

Freedom of Information Request - F0008956

Thank you for your email of 25 May 2012, in which you requested information on:

“How much the Department for Transport (DfT) paid for Alan Cook's Review of the strategic road network (SRN) in 2011 in (a) fees and (b) expenses, and to whom those fees and expenses were paid? The day rates or other rates used for those fees, what precedents and comparators and advice and other factors that the Department used to decide on those rates.”

Your request has been considered under the Freedom of Information Act 2000.

I am writing to confirm that the Department has now completed its search for the information.

Fees

Alan Cook undertook the independent review as part of his remit as the non-executive Chair of the Highways Agency (HA). He was not paid additional fees over and above his normal remuneration for the role as non-executive Chair.

If we were to treat your request as wanting to know Alan Cook's remuneration for the 2011-12 financial year, this information would be withheld in reliance on the exemption at section 22(1) of the Freedom of Information Act 2000, which relates to information which is intended for future publication (the full text of the exemption is attached at Annex A). This information (in a £5k range) will be included in the Highways Agency 2011-12 Annual Report and Accounts which is due to be published on its website at the end of June 2012 once the details have been fully audited.

In applying this exemption we have had to balance the public interest in withholding the information against the public interest in disclosure.

There is a clear public interest in HA's non-executive Directors remuneration. This is public money and we should be open, honest and transparent about the monies paid. Putting this information into the public domain now would allow the public to see how much each non-executive Director received within a £5k range.

However, it is also important that we are able to release this information in a manner, form and timing of our own choosing. The HA is currently busy verifying and auditing its

Annual Report and Accounts with a view to publishing them at the end of June 2012. We consider that publishing this information in a single audited report having fully considered all of the information is in the public interest. Therefore, on balance the public interest in maintaining the exemption outweighs the public interest in disclosure at this time, but I would be happy to send you a link to the Highways Agency 2011-12 Annual Report and Accounts once it has been published if you would find this useful.

Expenses

In a number of cases, Alan Cook's business expenses in relation to this work were incurred jointly with his undertaking work in respect to his role as non-executive Chair of the HA. However, we can advise that Mr Cook claimed business expenses totalling £1,446.85 for the period 2011-12, of which £583.30 was specifically attributed to his work on the review.

In case you are interested I include below a link to a page on the HA website which provides information on Directors' business expenses dating back to April 2009:

<http://www.highways.gov.uk/aboutus/30797.aspx>

The business expenses claimed by Mr Cook during that period were in line with Departmental guidance on UK travel and subsistence claims. An extract from the guidance is attached at Annex B.

Mr Cook was supported in this work by a small team comprising of 3 staff from the Department, HA, and HM Treasury. No additional business expenses were incurred for their services.

In keeping with the spirit and effect of the Freedom of Information Act, all information is assumed to be releasable to the public unless exempt. A copy of this response and the information provided may now be published on our website together with any related information that will provide a key to its wider context.

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/01
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

22 Information intended for future publication.

(1) Information is exempt information if —

(a) the information is held by the public authority with a view to its publication, by the authority or any other person, at some future date (whether determined or not),

(b) the information was already held with a view to such publication at the time when the request for information was made, and

(c) it is reasonable in all the circumstances that the information should be withheld from disclosure until the date referred to in paragraph (a).

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1)(a) would involve the disclosure of any information (whether or not already recorded) which falls within subsection (1).

Extracts from Staff Handbook Travel and Subsistence Rates

UK travel rates

Motor mileage rates – motor vehicles

- i. Standard mileage rate:
 - o Higher (up to 10,000 miles) = 40p per mile (45p per mile with effect from 1st February 2012)
 - o Lower (over 10,000 miles) = 25p per mile
- ii. Public transport rate (all mileage) = 25p per mile

Passenger supplement

- i. First passenger = 5p per mile
- ii. Second and subsequent passengers = 5p per mile

Equipment supplement

The equipment supplement is 2p per mile

Motor cycles and motor cycle combinations

- i. Motor cycles and motor cycle combinations = 24p per mile

Pedal cycle allowance

The pedal cycle allowance is 20p per mile

UK subsistence rates

Day subsistence

For five to 10 hours, the indicative ceiling is £4.80

For 10 to 12 hours, the indicative ceiling is £9.30

For over 12 hours, the indicative ceiling is £14.10

Night subsistence

For London, the indicative ceiling is £110 per night

For outside London, the indicative ceiling is £90 per night

For staying with friends or relatives (all areas) the flat rate is £25 per night

Incidental expenses

For all areas, the flat rate is £5 per night

Night Subsistence Allowance

Night Subsistence covers a 24 hour period in which day subsistence must not be claimed in tandem.

Lunch £8.60

Dinner £10.80

Incidentals £5.00