

09 February 2012

Ref: FOI: P0008536

Dear [REDACTED],

Freedom of Information request

I refer to your request under the Freedom of Information Act 2000 for information regarding a number of questions in relation to Southern Railways and Gatwick Express.

Thank you for your information request dated 17 January 2012 in which you requested the following information:

- 1) If the Department for Transport will list the dates and attendees of meetings Ministers have had with Southern Railway representatives?*

Since the start of their Franchise on 20 September 2009 (current Southern Railway Franchise), records show that the following meetings have taken place. Please note that this is a regular rail industry meeting and the list of attendees given are those that usually attend and are of a senior enough level to have their names (with permission) already in the public domain.

Under Schedule 1 the release of the names of the individuals would constitute a breach of the Data Protection Act.

Therefore, under Schedule 2 a test has been undertaken to consider whether the processing is necessary for the purposes of legitimate interests pursued by the data controller or by the third party or parties to whom the data are disclosed, except where the processing is unwarranted in any particular case by reason of prejudice to the rights and freedoms or legitimate interests of the data subject.

Under the Section 40 (2) exemption (personal information) I am withholding the names of officials at grades below SCS and those names where it would contravene the Data Protection Act.

The usual attendees (who have given consent) are;

The Minister (currently Norman Baker, but previously Theresa Villers)

Paul Rodgers, DfT

Andrew Murray, DfT

Robin Gisby, Network Rail

Chris Burchell, (represents TOC owning groups at the meeting, but is also the MD of Southern Railways),

Micheal Lee, Office of Rail Regulation

Gary Cooper, National Task Force

The dates of these meetings are;

12 November 2009	10 December 2009	13 January 2010	04 February 2010
04 March 2010	31 March 2010	29 April 2010	27 May 2010
24 June 2010	22 July 2010	19 August 2010	16 September 2010
14 October 2010	11 November 2010	16 December 2010	13 January 2011
03 February 2011	03 March 2011	05 April 2011	28 April 2011
27 May 2011	23 June 2011	20 July 2011	15 September 2011
13 October 2011	10 November 2011	08 December 2011	12 January 2012

There was also an additional meeting where the Minister was at a meeting with Chris Burchell of Southern Railways, on 14 February 2011 with the other attendees being the MD of South Eastern, and the MD of London Midland.

I hope that the above information answers your question.

2) When Ministers last met with the Chief Executive of Southern Railway?

The last meeting is as above in the table, 12 January 2012.

3) To publish all correspondence between the Department of Transport and Southern Railway relating to performance and punctuality in the last two years?

I have estimated that the cost of complying with your request would exceed £600. Section 12 of the Act does not oblige the Department to comply with requests that exceed this limit, and we are therefore refusing your request.

I am unable to answer your request within the cost limit as the request covers all types of correspondence as well as being over a significant period of time and too many teams to cover and the time to extract the relevant data means that we cannot answer the request within the limit.

I e-mailed you on 19 January 2012 requesting you to reduce the scope of your request. To date I have not received a response.

Please note that if I do not receive appropriate clarification of your information requirements within three months from the date of that e-mail, then I will consider your request closed.

4) What information the Department of Transport has requested and received relating to the amount of money Southern Railway has paid in compensation for delays in each of the last 12 months?

For 2010 -11 this information was released in a previous FOI and the figure is £525,000. For the periods from 01 April to 07 January 2011 the figure is £323,632.31. This information held is a single figure for Southern Railway covering both compensation and Delay Repay and other matters arising under their passenger charter, and is provided to the Department as part of the monthly accounts.

5) How many claims Southern Railway has had for compensation for delays in each of the last 12 months and what estimate they have made of the percentage of delayed passengers that claim when they were delayed?

The Department for Transport does not hold this data.

If you are unhappy with the way the Department has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the Department's Information Rights Unit at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely,



Your right to complain to DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further 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. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF