

Alex Shipp

Your Ref:
Our Ref: FOIR4139

Date: 24 September 2014

Dear Mr Shipp

Freedom of Information Request

Thank you for your e-mail dated 8 September requesting information under the terms of the Freedom of Information Act 2000 (FOIA).

You asked:-

Please can you clarify when the DVLA became aware that ParkingEye were issuing tickets claiming keeper liability under POFA 2012. For the purpose of clarification, please if possible also provide the documentary evidence, such as emails, letters, etc.

The DVLA became aware that Parking Eye were issuing parking charge notices under POFA 2012 on the 5 August 2014.

The documentation you requested is held. However, DVLA considers it exempt from disclosure under section 31(1)(g) of the FOIA and in particular section 31(2)(a). DVLA believes that disclosure of the information requested would be likely to prejudice DVLA's ability to exercise its function for the purpose of ascertaining whether any person has failed to comply with the law. Before applying this exemption DVLA considered, as is required by the FOIA, the public interest for and against disclosure. The attached Annex provides details on those considerations where the outcome favoured withholding the information you have requested.

The information which follows concerns the copyright conditions that apply to any information provided by the Agency and 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



Robert Toft
Head of Data Sharing Policy & Freedom of Information Team

PROCEDURES FOR HANDLING FREEDOM OF INFORMATION REQUESTS

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Complaints

If you are unhappy with the way in which your request for information has been handled, about the decision not to disclose all or part of the information requested and/or that the DVLA has not complied with its FOI publication scheme, you have the right to complain within two calendar months of the date of this letter. You may complain by writing to the Freedom of Information Team, DSPG/FOI, D16, DVLA, Swansea, SA6 7JL or e-mail foi@dvla.gsi.gov.uk.

Your complaint will be acknowledged and you will be advised of a date by which you should have received a response. Initially, your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that person decides that his/her decision was correct, your complaint will automatically be referred to an independent official who will conduct a further review (an Internal 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 by writing to the Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.