



Department
for Transport

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Ms Ellie Harrison
[By email: info@bringbackbritishrail.org]

Web Site: www.gov.uk/dft

Our Ref: F0022172

18 April 2023

Dear Ms Harrison,

Freedom of Information Act Request – F0022172

Thank you for your Freedom of Information (FOI) request of 19 March 2023, in which you requested the following information:

'I am concerned that your 'Public register of rail passenger contracts' webpage is not being kept up-to-date. I have emailed the rail.publicregister@dft.gov.uk address to request accurate information, but have not received a response. I am therefore making this Freedom of Information Request. Please send me the accurate expiry date of all current contracts for the following 14 rail operators. Please also indicate whether an extension is being considered for any of these contracts, how long the extension will be, and when it will expire: - East Anglia Railway - Essex Thameside Railway - South Western Railway - TransPennine Express Railway - West Midlands Railway - Thameslink, Southern & Great Northern - London North Eastern Railway - Northern Railway - Chiltern Railway - Cross Country Railway - East Midlands Railway - Great Western Railway - South Eastern Railway - West Coast Partnership Railway'

I am writing to confirm that your request has been considered under the FOI Act 2000 and that the Department has completed its search for the information. I can confirm that the Department does hold information that falls within the scope of your request.

We have extracted the following expiry dates of all current rail passenger service contracts from the existing contracts with the 14 rail operators as follows:

TRAIN OPERATOR	START DATE/SERVICE COMMENCEMENT DATE (defined term)	CORE TERM EXPIRY DATE	OPTIONAL MAXIMUM EXPIRY DATE
Govia Thameslink Railway (Thameslink Southern Great Northern)	01/04/2022	01/04/2025	01/04/2028
c2c (Essex Thameside*)	25/07/2021	23/07/2023	20/07/2025

TRAIN OPERATOR	START DATE/SERVICE COMMENCEMENT DATE (defined term)	CORE TERM EXPIRY DATE	OPTIONAL MAXIMUM EXPIRY DATE
Greater Anglia	19/09/2021	15/09/2024	20/09/2026
East Midlands Railway	16/10/2022	18/10/2026	13/10/2030
West Midlands Trains	19/09/2021	15/09/2024	20/09/2026
South Western Railway*	30/05/2021	28/05/2023	25/05/2025
Chiltern Railways	31/12/2021	01/04/2025	12/12/2027
Great Western Railway	26/06/2022	22/06/2025	25/06/2028
TransPennine Express	30/05/2021	28/05/2023	25/05/2025
South Eastern Trains	17/10/2021	13/10/2024	17/10/2027
London North Eastern Railway	24/06/2018	23/06/2025	N/A
CrossCountry	18/10/2020	15/10/2023	13/10/2024
Northern Trains	01/03/2022	01/03/2025	01/03/2027
West Coast Partnership	15/09/2019	15/10/2023	N/A

* The Optional Maximum Expiry Date has been called for these operators.

At this time, we are withholding extension agreements relating to London North Eastern Railway, West Coast Partnership and Northern Trains in reliance on the exemption at section 22(1) of the FOI Act 2000, which covers information intended for future publication. As section 22(1) is a qualified exemption we are required to balance the public interest in disclosing the information against that for withholding it. **Annex A** to this letter sets out the exemption in full and details why the public interest test favours withholding the information at this time.

Officials have checked the email address rail.publicregister@dft.gov.uk and can confirm that it is valid. The team that regularly monitors this email address has not identified any correspondence relating to this FOI request. Due to the volume of correspondence received at the address, no acknowledgment emails are issued.

Officials have dealt with the following requests:

22/08/2022	Extension to the Great British Railways Consultation.	Ellie Harrison & Emily Yates	Complete
08/11/2022	Meeting to discuss a petition seeking to bring the West Coast under the control of the OLR.	Ellie Harrison	Complete
08/02/2023	Avanti West Coast	Ellie Harrison	Complete
03/04/2023	Avanti West Coast Crisis - Petition Hand-in on Monday 20 March 2023	Ellie Harrison	Complete

Given this matter has been brought to our attention, we are in the process of amending the email address. A revised email address will be published on the Rail Public Register at the earliest opportunity.

Appeals procedure

If you are dissatisfied with the way we have responded to or handled your request, you have the right to ask for an internal review. This should be submitted within two calendar months of the date of this letter and addressed to the FOI Advice Team at:

FOI-Advice-Team-DFT@dft.gov.uk

Please remember to quote the reference number above in any future communications. If you ask for an internal review and are still not content with the outcome, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted via their online form:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>

Yours sincerely

Steven Burton
Senior Correspondence Manager – Passenger Services

Annex A

Section 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).

Factors for disclosure	Factors against disclosure
<ul style="list-style-type: none">- The Government's promotion of the ideal that information should be made public rather than not, and that Government should be more transparent.- Disclosure of the extension agreements relating to London North Eastern Railway, West Coast Partnership and Northern Trains would help to allow the individual concerned, or the public as a whole, to understand the decision-making process of the Department.- Disclosure would contribute to the Government's wider transparency agenda.	<ul style="list-style-type: none">- It is important that we are able to publish the extension agreements relating to London North Eastern Railway, West Coast Partnership and Northern Trains in a manner, form and timing of our own choosing.- It is important that the Department is able to consult with the relevant people before the documents are published.- Officials' time would be better spent compiling and verifying the information in readiness for publication as opposed to dealing with piecemeal requests and avoid misinterpretation and confusion.- Publishing extension agreements relating to London North Eastern Railway, West Coast Partnership and Northern Trains on the GOV.UK website will allow everyone to see it at the same time and provide a clear and consistent approach.
Decision Reached	
The extension agreements relating to London North Eastern Railway, West Coast Partnership and Northern Trains is being withheld at this time. These documents are intended for future publication . The documents are in preparation for publication but are not yet at a stage where they are ready for actual publication. On balance the public interest in withholding this information until formal publication outweighs the case for disclosure.	