



FOI Request Train Design, Timetable & Automated Announcements

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Request Stage	Request
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Date Responded	12/05/2020
Disclosure	Part
Exemptions / Exceptions	S.43 – Commercial Interests
Supporting Documents	Commentary Mersey Cruise December 2019; Ferries Commuter Service Safety Announcement; Bus Station PA announcement scripts May 2020

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Request

I would like under the Freedom of Information Act the following:

- Copies of the Design Drawings for the Class 777 trains acquired for Merseyrail.
- Copies of the Working Timetables as agreed with Merseyrail.
- Copies of any automated announcements that are used by Merseytravel on board ferries, at ferry terminals, on board trains, at rail stations and at bus stations

I would like these in electronic format.

Response

Thank you for your recent request made under the Freedom of Information Act. Please find Merseytravel's response below.

- Copies of the Design Drawings for the Class 777 trains acquired for Merseyrail.

Merseytravel views the detailed design drawings of the new Class 777 Merseyrail fleet as potentially prejudicial to the commercial interests, either belonging to us or a third party, and must give consideration to Section 43 of the Act. Section 43 is a qualified, prejudice-based exemption, and is therefore subject to a public interest test. The Information Commissioner's Office has issued guidance on Section 43, which can be viewed on their website at [this link](#).

The public interest argument for disclosure is that it allows a greater degree of scrutiny over how public money is spent in the delivery of Merseytravel's work. It is important that public authorities allow their decisions to be scrutinised by the public to ensure that funds are managed appropriately. The new Merseyrail fleet is a high profile programme, so it is important that the public are allowed sufficient insight into how the new, publically-owned trains are being developed.

The public interest factors to withhold the information relate to the prejudicial impact that the disclosure would have on the commercial interests of any person (including the public authority itself). It would not, for example, be in the public interest to disclose information about a particular commercial body if that information was not common knowledge and would be likely to be used by competitors in a particular market to gain a competitive advantage. Disclosure under the Act is viewed as to the world at large, not simply to the individual requester, and consideration must therefore be given to how it may be used by any party.

In this particular case, the industry in which Stadler operate is highly competitive. Releasing detailed design drawings of the bespoke fleet would allow Stadler's competitors an insight into their work that they would not normally be provided. This information would be likely to be used to by rival companies when competing against Stadler for future contract opportunities, placing Stadler at a distinct disadvantage.

In this instance, it is Merseytravel's opinion that the balance of factors against disclosure of the information outweighs those in favour of release, and is therefore relying on Section 43(2) to withhold the detailed design drawings.

Stadler have published a data sheet, which includes drawings of the new fleet, on their website at [this link](#), which we believe adequately satisfies the public interest.

- Copies of the Working Timetables as agreed with Merseyrail.

The timetables for the new trains are yet to be finalised and agreed. This will not be possible until the testing of the trains is complete, which, due to the COVID-19 pandemic, will not be for several months.

- Copies of any automated announcements that are used by Merseytravel on board ferries, at ferry terminals, on board trains, at rail stations and at bus stations

Please find attached the scripts for the automated announcements from the Mersey Ferries and Merseytravel bus stations. If you would like to receive the actual recordings themselves, please let me know and I will make the necessary enquiries.

Announcements from the Merseyrail network are held by Merseyrail Electric Ltd., rather than Merseytravel.

By way of background, Merseytravel and Merseyrail are separate bodies; Merseytravel is the Executive body that provides professional, strategic and operational transport advice to the Liverpool City Region Combined Authority, while Merseyrail is a 50/50 joint venture company between Serco and Abellio, which has a 25 year concession agreement with Merseytravel to operate the network.

Merseyrail can be contacted using the details on their website at the following link: <https://www.merseyrail.org/contact-us.aspx>, however as Merseyrail are not a public body they are not subject to the Freedom of Information Act, meaning that any information they provide would be entirely on a voluntary basis.

I trust that the information supplied is of interest to you.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review, which should be addressed to:

Mrs Julie Watling
Legal, Democratic Services & Procurement Manager
Merseytravel
PO Box 1976
Liverpool
L69 3HN
julie.watling@merseytravel.gov.uk

If you are not content with the result of your internal review, you also have the right to complain to the Information Commissioner, whose address is

The Information Commissioner's Office,
Wycliffe House,
Water Lane,
Wilmslow,
Cheshire SK9 5AF
www.ico.gov.uk