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## FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area

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Owen Boswarva <owen.boswarva@gmail.com>

21 December 2021 at 13:51

To: vehicles.stats@dft.gov.uk

Good afternoon,

This email follows from my telephone conversation with [REDACTED] this morning.

I would like to request some information about the number of licensed vehicles in the UK, based on 2011 Census geography.

I am interested in this data for its general utility, and for purposes of analysis in combination with other public datasets that are produced based on Census geography, rather than any more specific purpose.

I am submitting this request under the Freedom of Information Act and Re-use of Public Sector Information Regulations. I appreciate it may be administratively easier to treat this as a business as usual request. However, the formalities are necessary because I may need to document the provenance of the data and may need to challenge DfT's response to my request.

Details of request:

I am aware that the DfT and the DVLA publishes statistics for licensed vehicles by postcode district and body type (Table VEH0122) at <https://www.gov.uk/government/statistical-data-sets/all-vehicles-veh01>.

I am requesting equivalent data – i.e. the number of licensed cars, motorcycles, and all other vehicles – by 2011 Census Output Area (OA) in England, Scotland and Wales, and Small Area (SA) in Northern Ireland.

I am requesting this data without any rounding or suppression of small numbers. OAs and SAs have a confidentiality threshold of 40 households. There should be no need to apply any rounding or suppression of the vehicle counts, as even a single vehicle could not be related to an identifiable individual within the pool of households.

On this subject, I draw your attention to the Upper Tribunal's recent decision in NHS Business Services Authority v Information Commissioner and Spivack: [2021] UKUT 192 (AAC) <https://www.gov.uk/administrative-appeals-tribunal-decisions/nhs-business-services-authority-v-information-commissioner-and-spivack-2021-ukut-192-aac>

If DfT does consider that it cannot release data for OAs/SAs without rounding or suppression of small numbers, please also provide the number of licensed cars, motorcycles, and all other vehicles in each 2011 Census Lower Layer Super Output Area (LSOA) for England and Wales, Data Zone (DZ) for Scotland, and Super Output Area (SOA) for Northern Ireland.

Please provide the data as at Q2 2021 or as at Q3 2021 (whichever is the most recent held by the DfT) and specify the date to which the figures have been calculated.

There is no need to provide statistical names for Census areas, if they are represented by ONS statistical codes.

Please provide the data in a re-usable data format such as CSV, Excel or ODS.

I further request, in accordance with regulation 6 of the Re-use of Public Sector Information Regulations 2015, permission to re-use all information provided in response to the above access to information request for the purpose of combining that information with data from existing open public datasets and making the outputs available to others in a re-usable electronic form under an open licence. I request that the DfT grants permission to re-use the information for this purpose under the terms of the Open Government Licence v3 (<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>). Given my intended use, any more restrictive licensing terms would be likely to "unnecessarily restrict" the way in which the information can be re-used, contrary to RoPSIR regulation 12.

These requests are new and replace similar requests I submitted to the DVLA in an email dated 21 November 2021. I do not now require a separate response to those earlier requests, and will make the DVLA aware of that.

A1

Thank you for your attention to these requests, and for our discussion earlier.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]



Department  
for Transport

Mr Owen Boswarva  
[owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

Vehicles, Drivers and Access to  
Services Statistics  
Department for Transport  
Great Minster House  
33 Horseferry Road  
London  
SW1P 4DR  
Tel: 0300 330 3000  
Email: [vehicles.stats@dft.gov.uk](mailto:vehicles.stats@dft.gov.uk)

[www.gov.uk/dft](http://www.gov.uk/dft)

26 January 2022

Dear Mr Boswarva,

**Freedom of Information Request: Reference F0020605**

Thank you for your request of 21 December 2021 requesting information under the terms of the Freedom of Information Act 2000 (FOIA).

You asked:

*I am requesting equivalent data – i.e. the number of licensed cars, motorcycles, and all other vehicles – by 2011 Census Output Area (OA) in England, Scotland and Wales, and Small Area (SA) in Northern Ireland.*

*I am requesting this data without any rounding or suppression of small numbers. OAs and SAs have a confidentiality threshold of 40 households. There should be no need to apply any rounding or suppression of the vehicle counts, as even a single vehicle could not be related to an identifiable individual within the pool of households.*

*If DfT does consider that it cannot release data for OAs/SAs without rounding or suppression of small numbers, please also provide the number of licensed cars, motorcycles, and all other vehicles in each 2011 Census Lower Layer Super Output Area (LSOA) for England and Wales, Data Zone (DZ) for Scotland, and Super Output Area (SOA) for Northern Ireland.*

*Please provide the data as at Q2 2021 or as at Q3 2021 (whichever is the most recent held by the DfT) and specify the date to which the figures have been calculated.*

The Department holds information that is relevant to your request. The information being disclosed in the attached XLSX file is outlined below:

This file contains the number of vehicles licensed in the UK by Output Area 2011 code (OA11CD), broken down into cars, motorcycles, and all other vehicles as per your request. The data relates to the end of September 2021 (or 2021 Q3) as the most recent data held by DfT.

In accordance with your request, we have also provided an additional dataset, containing the number of vehicles licensed in the UK by Lower Super Output Area 2011 code (LSOA11CD), broken down into cars, motorcycles, and all other vehicles. The areas used in Scotland and Northern Ireland are the national equivalents of LSOAs, as described in your request.

Some information is being withheld under section 40(2) (Personal information - The exemption for third party data) of the Freedom of Information Act 2000 on the grounds that disclosure would contravene the Data Protection Act 2018.

Due to the small number of vehicles registered in particular areas, release of information would be likely to lead to identification of individuals if pieced together with other information. The mosaic effect of combining information may potentially identify individuals who have a reasonable expectation that information about them is not placed into the public domain. As section 40 is an absolute exemption, there is no requirement to carry out a public interest test.

In instances where originally values would have been between 1 and 4, these data have been suppressed and the values in these cells replaced with 'c'. In addition to this, some values at LSOA-level have received secondary suppression to avoid the OA-level suppressed figures being disclosed using subtraction. This approach is consistent with all the statistical outputs that DfT produces from its extract of DVLA data.

You additionally asked:

*I further request, in accordance with regulation 6 of the Re-use of Public Sector Information Regulations 2015, permission to re-use all information provided in response to the above access to information request for the purpose of combining that information with data from existing open public datasets and making the outputs available to others in a re-usable electronic form under an open licence. I request that the DfT grants permission to re-use the information for this purpose under the terms of the Open Government Licence v3 (<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>). Given my intended use, any more restrictive licensing terms would be likely to "unnecessarily restrict" the way in which the information can be re-used, contrary to RoPSIR regulation 12.*

This dataset can be freely used and shared openly.

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 FOI Advice Team at:

Zone D/04  
Ashdown House  
Sedlescombe Road North  
Hastings  
East Sussex TN37 7GA  
E-mail: [FOI-Advice-Team-DFT@dft.gov.uk](mailto:FOI-Advice-Team-DFT@dft.gov.uk)

Please send or copy any follow-up correspondence relating to this request to the FOI Advice Team to help ensure that it receives prompt attention. Please also remember to quote the reference number above in any future communications.

If you have any queries about vehicle licensing statistics, please contact [vehicles.stats@dft.gov.uk](mailto:vehicles.stats@dft.gov.uk).

Yours sincerely,

A large black rectangular redaction box covering the signature area.

### **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

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**Re: FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area [P0020605]**

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**Owen Boswarva** <owen.boswarva@gmail.com>

27 January 2022 at 13:30

To: [REDACTED] &lt;[REDACTED]&gt;

Cc: VEHICLES STATS &lt;VEHICLES.STATS@dft.gov.uk&gt;

Hi [REDACTED],

No, I'm afraid not. My question is as follows: Is DfT granting me permission to re-use the information in the data file under the terms of the Open Government Licence v3?

I would be grateful for a direct response to that question. I appreciate this may seem picky, but without an unequivocal statement of the conditions of re-use from DfT I cannot establish legal provenance for onward sharing of the data. Thank you.

Kind regards,

Owen Boswarva

On Thu, 27 Jan 2022 at 13:18, [REDACTED] &lt;[REDACTED]&gt; wrote:

Hello Owen

Yes I can confirm that the data can be used for any purpose by any person or organisation. For the vehicles data the only licences we usually issue are those that restrict use to particular projects or purposes.

Is that sufficient?

Best wishes

[REDACTED].

[REDACTED] | [REDACTED], Vehicles, Drivers and Access to Services Statistics, Travel and Environment  
Data and Statistics (TRENDS) Division, Department for Transport  
3rd Floor | [REDACTED] | [REDACTED]

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**From:** Owen Boswarva <owen.boswarva@gmail.com>**Sent:** 27 January 2022 13:14**To:** [REDACTED] <[REDACTED]>**Cc:** VEHICLES STATS <VEHICLES.STATS@dft.gov.uk>**Subject:** Re: FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area [P0020605]

Dear [REDACTED],

Many thanks for your response and for the data file.

May I have confirmation that DfT is granting me permission to re-use the information in the data file under the terms of the Open Government Licence v3? The response in your letter ("This dataset can be freely used and shared openly") does not make clear whether DfT is imposing any conditions on re-use.

Thank you.



Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

On Wed, 26 Jan 2022 at 10:52, [REDACTED] <[REDACTED]> wrote:

Dear Mr Boswarva

Please see attached letter and data file.

Very sorry for the delay in responding.

Best wishes

[REDACTED].

[REDACTED] | [REDACTED], Vehicles, Drivers and Access to Services Statistics, Travel and Environment  
Data and Statistics (TRENDS) Division, Department for Transport  
3rd Floor | [REDACTED] | [REDACTED]

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**From:** Owen Boswarva <[owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)>

**Sent:** 25 January 2022 17:28

**To:** FOI-ADVICE-TEAM-DFT <[FOI-ADVICE-TEAM-DFT@dft.gov.uk](mailto:FOI-ADVICE-TEAM-DFT@dft.gov.uk)>; VEHICLES STATS  
<[VEHICLES.STATS@dft.gov.uk](mailto:VEHICLES.STATS@dft.gov.uk)>

**Subject:** Overdue for response: FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area [P0020605]

Your ref: P0020605

Good afternoon,

May I have a response to my email of 21 December 2021 below?

Section 10 of the Freedom of Information Act 2000 and regulation 8 of the Re-use of Public Sector Information Regulations 2015 require that DfT should provide a substantive response to my information and re-use requests within 20 working days. That period has now passed.

Thank you.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

telephone [REDACTED]  
email owen.boswarva@gmail.com

6 February 2022

FOI Advice Team  
Department for Transport

By email to FOI-Advice-Team-DFT@dft.gov.uk

Your ref: **F0020605**

**FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area – Internal Review**

Dear FOI Advice Team,

I would like to request an internal review of DfT's response to the FOI and RoPSIR requests that I submitted on 21 December 2021.

I have forwarded to you, under cover of the same email to which this letter is attached, a copy of my requests, DfT's response of 26 January 2022, and a further exchange of emails on 27 January 2022 with [REDACTED], [REDACTED]  
[REDACTED].

DfT has disclosed most of the information within scope of my request, as two tables of statistics in an XLSX file. I am requesting the internal review in respect of two aspects of DfT's response. Firstly, DfT has suppressed values between 1 and 4 in cells at OA level, with secondary suppression at LSOA level, on the basis that this information is personal data and exempt from disclosure under section 40(2) of the FOIA Act. I believe DfT is mistaken in its application of this exemption. Secondly, DfT has not provided a clear statement of permission and/or conditions for my re-use of the disclosed information.

Please consider in particular the following points:

1. The information I requested was counts of registered vehicles that are (a) cars, (b) motorcycles, and (c) others, in each Output Area (OA) of the UK, along with counts for the same types of registered vehicle in larger geographies. In its response, DfT maintained that where any of those values was between 1 and 4 inclusive for any OA the information was personal data and exempt from disclosure.

DfT's rationale was given as follows:

"Due to the small number of vehicles registered in particular areas, release of information would be likely to lead to identification of individuals if pieced together with other information. The mosaic effect of combining information may potentially identify individuals who have a reasonable expectation that information about them is not placed into the public domain."

In my view, the suppressed numbers are not personal data. None of the information I have requested can be used to identify any individual, either by itself or by combining it with other information that is available to me or to a third party.

2. In its response, DfT said "This approach is consistent with all the statistical outputs that DfT produces from its extract of DVLA data." That suggests to me that DfT has applied a blanket policy on disclosure control, without considering the particular information within scope of my FOI request.

I draw your attention to the following in the ICO's [Code of Practice on Anonymisation](#) (page 31):

"Small numbers in small geographical areas present increased risk, but this does not mean that small numbers should always be removed automatically. For example, always removing numbers relating to five or 10 individuals or fewer may be a reasonable rule of thumb for minimising the risk of identification in a proactive disclosure scenario, but in the context of a specific freedom of information request a different approach may be possible, based on an application of the tests in the DPA."

3. I also draw your attention to the Upper Tribunal's recent decision in [NHS Business Services Authority v Information Commissioner and Spivack \[2021\] UKUT 192 \(AAC\)](#) – a recent judgment that deals with identifiability, suppression of small numbers, and the application of section 40(2) – as well as the 2019 [ICO decision notice](#) in the same case.
4. Output Areas (OAs), the smallest area of geography in my information request, are a [Census geography](#) with a confidentiality threshold of 100 persons and 40 households. In 2011, the average OA had a population of more than 300 persons.

The body types for which I have requested counts (car, motorcycle, others) are highly generic. It is not possible to derive any more specific information about individual vehicles, such as make or model, from the information I have requested.

Accordingly, I argue that even a known count of one vehicle of a particular body type in a particular Output Area cannot be used to identify any registered vehicle, or to identify any individual associated with that vehicle (such as the registered keeper). Such identification is only possible from access to additional information that would be sufficient by itself, rather than in combination with, the information I have requested.

5. If DfT still considers, following its internal review, that the suppressed values are personal data, it would be helpful to have some further explanation of the means that DfT considers are reasonably likely to be used by a motivated inquirer to identify individuals, should the information be disclosed.
6. My FOI request was accompanied by a request for permission to re-use the disclosed information under the terms of the [Open Government Licence v3](#). In its response of 26 January, DfT said that the dataset “can be freely used and shared openly”.

In follow-up correspondence, responding to my further request for confirmation that DfT was granting me permission to re-use the information in the data file under the terms of the OGL, [REDACTED] also said:

“Yes I can confirm that the data can be used for any purpose by any person or organisation. For the vehicles data the only licences we usually issue are those that restrict use to particular projects or purposes.”

Neither of those responses is sufficiently clear to comply with the requirements in [regulation 8 of The Re-use of Public Sector Information Regulations 2015](#). As the disclosed information is a work product of DfT, it will be subject to Crown copyright and/or database rights. I cannot re-use the information for my intended purpose, which includes making the information available to third parties under an open licence, without a record of permission from DfT.

Please provide a clear statement that DfT is granting me permission to re-use the information under the terms of the OGL v3, or a statement of any conditions of re-use that apply.

Thank you for your attention to this internal review request.

Yours faithfully,

Owen Boswarva



# Department for Transport

Mr Owen Boswarva  
[By email:  
owen.boswarva@gmail.com]

DEPARTMENT FOR TRANSPORT  
INFORMATION RIGHTS TEAM  
3<sup>RD</sup> FLOOR  
ONE PRIORY SQUARE  
HASTINGS  
TN34 1EA

Web Site: [www.dft.gov.uk](http://www.dft.gov.uk)

Our Ref: F0020605

3<sup>rd</sup> March 2022

## Freedom of Information Act Complaint – F0020605

Dear Mr Boswarva,

I am replying to your request, received on the 6<sup>th</sup> February 2022, for an internal review of the Department's response to your FOI request. You originally asked for statistical information about the number of licensed vehicles in the UK, based on 2011 Census geography. You also asked the Department to grant permission to re-use any information it released under the terms of the Open Government Licence v3  
<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>

The Department's reply dated the 26<sup>th</sup> January 2022 confirmed that it held relevant recorded information and provided you with a spreadsheet containing two tabs of statistical information. The Department further explained that some of the information was exempt from disclosure in reliance on the third party personal information exemption at section 40(2)&(3A)(a) of the FOI Act due to the small number of vehicles registered in particular geographical areas (all values of between 1 and 4). The Department explained that release of this information would be likely to lead to identification of living individuals if pieced together with other information already in the public domain. The Department also confirmed that the dataset released to you can be freely used and shared openly.

In your request for an internal review you stated that, in your opinion, the Department was mistaken in its application of the section 40 personal information exemption to justify withholding the low value numbers and that the Department had not provided a clear statement of permission and / or conditions for your re-use of the disclosed information.

Your request for a review has been passed to me to deal with as I had no involvement in the handling of your original request.

In reaching my decision I have carefully considered your complaint, reviewed Information Commissioner's Office guidance and read the ICO Decision Notice & Upper Tribunal Case that you provided links to.

### **Scope of the Review**

The scope of my review will be to consider if the Department was correct to cite the third party personal information exemption at section 40 of the FOI Act to withhold the numbers between 1 and 4. I will also review the Department's response to your request for permission to re-use the released statistical information.

### **Findings**

I have spoken to the statistics team that produced the information for your original response. They explained to me that the extract of data belongs to the Driver & Vehicle Licensing Agency (DVLA) which is one of the Department for Transport's executive agencies. The team respond to information requests of the type you submitted on behalf of the DVLA.

I have been assured that consideration was given to releasing all of the information you requested including the numbers between 1 and 4. A blanket approach was not applied as suggested in your internal review request.

With regards to the statistical information that was released I have reviewed the spreadsheet and sought clarification from the team as to what information is presented on each of the tabs. It has been explained to me that column A contains a unique code which is linked to the 2011 census geography areas and that these codes can easily be looked-up on the internet to identify a particular area of the country. The remaining columns contain details of the number of licensed vehicles broken down by cars, motorcycles and others. I have also viewed the withheld information which, as explained to you, has been replaced in the spreadsheet with a letter 'c'. Taking everything into consideration I am content that it would be possible to identify living individuals from the information on the spreadsheet coupled with other information already in the public domain or known to individuals locally, especially in very small areas with low numbers. These individuals have a reasonable expectation that information about them and their vehicles will not be placed into the public domain. To do so would be unfair and would contravene current Data Protection legislation. Therefore this is, in my view, third party personal data which needs to be protected.

I note the text in the ICO's Code of Practice on Anonymisation that you drew the Department's attention to but even that states, 'small numbers in small geographical areas presents increased risk'. The Department cannot take any risks with the public's personal information.

I have also read the Upper Tribunal decision and the ICO decision notice that you drew the Department's attention to. I think that is a slightly different scenario in that the geographical location relates to the pharmaceutical dispensary rather than where the data subject might be found.

## **Re-Use of the Released Statistical Information**

Your original FOI request sought permission under the Re-Use of Public Sector Information Regulations 2015 to re-use all of the statistical information provided and asked for permission to be granted under the Open Government Licence v3. In the Department's original response it confirmed that the dataset can be freely used and shared openly. Having discussed this further with the team I can confirm that the Open Government Licence v3 allows you to re-use the statistical information that the Department supplied to you.

## **Summary**

Taking everything into consideration, I uphold the Department's decision to withhold the low value numbers between 1 and 4 in reliance on the section 40(2)&(3A)(a) third party personal information exemption. However, I can confirm that the Open Government Licence v3 allows you to re-use the released information.

## **Next Steps**

If you are not content with the outcome of this internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: <https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>

Yours sincerely

  
**Information Rights Team**



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**Re: FOI Internal Review Response - F0020605**

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**Owen Boswarva** <owen.boswarva@gmail.com>

6 March 2022 at 13:35

To: FOI-ADVICE-TEAM-DFT &lt;FOI-ADVICE-TEAM-DFT@dft.gov.uk&gt;

Dear [REDACTED],

Thank you for your internal review response with respect to my FOI and RPSI requests for some information about the number of licensed vehicles in the UK.

I regret that your response does not provide any clarification as to why DfT considers the redacted information to be personal data or how the redacted information could be used to identify living individuals.

I am also not certain from your response that the DfT is granting me permission to re-use the disclosed information under the terms of the OGL v3. You have said that "the Open Government Licence v3 allows" me to re-use the information. However, the licence itself is not a source of permission – permission can only be granted by the owner/s of intellectual property rights in the information .

I note your statements that the extract of data "belongs to" the DVLA and that the DfT statistics team responded to my information requests "on behalf of" the DVLA. Accordingly, I will submit a separate request to the DVLA for permission to re-use any IP it has in the disclosed information.

I will refer DfT's handling of my information requests to the ICO for further consideration, but will welcome any elaboration or clarification of DfT's position that you care to make in the meantime.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

On Thu, 3 Mar 2022 at 10:01, FOI-ADVICE-TEAM-DFT <[FOI-ADVICE-TEAM-DFT@dft.gov.uk](mailto:FOI-ADVICE-TEAM-DFT@dft.gov.uk)> wrote:

Dear Mr Boswarva,

Please refer to the attached letter.

Regards,

[REDACTED]



Department for Transport

[REDACTED]  
Information Rights Adviser, Information Rights (Data Protection and FOI) Team, Governance Division, Group Assurance and Digital Directorate

3rd Floor, One Priory Square, Hastings, TN34 1EA

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The information in this email may be confidential or otherwise protected by law. If you received it in error, please let us know by return e-mail and then delete it immediately, without printing or passing it on to anybody else. Incoming and outgoing e-mail messages are routinely monitored for compliance with our policy on the use of electronic communications and for other lawful purposes.

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**RoPSIR request re DVLA data supplied by DfT's vehicle statistics team**

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**Owen Boswarva** <owen.boswarva@gmail.com>

9 March 2022 at 19:43

To: FOI &lt;FOI@dvla.gov.uk&gt;

Dear Freedom of Information Team,

Further to our emails in December 2021 below, I submitted a new information request to DfT's vehicle statistics team.

DfT has now disclosed most of the count data for licensed vehicles in output areas that I requested, with some redactions. DfT's reference is F0020605.

I have attached a copy of the data in an Excel workbook, as received from DfT, and a zip file containing PDFs of my correspondence with DfT which includes an internal review response.

DfT has not provided a clear statement of permission to re-use the information. DfT has said in its original response that the dataset "can be freely used and shared openly", that the data "can be used for any purpose by any person or organisation", and, in its internal review response, that "the Open Government Licence v3 allows" me to re-use the information. However, DfT has also said that the extract of data "belongs to" the DVLA and that the DfT statistics team responded to my information requests "on behalf of" the DVLA.

This leads me to believe that the DVLA, rather than DfT, may hold intellectual property rights in the disclosed data. (I am aware that DVLA is an agency of DfT and that both DfT and DVLA are Crown bodies.)

I am therefore requesting, in accordance with regulation 6 of the Re-use of Public Sector Information Regulations 2015, the DVLA's permission to re-use the information disclosed by DfT in response to my access request (the data in the attached workbook), for the purpose of combining that information with data from existing open public datasets and making the outputs available to others in a re-usable electronic form under an open licence.

I request that the DVLA grants permission to re-use the information for this purpose under the terms of the Open Government Licence v3 (<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>). Given my intended use, any more restrictive licensing terms would be likely to "unnecessarily restrict" the way in which the information can be re-used, contrary to RoPSIR regulation 12.

Thank you for your attention to this re-use request.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

On Tue, 21 Dec 2021 at 14:03, Owen Boswarva <[owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)> wrote:

Dear Freedom of Information Team,

Thank you for your email.

I have discussed my request by phone with [REDACTED] in the DfT's statistics team, and have now submitted a new information request directly to DfT.

I no longer require a response from DVLA to my request of 21 November 2021, and am not seeking an internal review of the DVLA's handling of that request. However, I would draw your attention to the [Section 45 Code of Practice](#) guidance on transferring FOI requests:

2.11 There will be occasions when a public authority is not able to comply with a request (or to comply with it in full) because it does not hold the information requested.

2.12 In most cases where a public authority does not hold the information, but thinks that another public authority does, they should respond to the applicant to inform them that the requested information is not held by them, and that it may be held by another public authority. The public authority should, as best practice where they can, provide the contact details for the public authority they believe holds the requested information.

2.13 Where the public authority who originally received the request wishes to ask a different public authority directly to deal with the request by transferring it to them, this should only be done with the applicant's agreement in case the requester objects to their details being passed on. This is because public authorities have a duty to respond to a requester and confirm whether or not they hold information in scope of the request as set out in paragraph 2.12 above.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

On Tue, 21 Dec 2021 at 10:29, FOI <[FOI@dvla.gov.uk](mailto:FOI@dvla.gov.uk)> wrote:

Dear Mr Boswarva

I'm sorry you have not had a response to your original email sent on 21 November.

I understand that it was sent to the vehicle stats team at Department for Transport who publish the statistics to which you refer.

You may find that Table VEH0105 may give you the information you require.

I have also resent your email to the team and asked them to respond.

Many thanks

**Freedom of Information Team**

Strategy, Policy & Communications Directorate | C2W | DVLA | Swansea | SA6 7JL

Twitter: [@dvlagovuk](https://twitter.com/dvlagovuk)



Driver & Vehicle Licensing Agency

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**From:** Owen Boswarva <[owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)>

**Sent:** 21 December 2021 08:54

**To:** FOI <[FOI@dvla.gov.uk](mailto:FOI@dvla.gov.uk)>

**Subject:** Overdue for response: FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area

Good morning,

May I have a response to my email of 21 November 2021 below?

Section 10 of the Freedom of Information Act 2000 and regulation 8 of the Re-use of Public Sector Information Regulations 2015 require that DVLA should provide a substantive response to my information and re-use requests within 20 working days. That period has now passed.

Thank you.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

----- Forwarded message -----

**From:** Owen Boswarva <[owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)>

**Date:** Sun, 21 Nov 2021 at 17:22

**Subject:** FOI and RoPSIR requests for number of licensed vehicles in UK by Output Area

**To:** <[foi@dvla.gov.uk](mailto:foi@dvla.gov.uk)>

Good afternoon,

I would like to request some information about the number of licensed vehicles in the UK, based on 2011 Census geography.

I am aware that the DfT and the DVLA publishes statistics for licensed vehicles by postcode district and body type (Table VEH0122) at <https://www.gov.uk/government/statistical-data-sets/all-vehicles-veh01>.

I am requesting equivalent data (i.e. the number of licensed cars, motorcycles, and all other vehicles) by Output Area (OA).

If the DVLA does not hold or is unable to disclose this data by Output Area, please provide the data by the smallest Census geography for which the data is available, for example LSOA/Data Zone or MSOA.

Please provide the data for licensed vehicles as at Q2 2021, or the most recent earlier date for which the data is held, and specify the date to which the figures have been calculated.

Please provide the data in a re-usable data format such as CSV, Excel or ODS.

I further request, in accordance with regulation 6 of the Re-use of Public Sector Information Regulations 2015, permission to re-use all information provided in response to the above access to information request for the purpose of combining that information with data from existing open public datasets and making the outputs available to others in a re-usable electronic form under an open licence. I request that the DVLA grants permission to re-use the information for this purpose under the terms of the Open Government Licence v3

(<http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/>). Given my intended use, any more restrictive licensing terms would be likely to "unnecessarily restrict" the way in which the information can be re-used, contrary to RoPSIR regulation 12.

Thank you for your attention to these requests.

Kind regards,

Owen Boswarva

Contact details

e-mail: [owen.boswarva@gmail.com](mailto:owen.boswarva@gmail.com)

telephone: [REDACTED] or [REDACTED]

address: [REDACTED]

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Correspondents should note that all communications to DVLA may be automatically logged, monitored and/or recorded for lawful purposes.

Please visit [www.gov.uk/browse/driving](http://www.gov.uk/browse/driving) for government information on all aspects of motoring, ranging from log books and driving licences to driving tests and vehicle tax.

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## 2 attachments



**Response to FOI, Chapter ID F0020605.xlsx**

7760K



**F0020605 correspondence 20211221-202220307.zip**

857K