Dear xxxxxx,

Thank you for your information request of 9 September 2013. You requested the following information:

- All correspondence relating to the decision for London Overground leaving National Rail;
- Information on London Overground's through ticket inter-availability with the remaining TOCs, as defined in the Ticketing and Settlement Agreement.

Your request has been considered under the Freedom of Information Act 2000.

In answer to your question, I should point out that there is no formal or legal definition of 'National Rail'. However, I am able to offer some clarification regarding London Overground’s relationship with the national rail network, as set out below.

London Overground has a number of characteristics in common with franchised rail operations, but others which differ. In summary:

- The services operated by TfL and badged as London Overground, formerly part of the Silverlink Metro franchise, were legally removed from the franchised railway when they were transferred to TfL. This means that the Secretary of State no longer awards a franchise for the operation of these services.
- TfL are responsible for the operation of these services, under a concession agreement. The current operator is London Overground Rail Operations Ltd. (LOROL)
- The physical assets (excluding rolling stock) associated with London Overground, including track, signalling and stations, remain the property of Network Rail, as for the rest of the railway network.
- TfL is obliged to abide by the Network Code.
- London Overground is party to the Ticketing Settlement Agreement (TSA), including through ticket inter-availability.

Other provisions associated with the transfer are set out in a Terms of Transfer document agreed between the Secretary of State and Transport for London. A copy of this document is enclosed.

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I hope this response is helpful. If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

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/01
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA
E-mail: 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.

Yours sincerely,

XXXXXXXXXX
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