



Department for Transport

Mr Steven Burton
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Department for Transport
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Web Site: www.gov.uk/dft

Our Ref: F0018491

27 May 2020

Mr Joe Ward

By email to:

[request-662368-23963270@whatdotheyknow.com]

Dear Mr Ward,

Freedom of Information Act Request – F0018491

Thank you for your Freedom of Information (FOI) request of 5 May 2020. You requested the following information:

'I am interested in the outcomes of this consultation from last year:

https://urldefense.proofpoint.com/v2/url?u=https-3A__assets.publishing.service.gov.uk_government_uploads_system_uploads_attachment-5Fdata_file_776998_payg-2Drail-2Dconsultation-2Ddoc.pdf&d=DwICaQ&c=troKkvwivNn_CddsvWCHHPiPoFoTgTGlbXJULvYU158&r=P33H8uNePUcTSS60QywHEyMJXiYmgY1ngGOPvvdnrfrw&m=rRY5DjWe0wztAd_JwqXVCxd5WxoDO_3lez9OcMu-5u4&s=0UoIXoQ8EjHzbh3MyB-vH3-E80RaFijCzhawqEl8zTs&e=

- Did the majority of respondents support this proposal?***
- If so, have any plans been put in place to achieve these aims?***
- Have there been consultations with rail companies regarding implementation of PAYG, and if so which companies?***
- Is there a roadmap in place for the rollout of PAYG, and if so when can we expect PAYG to be implemented on each line by?***

I am writing to let you know that your request has been considered under the FOI Act 2000 and that the Department has completed its search for the information. I will set out in order below a response to your points.

'- Did the majority of respondents support this proposal?

- If so, have any plans been put in place to achieve these aims?

- Is there a roadmap in place for the rollout of PAYG, and if so when can we expect PAYG to be implemented on each line by?

The Department's current intention is to publish details of the consultation's next steps on the Government website,¹ reflecting the feedback we received, plus any developments, in

¹ www.gov.uk

due course. Therefore, this information is being withheld at this time in reliance on the exemption at section 22(1) of the FOI Act – information intended for future publication.

As section 22(1) is a qualified exemption, the Department is required to balance the public interest in disclosing the information against that for withholding it. **Annex A** to this letter sets out the exemption in full and details why the public interest test favours withholding the information at this time.

You also asked for the following information:

‘ - Have there been consultations with rail companies regarding implementation of PAYG, and if so which companies?’

I can confirm that the Department does not hold the information that you have requested. You may wish to contact rail companies directly, however, we should explain that they are not all subject to the FOI Act and so any disclosure of information would be on an entirely voluntary basis.

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 Information Rights Unit 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 see attached details of the Department's complaints procedure and your right to complain to the Information Commissioner.

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

Yours sincerely

Steven Burton
Senior 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

Annex A

Section 22 - Information intended for future publication

(1) Information is exempt information if—

(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Factors for disclosure	Factors against disclosure
<ul style="list-style-type: none">- The Government's promotion of the ideal that information should be made public rather than not, and that Government should be more transparent.- Disclosure could help to allow the individual concerned, or the public as a whole, to understand the decision-making process of the Department with regard to franchises.	<ul style="list-style-type: none">- It is important that we are able to publish the PAYG on rail consultation response in a manner, form and timing of our own choosing and verify the information in readiness for publication.- It is important that the Department is able to consult with the relevant people before the documents are published.- Publishing the PAYG on rail consultation response on the Department's website will allow everyone to see it at the same time and provide a clear and consistent approach.
Decision Reached	
The PAYG on rail consultation response is being <u>withheld</u> at this time as the document is in preparation but is not yet at a stage where it is ready for publication. The document is intended for future publication. On balance the public interest in withholding this information until formal publication outweighs the case for disclosure now.	