

Daniel Morris

Email us at: foi@dvla.gov.ukWebsite: www.gov.uk/browse/driving

Your Ref:

Our Ref: FOIR7845

Date: 5 November 2019

Dear Mr Morris

Freedom of Information Request

Thank you for your e-mail of 17 August requesting information under the terms of the Freedom of Information Act 2000 (FOIA).

Having requested that you clarified part of your request and you providing that clarification on 24 September, I can only apologise for the oversight in not responding.

You asked:

I write in looking for information relating to KADOE requests fulfilled in favour of Smart Parking Limited (also known as Town and Country Parking) for the land adjacent to 18 Wind Street, Ammanford, Carmarthenshire, SA18 3DN (commonly referred to as Shoppers World car park).

1) Per section B11.1.c.1. of KADOE contract, please provide a copy Smart Parking Ltd's site survey questionnaire.

The DVLA asked you to clarify this part of your request and you said that you **had expected that Smart Parking Ltd's site survey questionnaire would relate to its own operating centre(s) but if you have one that specifically relates to the site/land adjacent to 18 Wind St then [you would] take that too.**

As you have suggested, the site survey does relate to Smart Parking Ltd's operating centre and the DVLA does hold a copy. However, there is no such survey for the land adjacent to 18 Wind St.

The 'site survey questionnaire' relates specifically to the technical set up of the secure KADOE service electronic link allowing the customer to submit enquiries for vehicle keeper information. The site survey questionnaire does not relate to actual car park sites.

While the DVLA holds a copy of the relevant site survey questionnaire, it is considered to be exempt from disclosure because to put that information into the public domain would be likely to prejudice the prevention or detection of crime. The DVLA relies on section 31(1)(a) of the FOIA.

Before applying this exemption, the DVLA carried out a public interest test, weighing up the arguments between withholding and disclosing information. Further details as to why the DVLA favours withholding the information can be found at Annex A.

2) Per section D11. of KADOE contract, please confirm the number and dates of inspections that the DVLA has made to ensure Smart Parking Ltd's compliance with the contract.

Audits of private parking companies are conducted either remotely by the DVLA, or via on-site visits conducted by the Government Internal Audit Agency (GIAA).

The table below shows the number of audits of Smart Parking Ltd.

Date of audit	Audit Type
02/12/2013	GIAA - Site Visit
31/12/2013	DVLA - Remote Audit
02/06/2014	DVLA - Remote Audit
03/08/2015	DVLA - Remote Audit
21/08/2015	GIAA - Site Visit
26/08/2016	DVLA - Remote Audit
28/03/2017	GIAA - Site Visit
29/03/2017	GIAA - Site Visit
14/12/2017	DVLA - Remote Audit
13/04/2018	GIAA - Site Visit
18/06/2018	DVLA - Remote Audit
05/06/2019	DVLA - Remote Audit

3) Per section C5. of KADOE contract, please confirm the number and dates of review meeting held with Smart Parking Ltd.

The DVLA does not hold recorded information in scope as no such meetings have taken place. A review meeting is not an audit or site visit as referred to in the table above.

4) Per section C5.3.o of KADOE contract, please provide a copy of the landowner agreement (if one exists) between Smart Parking Ltd and the lawful owner/agent of land adjacent to 18 Wind Street, Ammanford, Carmarthenshire, SA18 3DN (commonly referred to as Shoppers World).

The DVLA does not hold recorded information in scope of this request. Under the KADOE contract, the DVLA can review and discuss landowner agreements but it does not retain a copy.

5) Please confirm the number of points on Smart Parking Ltd's ATA membership license as well as notification events that the DVLA has recorded.

This information is not held by the DVLA because sanction points are issued by the relevant Accredited Trade Association (ATA), not the DVLA. The DVLA believes that Smart Parking Ltd are members of the British Parking Association (the BPA) and you may wish to contact them for this information (see - <https://www.britishparking.co.uk>)

6) Please provide a signed copy of the latest KADOE contract enacted by Smart Parking Ltd, including the complete Annex A Declaration.

The contract signed by Smart Parking Ltd is held but is being withheld from disclosure under section 43 (2) of the FOIA because disclosure would be likely to prejudice commercial interests. Further details as to why the DVLA considers the public interest test to favour non-disclosure can be found attached at Annex B.

The information which follows concerns the procedures for making any complaint you might have about the reply. Please quote the reference number of this letter in any future communications about it.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Toft', followed by a period.

pp Robert Toft
Head of Data Protection Policy & Freedom of Information Team

Your right to complain to DVLA and the Information Commissioner

If you are not happy with the reply to your request, you can ask DVLA to re-consider the response you received by writing (within two calendar months of receiving this response) to either foi@dvla.gov.uk or DVLA Freedom of Information Team, DPP/FOI, C2W, DVLA, Swansea SA6 7JL.

DVLA will acknowledge and consider your request, re-visiting the response provided. This is known as an Internal Review and will be considered by a staff member not involved with the original reply.

If you disagree with the outcome of the Internal Review, you have the option to complain to the Information Commissioner's Office. Further information can be found via: <https://ico.org.uk/concerns/getting/> Alternatively you may wish to write to: Customer Contact, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow SK9 5AF.