation called "Rail passenger services in London and the south east: a new approach" (<https://www.gov.uk/government/consultations/rail-passenger-services-in-london-and-the-south-east-a-new-approach>), ending 18 March 2016. So far, neither the consultation responses nor the Government's response has been published.

Please could you supply:

- a) a copy of all the "public" responses to the consultations (i.e. ones from organisations who have consented to have their responses made public).***
- b) a summary or analysis of the responses, if this exists (e.g as a draft document or spreadsheet).***
- c) a count of the number of responses received.***

Your request has been considered under the Freedom of Information (FOI) Act 2000.

I advised in my letter that the Department for Transport (DfT) was consulting with those organisations who responded to the "Rail Passenger Services in London and the South East: A New Approach" prospectus in order to establish their views about releasing the requested information before any information could be released, and that we planned to let you have a response by 13 March 2017.

The DfT has received a number of responses from those organisations who responded to the prospectus, although several have yet to respond. In addition, and as I previously outlined, the exemptions that are of potential application to the information you have requested are sections 41 – information provided in confidence and 43(2) – commercial interests. When a qualified exemption applies to the information, in this case, section 43(2), the public interest test also needs to be considered. We are not required to comply with your request until such time as is reasonable in the circumstances.

Your request raises complex public interest considerations which must be analysed before we can come to a decision on releasing the information.

We need to therefore extend our response time limit by 10 working days in order to assess whether the public interest is in withholding the information or disclosing it. Therefore, we plan to let you have a response by 27 March 2017. If there is a need for any further delay we will keep you informed.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the DfT has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the DfT's FOI Advice Team at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please send or copy any follow-up correspondence relating to this request to the FOI Advice Team to help ensure that it receives prompt attention. Please also remember to quote the reference number above in any future communications.

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

Yours sincerely,

Craig Welsh
Correspondence Manager – Passenger Services

Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

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 can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF