



Department for Transport

Beth Jones
Via email: request-647059-
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16 March 2020

Dear Ms Jones

Thank you for your information request of 21 February 2020. You requested the following information:

Information about electric scooters. Details of any meetings between Ministers, SpAds or DfT officials and Uber or Jump. Details of internal meetings. Documents that assess the safety of electric scooters. Locations of test beds.

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

I am writing to confirm that the Department for Transport does hold the information you requested but has decided that some of this information cannot be disclosed for the reasons given below. The information that can be released is the minutes of a roundtable hosted by then Minister of State, Michael Ellis MP in July 2019. A copy of this information is enclosed. Other meetings were held between officials and Uber/Jump: These meetings were held on:

- 11 September 2018 – presentation by Uber to BEIS/DfT officials titled 'Uber movement '
- 3 December 2019 – attended by Deputy Director of Traffic and Technology and officials from Future of Transport Regulatory Review.

No minutes or notes were taken at these meetings.

The Organisation for Economic Co-operation and Development have published a report on safe micromobility which can be viewed on the International Transport Forum website at:

<https://www.itf-oecd.org/safe-micromobility>

Also, the Department alongside the Department for Business, Energy and Industrial Strategy has today launched its Future of Transport Regulatory Review Call for Evidence consultation, which can be viewed at: <https://www.gov.uk/government/news/new-transport-tech-to-be-tested-in-biggest-shake-up-of-laws-in-a-generation>

The information being withheld falls under the exemptions in section 22 - information intended for future publication, section 35 – government policy, of the Freedom of Information Act 2000.

In applying these exemptions we have had to balance the public interest in withholding the information against the public interest in disclosure.

The attached annex A to this letter sets out the exemptions in full and details why the public interest test favours withholding the information.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. A copy of this response and the information provided may now be published on the www.gov.uk web-site, together with any related information that will provide a key to its wider context.

If you are unhappy with the way the Department 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 Department'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.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 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,

Fiona O'Neill

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

Annex A

Section 22 - Information that is intended for future publication.

- (1) Information is exempt if, at the time when the public authority receives a request for it:
- the public authority holds the requested information;
 - the public authority intends the information to be published at some future date, whether that date is determined or not; and
 - in all the circumstances it is reasonable to withhold the information until its planned publication.
- (2) The duty to confirm or deny whether information is held does not apply where to do so would disclose information that would be exempt under section 22.

Factors for disclosure

- The Government's promotion of the ideal that information should be made public rather than not, and that Government should be more transparent, particularly with regards to any safety issues relating to e-scooters.

Public interest test factors against disclosure

- E-scooters are currently illegal for use on public roads and officials are in the process of reviewing their status.
- Publication of some materials without the context of the wider policy work may result in incomplete/misleading information being released and misunderstanding by members of the public.
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Decision

Publication of some materials without the context of the wider policy work may result in incomplete/misleading information being released and misunderstanding by members of the public.

Section 35 – Government Policy.

Information is exempt if, at the time when the public authority receives a request for it:

- (a) covers any information relating to the formulation and development of government policy.
- (b) covers communications between ministers and any information relating to those communications.
- (c) protects legal advice from the Law Officers and decisions about whether to request this advice.
- (d) covers information relating to the operation of ministerial private offices.

Factors for disclosure

- The Government's promotion of the ideal that information should be made public rather than not, and that Government should be more transparent.

Public interest test factors against disclosure

- The Department is conducting a Future of Transport Regulatory Review which includes a review of the regulations that apply to e-scooters. Material withheld relates to the ongoing development of policy as part of this review.
- E-scooters are currently illegal for use on public roads and officials are in the process of reviewing their status.
- A public consultation was opened on 16 March with an opportunity for the public to respond until 22 May 2020.
- Further publications on e-scooter policy will be made as policy development continues.

Decision

The disclosure of the withheld policy development materials may result in incomplete/misleading information being released and misunderstanding by members of the.