**Date issued:** 15th of January 2024

**Freedom of Information Request** 285/23

We are writing in response to your Freedom of Information request. Your request has been considered in accordance with the requirements of the Freedom of Information Act and our Data and Information Management Policy.

**YOU ASKED US…**

**1a) How many refunds have been issued for single and return train tickets over the period? Please provide the figures under the following categories (minutes): 15-29, 30-59, 60-119, 120 minutes or longer.**

**b) How much compensation has been refunded for delayed train services over the five year period? Please provide the figures in GBP (£).   
  
2) How many rail journeys have been substituted by rail replacement buses over the period?**

**RESPONSE**

In relation to questions 2 of your request, your request for information has now been considered and we are not obliged to supply the information you have requested.

In relation to your particular request, the following exemption applies:

Section 12 – Exemption where the cost of compliance exceeds the appropriate limit.

* This crosses three different TOC’s (Arriva Trains Wales, KeolisAmey Operations Ltd, Transport for Wales Rail Ltd)
* It crosses two different rail replacement contracts from 3 different suppliers (Arriva UK Trains, CMAC, Abellio / Transport UK
* The request specifically asks “how many journeys?” making it far more difficult to answer as a single bus often undertakes multiple journeys on it’s duty

All of the above and the varying ways of data recording (for the reasons outlined above) make it a huge exercise.

It is estimated that the cost of providing you with the information is above the amount to which we are legally required to respond i.e. the cost of locating and retrieving the required information exceeds the ‘appropriate level’ as stated in the Freedom of Information (Fees and appropriate limit) Regulations 2004.

In the case of Transport for Wales (TfW), the appropriate limit is £450 which has been calculated to equate to a total of 18 hours of work. **If any part of the request exceeds the fees limit then Section 12 applies to the whole request.**

In accordance with the Freedom of Information Act 2000, this letter acts as a refusal notice.

**Under Section 16, the duty to advise and assist, if you were to resubmit your asking –**

* How much has been spent on rail replacement for the period; or
* How many buses have been used for rail replacement for the period

We may be in a position to assist.

Excess cost removes TfW’s obligation under the Freedom of Information Act; However, we have supplied the information relative to your request, retrieved before it was realised that the fees limit would be exceeded.

This information has been supplied outside of the Freedom of Information Act. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of the request.

|  |  |  |
| --- | --- | --- |
| How many refunds have been issued for **single and return train** tickets over the period? | | |
|  | Single | Return |
| 15-29 Mins | 32,925 | 20,791 |
| 30-59 Mins | 35,309 | 28,632 |
| 60-119 Mins | 37,303 | 30,331 |
| 120+ Mins | 27,893 | 20,789 |

|  |  |
| --- | --- |
| How much compensation has been refunded for **delayed** train services over the five year period? | £2,290,237.93 |

We also update this on the website every quarter too [Delay Repay | TfW](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Ftfw.wales%2Fhelp-and-contact%2Frail%2Fdelay-repay&data=05%7C02%7CFreedomofinformation%40tfw.wales%7C787af768bde94f600f4708dbfcb33f87%7C87dcd024301948269956ba76b2a04ff4%7C0%7C0%7C638381619061649703%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=ShYBATAqjmmMOaHf823wqE0haR19tgLmbLPVUrZv2V8%3D&reserved=0).

We hope this information is of use to you.

Yours sincerely,

**Transport for Wales**

**Appeal Rights**

If you are unhappy with the way your request has been handled and wish to make a complaint or request a review of our decision, please write to the Head of Freedom of Information at either Transport for Wales, 3 Llys Cadwyn, Pontypridd, CF37 4TH or [freedomofinformation@tfw.wales](mailto:freedomofinformation@tfw.wales). Your request must be submitted within 40 working days of receipt of this letter. 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 (ICO) can be contacted at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF or you can contact the ICO through the 'Make a Complaint' section of their website on this link: <https://ico.org.uk/make-a-complaint/>

The relevant section to select will be "Official or Public Information".