



Network Rail
Freedom of Information
The Quadrant
Elder Gate
Milton Keynes
MK9 1EN

T 01908 782405
E FOI@networkrail.co.uk

Mr Clive Feather

By email: request-444972-786620cd@whatdotheyknow.com

5th February 2018

Dear Mr Feather

Information request

Reference number: FOI2017/01437

Thank you for your most recent request of 5th December 2017, in which you requested the following information:

Original request received 9th November 2017:

"Please provide the details of the signalling for the lines from Preston (exclusive) to Blackpool North and Blackpool South and the Burn Naze branch (I believe these are the lines with ELRs BCR, KBS1, KBS2, PBN, and WPS). The information should include but not be limited to signalling scheme plans, locking tables, and box or panel diagrams.

I understand that both lines are closing tomorrow for resignalling and, therefore, there are no operational security reasons for withholding the information as it will no longer be current."

Based on our response to you of 5th December 2017, in which we advised how you could clarify your request, you submitted the following on the same date:

"Thank you for your response to my FOI request.

I understand your response and accept that over a thousand separate documents would constitute a disproportionate burden. Therefore I would be happy to initially focus my request on the specific types of information that I named:

- *Signalling scheme plans*
- *Locking tables*
- *Box or panel diagrams*

In addition, your response suggests that you have a list of these "over a thousand documents". If so, please send me a copy of that list either as part of your main response or separately."

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

I can confirm that we hold the requested information and will be happy to provide the greater majority of this information to you as follows:

- signalling scheme plans, locking tables and box or panel diagrams that we hold regarding the line from Preston (exclusive) to Blackpool North, and the Burn Naze branch.

As you previously stated, these lines have been closed for resignalling works and therefore the documents supplied here no longer reflect the current signalling layouts.

I have withheld the staff names from each document under section 40(2) of the FOIA, as the names are the personal information of identifiable individuals. In this case, the individuals are of junior level and not public facing and would therefore have no expectation that such personal information would be disclosed. For this reason, we believe disclosure of the names would be unfair, and so breach the first data protection principle, that personal information must be handled fairly and lawfully.

I have not included the disclosure documents due to their large number and size. For this reason we feel that it is not reasonably practicable for us to comply with your request by uploading all of this information to the whatdotheyknow.com website (or providing it by email). However, in order to comply with your request we would ask you to contact us directly to provide a physical address, so that we can send you a CD containing the information. We would not want you to publish your address on the whatdotheyknow.com website, but you can contact us using the email address "FOI[at]networkrail.co.uk" (replacing the [at] with @).

Section 11 of the Freedom of Information Act 2000 (FOIA) requires us to comply with a request for information to be communicated in a form acceptable to the applicant, but only insofar as it is reasonably practicable to do so. It is our view that, for the

reasons given above, it is not reasonably practicable to comply with your request by communicating the information by email in this case.

Sections 31(1)(a) and 38(1) of the FOIA

As you recognise in your original request of 9th November 2017, there are circumstances in which it is appropriate to withhold information for reasons of operational security. In terms of the FOIA, there are three documents that have been exempted from disclosure by virtue of sections 31(1)(a)¹ and section 38(1)² of the Act. These sections of the Act are respectively intended to prevent prejudice to the prevention and detection of crime and to avoid endangering health and safety.

We believe these exemptions apply to this small number of documents because they specifically relate to the Preston (exclusive) to Blackpool South line, and resignalling work is not taking place on this specific line. Therefore, these lines remain in use and the information that we would be supplying to you is still current to the operation of our network. As we explained in our previous response to your request FOI2017/00047, releasing certain live operational information into the public domain could be used by those who may wish to disrupt, interfere with or attack the workings of our infrastructure.

The public interest test

We recognise that there are public interest arguments in favour of disclosure:

- There is a general presumption in favour of disclosure where this will make public authorities more open and accountable.
- Disclosure of these documents would provide an insight into Network Rail's Network Rail's operation of a part of the rail infrastructure. In this regard, I note that this public interest is largely satisfied by the significant disclosure we are providing in response to this request.

We must then consider the public interest in maintaining the exemption. This public interest is closely related to the harm that would be likely to stem from disclosure:

¹ <https://ico.org.uk/media/for-organisations/documents/1207/law-enforcement-foi-section-31.pdf>

Section 31 states:

31.—(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice -

(a) the prevention or detection of crime,

² <https://ico.org.uk/media/for-organisations/documents/1207/law-enforcement-foi-section-31.pdf>

Section 38 states:

38.—(1) Information is exempt information if its disclosure under this Act would, or would be likely to—

(a) endanger the physical or mental health of any individual, or

(b) endanger the safety of any individual.

- The resignalling work in this area is not taking place on the Preston (exclusive) to Blackpool South line; therefore any disclosure of information for this line would relate to the current operational layout on the network. We are responsible for the safety and security of the network, and by supplying current signalling information, we could be putting the safety of the public and our staff at risk. The strongest public interest lies in maintaining our ability to operate the rail network efficiently while protecting the safety of those who work and travel on the railway.

In conclusion, we are of the view that the three documents in question are exempt from disclosure because the strongest public interest lies in preventing and protecting our staff and customers from harm, and that this greatly outweighs the public interest in favour of disclosure.

You have also requested in your most recent correspondence to receive the list of the documents that we had previously located in our records. I will include this list with the CD, titled 'FOI201701437 List of documents'.

The Excel sheet contains five tabs providing the names of documents that were identified during searches as being of relevance to your previous request FOI2017/01333.

For your awareness, these lists were created during our searches for information held for that request, to help us gain an understanding of the scope of the relevant information relevant; this list did not exist prior to that request.

Please note that the documents supplied in response to your present request are also named within these lists.

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

Emma Wolstenholme
Information Officer

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial

research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs) can also be used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder. Please contact me if you wish to re-use the information and need to seek the permission of the copyright holder.

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