



Graham Bryce
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24th September 2018

Dear Mr Bryce,

Information request

Reference number: FOI2018/01133

Thank you for your request of 26th August 2018. You requested the following information:

'Please advise me of the number of Track Circuit Failures which have occurred in the past 12 months on the section of the Brighton main line between East Croydon and Brighton stations. Please include that track in and around East Croydon and Brighton stations, and both the fast Quarry Line and the line which passes through Redhill.

Of those track circuits which failed, please also give the number of devices that had been installed for less than 12 months.'

I have processed your request under the terms of the Freedom of Information Act 2000 (FOIA).

I can confirm that we hold the information you requested. However, to provide the information you requested would exceed the appropriate limit required of a public authority to provide information under the FOIA.

Section 12 of the FOIA

Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the

‘appropriate limit’ as defined by the Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004 (the Regulations):

“12 Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit”.

The Regulations provide that the appropriate limit to be applied to requests received by public authorities, such as Network Rail, is £450 (equivalent to 18 hours of work). According to the guidance published by the Information Commissioner, in estimating the cost of complying with a request for information, it is appropriate for us to take into account any reasonable costs incurred in:

- a) determining whether we hold the information;*
- b) finding and retrieving the information; and*
- c) extracting the information.*

For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour.

The cost of complying with your request

The first thing to say is that gathering the information on the number of track circuit failures at this location is a relatively straightforward task. The difficulty arises in working out whether the asset that failed has been installed within the last 12 months. Although we keep records of this information these records are kept entirely separately from the data on failures.

In order to comply with your request we would need to cross check each of the records of asset failures with a separate set of records detailing when the asset was installed. Our records show that there were 226 faults across the period of your request, meaning that we would have to check the installation date of 226 assets (although potentially slightly fewer if a fault occurred more than once on any individual asset).

In considering how much time it would take to check each asset it is essential to bear in mind that we have seven different types of track circuit as well as one type of axle counter. These eight types of train detection system can be anything up to 40 years

old and are made up of hundreds of different component parts, not all of which are tracked via computerised systems.

The result of this is that determining the number of devices that had been installed for less than 12 months from the 226 failures would take well over the 18 hours permitted by the Regulations. If one took an extremely conservative estimate of 15 minutes per failure to cross reference with installation dates then even this would result in an estimate of approximately 56 hours to gather all of the information you have asked for.

Advice and assistance

Although we are unable to provide you with the age of the asset which caused a track circuit failure, we are in a position to provide you with the total number of failures. Please find attached two lists; one list contains all the track circuit failures which occurred in the past 12 months, the other is a list of track circuit failures which caused a delay in the past 12 months. Please be aware the list containing delay data is included in the in the list of all failures. The delay data has additionally been provided to you as a comparison so you can clearly see which track circuit failures resulted in a delay.

I hope you find the information provided to you useful and I am sorry we could not be of further assistance. If you have any enquiries about this response, please contact me in the first instance at FOI@networkrail.co.uk or on 01908 782405. Details of your appeal rights are below.

Please remember to quote the reference number at the top of this letter in all future communications.

Yours sincerely

Danielle Stratton
Information Officer

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Appeal Rights

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the FOI Compliance and Appeals Manager at Network Rail, Freedom of Information, The Quadrant, Elder Gate, Milton Keynes, MK9 1EN, or by email at foi@networkrail.co.uk. Your request must be submitted within 40 working days of receipt of this letter.

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