

**My Ref:** IG-11713  
**Your Ref:**  
**Contact:** Freedom of Information Team  
**Email:** [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)



**Nottingham**  
**City Council**

**Freedom of Information Team**  
**Information Compliance**  
**Legal & Governance**  
2<sup>nd</sup> Floor  
Loxley House  
Station Street  
Nottingham  
NG2 3NG

Requester

At contact address specified for request number above

**Tel:** 0115 876 4376

**Email:**

[FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk)

[www.nottinghamcity.gov.uk](http://www.nottinghamcity.gov.uk)

7 January 2018

Dear Requester

### **Request under the Freedom of Information Act 2000 (the Act)**

The council has considered your request which was received on 1 January 2019 and our response to your questions is shown below.

*Under the Freedom Of Information Act could i please request a copy of the current annual tram stop usage statistics for each and every Nottingham Express Transit tram stop that shows the total amount of entries and exits per year. So for each and every tram stop I would like a single figure showing the total usage (total amount of entries and exits) in one year.*

*I would preferably like this information for the period of between 01/01/2018 to 31/12/2018 (all of 2018). However if you don't have statistics for this period then just provide me with the most recent ones you have as long as it is still a 12 month period.*

In accordance with section 1(1) of the Act the council has a duty to confirm whether it holds the information of the description specified in the request, and if that is the case, to have the information communicated to the requester.

Destination tram stop information is not collected for all customers, as some travel cards only require the customer to swipe prior to getting on the tram and not when they get off. In addition, day tickets purchased by customers would only indicate the location the ticket was purchased.

However, please note usage statistics held, broken down by tram stop usage cannot be provided as its disclosure would be likely to prejudice the commercial interests of Tramlink Nottingham Ltd.

If the requested information was disclosed, it would hold a significant commercial value to competitors in the public transport sector. Entry and exit information at each stop could be used by competitors to target specific locations in order to gain a competitive advantage. It should be noted that the tram operates in a highly



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competitive environment. The tram competes mostly with local bus services, which operate in a deregulated market and are therefore able to operate commercial services along routes that they choose and at fare levels they set. Bus services can be changed with six weeks notice. Therefore, any information on the commercial performance of the tram would be of the benefit to competitors in the market and could impact on the commercial performance of the tram system.

As we have relied on section 43(2) of the Act we are required to carry out a Public Interest Test. This is a test to see whether the public interest in withholding the information is greater than in releasing it. We acknowledge there is a public interest in ensuring the council is transparent about the performance of the tram service. There is considerable public interest that the tram is operating in a financially and logistically efficient manner. However, we also need to take into account the harm that would be caused to this authority by disclosing information. In this case, we feel it is in the best interests of the public that the Tramlink is able to compete equally in the public transport marketplace. Withholding the requested information allows Tramlink to protect its information, which would hold significant value to its competitors. In addition, release of this information may expose the local authority to legal action for breach of contract. For these reasons, we feel it is appropriate in this case to maintain the exemption and withhold the information.

As the council is withholding the information as detailed above under section 43(2) please accept this letter as a refusal notice issued in accordance with section 17 of the Act.

You are free to use any information supplied for your own personal use. If the information provided is marked as published under an [Open Government Licence](#) you are free to reuse it, subject to the licence terms. However, if the information is not published under an Open Government Licence and you wish to reuse it, for example, by publishing the information or issuing copies to the public you are required to request permission for re-use of this information under the Re-use of Public Sector Information Regulations 2005 (RPSI). Your RPSI request must be in writing and include your name and address for correspondence, and specify the information you want to re-use and the purpose you intend to use it for.

If you are unhappy with the response provided or with the handling of your request, you can ask for an internal review in writing stating the reasons for your dissatisfaction. Your request for an internal review should be made to the council within forty working days of the date of this letter. Please quote reference IG-11713 in all communications.

You can contact the Freedom of Information Team either by email: [FOI@nottinghamcity.gov.uk](mailto:FOI@nottinghamcity.gov.uk) or writing to the **Freedom of Information Team, Information Compliance, Legal & Governance, 2<sup>nd</sup> Floor, Loxley House, Station Street, Nottingham, NG2 3NG.**

If you remain unhappy after receiving the response to your initial complaint you can request an independent review from the Information Commissioner's Office at **FOI/EIR Complaints Resolution, Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.** You may also contact the Information Commissioner's Office by telephone on 01625 545745 or by email at [mail@ico.gsi.gov.uk](mailto:mail@ico.gsi.gov.uk).

Yours sincerely

Freedom of Information Team  
Legal & Governance  
Nottingham City Council