

xxxx

Via email

xxxx

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

1 August 2011

Dear xxxx

**Freedom of Information Request – F0007898 - Abolition of Quangos**

I am writing in regard to your Freedom of Information request received on 4 July 2011. \_\_\_\_\_

I am dealing specifically with the second part of your request for information relating to the British Railways Board (Residuary) under the above reference number. You will receive a separate response relating to the first part of your request under reference number F0007836.

In your request you asked for the following information:

- Any project closure documentation including identification of current activities and where it is proposed that these are to be transferred to.
- Any business cases, Project Initiation Documents, Project Briefs, Project Plans or similar.

We have estimated that the cost of complying with your request would exceed £600. Section 12 of the Act (the full text of which is attached) does not oblige the Department to comply with requests that exceed this limit, and we are therefore refusing your request.

We are unable to answer your request within the cost limit as the request is for such a wide area of information held in multiple locations by many people.

If you send us a new, more specific request, we will consider if that can be dealt with within the limit. I can though advise that upon abolition the responsibilities would pass to the Secretary of State for Transport, who is currently the sole shareholder of BRBR.

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 wish to discuss any of the above, please contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely,

XXXX

### **Section 12 exemption:**

#### **Exemption where cost of compliance exceeds appropriate limit**

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

(2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.

(3) In subsections (1) and (2) "the appropriate limit" means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.

(4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—

(a) by one person, or

(b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign,

the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.

(5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated.

### **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