

03 June 2025

## Request for Information – CSL088

Dear Applicant,

Thank you for your Information Request which was received by Caledonian Sleeper Limited (CSL) via your post on X (formerly Twitter) on 05 May 2025

CSL is a Scottish Public Authority, and so your request is subject to the terms of the Freedom of Information (Scotland) Act 2002 (FOISA) and the Environmental Information (Scotland) Regulations 2004 (EIRs).

The general entitlement to information held by CSL, is for information held by it, at the time of the request, and to information held by a 3<sup>rd</sup> Party on CSL's behalf.

### Your request

Over the course of a number of messages on X social media, you have asked for the following information:

*Why do you leave class 66s idling all day in Inverness? I am keen to find out why a large diesel engine is being run for many hours, every day, for no reason, in the centre of a city. Caledonian Sleeper is the publicly owned entity receiving public money. It's reasonable for the public to request and receive information on a topic of interest. Also, third party contractors are your responsibility, not the public's.*

### Our response to your request - Information not held.

We have interpreted your reference to "class 66s idling all day in inverness" to mean the stabling of class 66 locomotives at the Inverness Traction Maintenance Depot.

Under section 10(4)(a) of EIRs, where CSL, being a public authority, receive requests for information that we do not hold, then we must issue a notice advising this to the Applicant. CSL does not hold the information that you have requested, and so please treat this letter as formal notice under section 10(4)(a) of EIRs.

However, in line with our duty under section 9 of EIRs, to provide advice and assistance, we have set out below some context.

- CSL's overnight passenger rail services, operate two main services, a "Lowlander Route" (London to Glasgow and Edinburgh) and "Highlander Route" (London to Fort William, Inverness, and Aberdeen).
- We engage a number of third parties such as for maintenance and servicing of our coaches at Depots, and we engage third party suppliers to provide locomotive and traction services.
- Our traction suppliers use distinct types of locomotives relevant to the terrain and power supply. For several parts of our routes north of Edinburgh, with limited electric power, this requires our Highlander Routes to be hauled by diesel engines, which can include class 66 engines.

- In terms of stabling, for our highlander trains that start and terminate at Inverness, our train coaches (seated coach, sleeper coaches, accessible coaches and Club Car) are moved by our traction provider to and from Inverness Station, to be stabled, and have aspects of maintenance and preparation take place at Inverness Traction Maintenance Depot.
- Other than setting the timeframes for those coach moves, our agreement with our traction supplier does not mandate what happens with those locomotives outside of those service times. It is at the discretion of our supplier to locate those locomotives and re-fuel them, as and where, and for the purpose that they consider appropriate.
- The information you have asked for is therefore not held by CSL.
- In accordance with the EIRs, we have considered how we might reasonably apply a Public Interest Test to this situation. Although the legislation puts a presumption of disclosure upon public authorities, and we recognise that there is a general Public Interest in open, transparent government, the stabling activity in your request, is not part of the public services that CSL operates.

#### **Your right to request a review.**

If you are dissatisfied with how we have handled your request, you can ask us to conduct a review of our decisions, by writing to FOI Team, Caledonian Sleeper Limited, 1-5 Union Street, Inverness, IV1 1PP or e-mailing us at [FOI-EIR@caledoniansleeper.scot](mailto:FOI-EIR@caledoniansleeper.scot), within 40 working days of this letter. We will send you a response within 20 working days of receiving a review request.

If our review response is unsatisfactory, you can ask the Scottish Information Commissioner to review our decision. You must submit your complaint to the Commissioner within 6 months of receiving the response to review letter. The Commissioner's Office may be contacted as follows:

Online Appeal Service	<a href="http://www.itspublicknowledge.info/Appeal">www.itspublicknowledge.info/Appeal</a>
Post	The Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS
Telephone	01334 464610
Fax	01334 464611

An appeal, on a point of law, to the Court of Session may be made against a decision by the Commissioner.

Yours sincerely,

Caledonian Sleeper FOI Team