



Department for Transport

Web Site: www.dft.gov.uk

Our Ref: F0018879

6th October 2020

Mr Andy Soames
[By email: request-691147-
f0d751ab@whatdotheyknow.com]

Freedom of Information Act Complaint – F0018879

Dear Mr Soames,

I am replying to your request, received on 22 September, for an internal review of the department's response to your FOI request. You originally asked for information relating to passenger footfall in the last week of August 2020 or another later week, showing a breakdown of this figure below national level.

The Department's reply dated 21 September confirmed that the information you requested is available on the department's [website](#), and explained the data can only be presented at national level.

In your request for an internal review you stated that, if the data could only be provided at national level, then our response should not have suggested the data was already available. You also challenged our argument that data is not available at sub-national level.

Your request for a review has been passed to me to deal with, as I had no involvement in the handling of your original request.

In reaching my decision I have carefully considered your complaint and have sought further clarification from the officials who handled your original request.

Findings

The original answer that stated the information was held referred to the National Rail usage figure already published through the weekly [Department for Transport coronavirus transport usage statistics](#). As you noted, this was not the question you were asking, which you clarified in your request for an internal review. I agree that the original reply was wrong to say the information requested was readily available.

The data requested comes from the Lennon database (Latest Earnings Networked Nationally Overnight) and can be accessed by the department. Lennon is the Revenue settlement service that Train Operating Companies (TOCs) use to track passenger rail ticket sales in Great Britain, and the main source of data on rail fares revenue in the region. The system processes information from all Great Britain train ticket sales, and allocates daily revenue accordingly, to TOCs and third parties (such as travel agents or online ticket sellers), as well as origin and destination stations.

Lennon does not categorise data based on easily recognisable geographical locations, such as “England”, “Scotland” or “Wales”, Government office regions or even individual counties. Instead, Lennon groups stations into zones, with “primary zones”, the highest level of disaggregation, based on historic rail operational areas.

The Lennon system is owned and maintained by the Rail Delivery Group (RDG), and data is made available to the department under a licence agreement. The data is considered commercially confidential and the department’s licence agreement does not allow for the publication of any information extracted from Lennon.

Recently, RDG allowed the department to publish certain national-level information to assist in monitoring COVID-19. Requests to release more disaggregated information from Lennon have, however, been refused, as any further disaggregation would reach the commercial confidential level of the data.

This review, therefore, has found that the information should be withheld under Section 41(1) of the FOI Act, to reflect the commercial confidentiality of the information.

Summary

After taking everything into consideration, I concluded that the original answer was incorrect in signposting the national-level data already published, but correctly withheld the information. The exemption under which this data is withheld is Section 41(1) – Information provided in confidence.

Next Steps

If you are not content with the outcome of this internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>

Yours sincerely

Ian Knowles

Deputy Director, Analytics and Data Division,
Department for Transport