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XXXXXX  
Rail Commercial Contracts  
Department for Transport  
76 Marsham Street  
London  
SW1P 4DR  
Direct Line: XXXX  
XXX@dft.gsi.gov.uk

Web Site: [www.dft.gov.uk](http://www.dft.gov.uk)

Our Ref: F0007395

15 March 2011

Dear XXXX,

**Freedom of Information Request F0007395**

I am writing to confirm that the Department for Transport (DfT) has now completed its search for the information you requested.

**Question: I wish to know what the minimum amount of First and Standard Class seating is that East Midlands Trains is obliged to offer under their franchise agreement for the 18:00 Monday to Friday Service from London St. Pancras to Melton Mowbray.**

Answer: East Midlands Trains (EMT) has an obligation to use reasonable endeavours to provide capacity to ensure that passengers travelling at peak times have a reasonable expectation of a seat within 20 minutes of boarding. Under Schedule 1.1 Clause 6.3 of East Midlands National Rail Franchise Terms (NRFT), EMT is subject to a capacity regime to deliver a minimum level of passenger places at peak times. Within section 21 of the FoI Act, we are not required to provide information which is already reasonably accessible to you. You can access the NRFT by using the link to the DfT Public Register at:

[www.dft.gov.uk/pgr/rail/passenger/publicregister/current/eastmidlands/emnational.pdf](http://www.dft.gov.uk/pgr/rail/passenger/publicregister/current/eastmidlands/emnational.pdf)

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](mailto: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

**XXXXXX**

### **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