



Ms Christine Taylor

By email: request-299253-ef0850de@whatdotheyknow.com

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

T 01908 782405
E FOI@networkrail.co.uk

23rd November 2015

Dear Ms Taylor,

Information request

Reference number: FOI2015/01066

Thank you for your request of 26 October 2015. You requested the following information:

It has been acknowledged that the Waterbeach to Kings Cross line is at capacity and the busiest in the Eastern Region. The village is also seeing expansions in housing as are the neighbouring villages with more and more commuters accessing Waterbeach Station. The rapid increase in passengers is set to continue. The recent incidents of people not being able to get on commuter trains and young school girls getting pushed off full carriages has been reported in the Cambridge News but I understand from the article it is too expensive to extend the platform.

<http://m.cambridge-news.co.uk/Teen-pushed-crowded-train-Cambridge-angry-mother/story-28050495-detail/story.html>

- *Please can you confirm how much it costs to extend the platform please?*

Secondly, I also understand that a business case has been done which rules out extending the good yards next to Waterbeach station as extra much needed parking on grounds of cost.

- *I would like to have a copy of that business case please together with the costs and anticipated annual revenues for the carpark extension.*

I have processed your request under the Environmental Information Regulations 2004 (EIR) as the information requested is environmental according to the definition in regulation 2 of the EIR (section 39 of the Freedom of Information Act 2000 (FOIA) exempts environmental information from the FOIA, but requires us to consider it under the EIR).

I can confirm that we hold some of the information you requested, I will now explain each part of your request in full.

Please can you confirm how much it costs to extend the platform please?

I can inform you that a feasibility study was undertaken in 2009, investigating the extension of the platforms at Waterbeach to accommodate 5-car Intercity Express Programme trains. While this report refers to platform extensions, along with an estimated cost, it is now no longer valid.

The extensions it describes would be inadequate to those required today (i.e. too short and the then cost estimate is now out of date). If you would like to obtain a copy of the outdated report referred to above please submit a request accordingly, which will be processed as a new request for information.

You may also be interested to know that we are currently undertaking development work to determine the feasibility of extending the platforms at Waterbeach, among other interventions, to enable the running of 8-car trains between Kings Lynn and Cambridge. This is in [Governance for Rail Investment Projects \(GRIP\)](#) stages 1-2 and currently scheduled for completion in May 2016. Therefore we do not have any cost estimates to share at this stage.

I would like to have a copy of that business case please together with the costs and anticipated annual revenues for the carpark extension.

I can confirm that we hold the information you have requested. However, this information is exempt from disclosure, under regulation 12(5)(e) of the EIR.

Regulation 12(5)(e) of the EIR states

*12.—(5) For the purposes of paragraph (1)(a), a public authority may refuse to disclose information to the extent that its disclosure would adversely affect—
(e) the confidentiality of commercial or industrial information where such confidentiality is provided by law to protect a legitimate economic interest*

Our decision is that Regulation 12(5)(e) is engaged because the information sought is commercial in nature and there would be an expectation of confidentiality between Network Rail and its contractors during the procurement process and final contract. Therefore to disclose the information requested would adversely affect the confidentiality which is protecting the legitimate economic interests of Network Rail and its contractors.

This is because providing this information would not only breach confidentiality with our current supplier but would adversely affect their and Network Rail's economic interests by providing an advantage to any third party wishing to submit any future tenders.

Furthermore, any such disclosure which may unfavourably affect a supplier's commercial interests could result in legal action taken against Network Rail.

Under Regulation 12(5)(e) the public authority needs to establish that the public interest in maintaining the exception outweighs the public interest in disclosing the information.

In this case the key factors in favour of disclosure are the promotion of accountability and transparency in the use of public monies by Network Rail and the assistance the disclosure would provide the public in obtaining a greater understanding of Network Rail's decision making processes.

Conversely to the above, to disclose the requested information into the public domain would adversely affect the confidentiality which is guarding the genuine commercial interests of our contractors. Any such disclosure whilst impacting on the current contract would also have severe implications on future tender processes as third parties might be reluctant to enter into any tender with Network Rail for fear of information being disclosed at an inappropriate time. Additionally disclosure could damage Network Rail's our contractor's commercial bargaining position for future negotiations.

Having considered the public interest, our decision is to withhold this information. This is because, while there is a real and valid interest in how we spend public funds; on this occasion, this is outweighed by the commercial harm which would be caused to Network Rail and our contractor's. It is to the advantage of the public that we do not impact upon the ability of any company to operate by revealing commercially sensitive information: ultimately, if such information were disclosed, it could lead to Network Rail being less able to negotiate best value for its contracts. For this reason, we are withholding the information.

If you have any enquiries about this response, please contact me in the first instance at 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,

Rebecca Lindsay
Information Officer

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can also be used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder. Please contact me if you wish to re-use the information and need to seek the permission of the copyright holder.

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 FOI Compliance and Appeals Manager at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at 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 can be contacted at:

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